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OF THE

UNITED STATES OF AMERICA

SECOND SESSION

OF THE

ONE HUNDRED ELEVENTH CONGRESS

BEGUN AND HELD AT THE CITY OF WASHINGTON
JANUARY 5, 2010, IN THE TWO HUNDRED
AND THIRTY FOURTH YEAR OF THE
INDEPENDENCE OF THE
UNITED STATES

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JOURNAL OF THE SENATE
OF THE
UNITED STATES OF AMERICA

One Hundred Eleventh Congress, Second Session : : : Beginning January 5, 2010

THE SECOND SESSION OF THE ONE HUNDRED ELEVENTH CONGRESS commenced on this day, conformably to the Constitution and joint resolution (H.J. Res. 62) appointing the day for the convening of the second session of the One Hundred Eleventh Congress, approved on December 22, 2009; and the Senate met in its Chamber in the city of Washington.

TUESDAY, JANUARY 5, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 12:00:10 p.m., and

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, January 5, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

ADJOURNMENT

Under the authority of the order of Thursday, December 24, 2009,

At 12:00:43 p.m.,

The ACTING PRESIDENT pro tempore declared the Senate adjourned, under its order of Thursday, December 24, 2009, until 11 a.m. on Tuesday, January 19, 2010.

TUESDAY, JANUARY 19, 2010

Mr. BENJAMIN L. CARDIN, from the State of Maryland, called the Senate to order at 11:00:02 a.m., and

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, January 19, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. CARDIN took the chair.

ADJOURNMENT

Under the authority of the order of Thursday, December 24, 2009,

At 11:00:30 a.m.,

The ACTING PRESIDENT pro tempore declared the Senate adjourned, under its order of Thursday, December 24, 2009, until 10 a.m. on tomorrow.

WEDNESDAY, JANUARY 20, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, January 20, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. TOM UDALL took the chair.

THE JOURNAL

Pursuant to the order of Thursday, December 24, 2009,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Thursday, December 24, 2009,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Thursday, December 24, 2009,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of January 6, 2009, the Secretary of the Senate, on January 19, 2010, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has passed the following bill, without amendment:

S. 692. An act to provide that claims of the United States to certain documents relating to Franklin Delano Roosevelt shall be treated as waived and relinquished in certain circumstances.

The message also announced that the House agreed to the following resolution:

H. Res. 999. Resolution that the Clerk of the House inform the Senate that a quorum of the House is present and that the House is ready to proceed with business.

The message further announced that the Speaker has signed the following enrolled bills:

H.R. 1377. An act to amend title 38, United States Code, to expand veteran eligibility for reimbursement by the Secretary of Veterans Affairs for emergency treatment furnished in a non-Department facility, and for other purposes.

H.R. 1817. An act to designate the facility of the United States Postal Service located at 116 North West Street in Somerville, Tennessee, as the "John S. Wilder Post Office Building".

H.R. 2877. An act to designate the facility of the United States Postal Service located at 76 Brookside Avenue in Chester, New York, as the "1st Lieutenant Louis Allen Post Office".

H.R. 3072. An act to designate the facility of the United States Postal Service located at 9810 Halls Ferry Road in St. Louis, Missouri, as the "Coach Jodie Bailey Post Office Building".

H.R. 3319. An act to designate the facility of the United States Postal Service located at 440 South Gulling Street in Portola, California, as the "Army Specialist Jeremiah Paul McCleery Post Office Building".

H.R. 3539. An act to designate the facility of the United States Postal Service located at 427 Harrison Avenue in Harrison, New Jersey, as the "Patricia D. McGinty-Juhl Post Office Building".

H.R. 3667. An act to designate the facility of the United States Postal Service located at 16555 Springs Street in White Springs, Florida, as the "Clyde L. Hillhouse Post Office Building".

H.R. 3767. An act to designate the facility of the United States Postal Service located at 170 North Main Street in Smithfield, Utah, as the "W. Hazen Hillyard Post Office Building".

H.R. 3788. An act to designate the facility of the United States Postal Service located at 3900 Darrow Road in Stow, Ohio, as the "Corporal Joseph A. Tomci Post Office Building".

HOUSE BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 3961) to amend title XVIII of the Social Security Act to reform the Medicare SGR payment system for physicians and to reinstitute and update the Pay-As-You-Go requirement of budget neutrality on new tax and mandatory spending legislation, enforced by the threat of annual, automatic sequestration, received from the House of Representatives for concurrence on Friday, November 20, 2009, and read the first time on Thursday, December 24, 2009; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

HOUSE BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 4154) to amend the Internal Revenue Code of 1986 to repeal the new carryover basis rules in order to prevent tax increases and the imposition of compliance burdens on many more estates than would benefit from repeal, to retain the estate tax with a $3,500,000 exemption, to reinstitute and update the Pay-As-You-Go requirement of budget neutrality on new tax and mandatory spending legislation, enforced by the threat of annual, automatic sequestration, and for other purposes, received from the House of Representatives for concurrence on Thursday, December 3, 2009, and read the first time on Thursday, December 24, 2009; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

PROVIDING FOR A JOINT SESSION OF CONGRESS TO RECEIVE A MESSAGE FROM THE PRESIDENT ON THE STATE OF THE UNION

On the request of Mr. BAUCUS,

The PRESIDING OFFICER (Mr. FRANKEN in the chair) laid before the Senate the concurrent resolution (H. Con. Res. 228) providing for a joint session of Congress to receive a message from the President, received from the House of Representatives for concurrence on today, and at the desk.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

COMMITTEE DISCHARGED; BILL REFERRED

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That the Committee on Energy and Natural Resources be discharged from further consideration of the bill (H.R. 1854) to amend the Water Resources Development Act of 1992 to modify an environmental infrastructure project for Big Bear Lake, California; and that the bill be referred to the Committee on Environment and Public Works.

BILL READ THE FIRST TIME

On the request of Mr. BAUCUS,

The PRESIDING OFFICER laid before the Senate the bill (S. 2939) to amend title 31, United States Code to require an audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks, and for other purposes, introduced today by Mr. DEMINT, and at the desk; which was read the first time.

Mr. BAUCUS asked unanimous consent that the bill be read the second time.

Mr. BAUCUS objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

AUTHORITY FOR APPOINTMENT OF COMMITTEE OF ESCORT

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That the PRESIDENT pro tempore be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort the President of the United States into the Chamber of the House of Representatives for a joint session at 9 p.m. on Wednesday, January 27, 2010.

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by Mrs. Neiman, one of his secretaries:

CONTINUATION OF THE NATIONAL EMERGENCY DECLARED WITH RESPECT TO FOREIGN TERRORISTS WHO THREATEN TO DISRUPT THE MIDDLE EAST PEACE PROCESS -- PM40

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the emergency declared with respect to foreign terrorists who threaten to disrupt the Middle East peace process is to continue in effect beyond January 23, 2010.

The crisis with respect to the grave acts of violence committed by foreign terrorists who threaten to disrupt the Middle East peace process that led to the declaration of a national emergency on January 23, 1995, has not been resolved. Terrorist groups continue to engage in activities that have the purpose or effect of threatening the Middle East peace process and that are hostile to United States interests in the region. Such actions constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to foreign terrorists who threaten to disrupt the Middle East peace process and to maintain in force the economic sanctions against them to respond to this threat.

BARACK OBAMA.

THE WHITE HOUSE, *January 20, 2010.*

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-4168. A communication from the Director of Program Development and Regulatory Analysis, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Electric Program: Definition of Rural Area" ((7 CFR Part 1710)(RIN0572-AC15)), received in the Office of the President of the Senate on December 21, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4169. A communication from the Secretary of the Navy, transmitting, pursuant to law, a report relative to the Average Procurement Unit Cost for the Remote Minehunting System (RMS) Program; to the Committee on Armed Services.

EC-4170. A communication from the General Counsel, Selective Service System, transmitting, pursuant to law, a report relative to the vacancy in the position of Director of the Selective Service System; to the Committee on Armed Services.

EC-4171. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Jack L. Rives, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-4172. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Mississippi Coastal Improvements Program (MsCIP), Hancock, Harrison and Jackson Counties, Mississippi; to the Committee on Armed Services.

EC-4173. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Updated Statements of Legal Authority to Reflect Continuation of the Emergency Declared in Executive Order 12938 and Changes to the United States Code" (RIN0694-AE76), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-4174. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Reporting of Offsets Agreements in Sales of Weapon Systems or Defense-Related Items to Foreign Countries of Foreign Firms" (RIN0694-AE40), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-4175. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Amendments to the Export Administration Regulations (EAR) Based upon the Accession of Albania and Croatia to Formal Membership in the North Atlantic Treaty Organization (NATO)" (RIN0694-AE62), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-4176. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Authorization Validated End-User: Amendment to Existing Validated End-User Authorizations in the People's Republic of China (PRC) and India" (RIN0694-AE77), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-4177. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to the Federative Republic of Brazil; to the Committee on Banking, Housing, and Urban Affairs.

EC-4178. A communication from the Secretary of Commerce, transmitting, pursuant to law, a six-month report on the national emergency that was originally declared in Executive Order 13159 relative to the risk of nuclear proliferation created by the accumulation of weapons-usable fissile material in the territory of the Russian Federation; to the Committee on Banking, Housing, and Urban Affairs.

EC-4179. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-4180. A communication from the NRDAR Program Manager, Office of the Secretary, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Natural Resource Damages for Hazardous Substances" (RIN1090-AA97), received in the Office of the President of the Senate on December 22, 2009; to the Committee on Energy and Natural Resources.

EC-4181. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Prepared Feeds Manufacturing" (FRL No. 9095-2), received in the Office of the President of the Senate on December 22, 2009; to the Committee on Environment and Public Works.

EC-4182. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants for Area Sources: Chemical Preparations Industry" (FRL No. 9095-1), received in the Office of the President of the Senate on

December 22, 2009; to the Committee on Environment and Public Works.

EC-4183. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Indiana" (FRL No. 8985-4), received in the Office of the President of the Senate on December 22, 2009; to the Committee on Environment and Public Works.

EC-4184. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Missouri" (FRL No. 9096-4), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Environment and Public Works.

EC-4185. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Iowa" (FRL No. 9096-6), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Environment and Public Works.

EC-4186. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Corporate Reorganizations; Distributions Under Sections 368(a)(1)(D) and 354(b)(1)(B)" ((TD 9475)(RIN1545-BF83)), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Finance.

EC-4187. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Tax-Exempt Bonds in Certain Disaster Areas" (Notice 2010-10), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Finance.

EC-4188. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services to Kuwait in support of the Combat Support Services Contract for the US Army Support Group in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-4189. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Canada relative to the design, manufacture, and repair of the APS-508 Radar to support the Canadian CP-140 Maritime Patrol Aircraft; to the Committee on Foreign Relations.

EC-4190. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Turkey relative to the design, manufacture, and repair of F-35 Center Fuselages and related Assemblies in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-4191. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services relative to the development of the Medium Extended Air Defense System (MEADS) Program involving the United States, Austria, Italy, and Germany in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-4192. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Germany relative to the design and manufacture of the H-726 Dynamic Reference Unit for Military Vehicles; to the Committee on Foreign Relations.

EC-4193. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to the United Kingdom relative to the manufacture and repair of aircraft vertical and azimuth rate gyros as well as attitude heading reference systems (AHRS) and attitude indicators; to the Committee on Foreign Relations.

EC-4194. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, including, technical data, and defense services to the United Arab Emirates relative to the design and development of the Vehicle Launched Scatterable Anti-Tank System (VLSAS) in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-4195. A communication from the Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting, pursuant to law, the Agency's Fiscal Year 2009 Agency Financial Report; to the Committee on Foreign Relations.

EC-4196. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Additives Permitted in Feed and Drinking Water of Animals; Methyl Esters of Conjugated Linoleic Acid (Cis-9), Trans-11 and Trans-10, Cis-12-Octadecadienoic Acids" (Docket No. FDA-2003-F-0398), received in the Office of the President of the Senate on December 21, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC-4197. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Current Good Manufacturing Practice for Positron Emission Tomography Drugs" (Docket No. FDA-2004-N-0449), received in the Office of the President of the Senate on December 22, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC-4198. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, a report relative to the use of the exemption from the antitrust laws provided by the Pandemic and All-Hazards Preparedness Act; to the Committee on Health, Education, Labor, and Pensions.

EC-4199. A communication from the Director, Center for Employee and Family Support Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Continuation of Eligibility for Certain Civil Service Benefits for Former Federal Employees of the Civilian Marksmanship Program" (RIN3206-AJ55), received in the Office of the President of the Senate on December 22, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-4200. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-138, "Initiative Measure No. 59, Legalization of Marijuana for Medical Treatment Initiative of 1999"; to the Committee on Homeland Security and Governmental Affairs.

EC-4201. A communication from the Inspector General, Department of Commerce, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1 through September 30, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-4202. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, the Agency's Performance and Accountability Report for fiscal year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-4203. A communication from the Assistant Secretary for Congressional and Legislative Affairs, Department of Veterans Affairs, transmitting, pursuant to law, the Department's Performance and Accountability Report for fiscal year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-4204. A communication from the Policy Editor, Bureau of Immigration and Customs Enforcement, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Extending Period of Optional Practical Training by 17 Months for F-1 Nonimmigrant Students with STEM Degrees and Expanding Cap-Gap Relief for All F-1 Students with Pending H-1B Petitions" (RIN1653-AA56), received on December 22, 2009; to the Committee on the Judiciary.

EC-4205. A communication from the Deputy Assistant Administrator of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Changes to Patient Limitation for Dispensing or Prescribing Approved Narcotic Controlled Substances for Maintenance or Detoxification Treatment by Qualified Individual Practitioners" (Docket Number DEA-275F), received in the Office of the President of the Senate on December 23, 2009; to the Committee on the Judiciary.

EC-4206. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-248, "Religious Freedom and Civil Marriage Equality Amendment Act of 2009"; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, with amendments:

S. 2778. A bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes (Rept. No. 111-114).

By Mr. DORGAN, from the Committee on Indian Affairs, with amendments:

S. 1105. A bill to authorize the Secretary of the Interior, acting through the Commissioner of Reclamation, to develop water infrastructure in the Rio Grande Basin, and to approve the settlement of the water rights claims of the Pueblos of Nambe, Pojoaque, San Ildefonso, and Tesuque (Rept. No. 111-115).

By Mr. DORGAN, from the Committee on Indian Affairs, without amendment:

S. 1735. A bill to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes (Rept. No. 111-116).

By Mr. DORGAN, from the Committee on Indian Affairs, with amendments:

S. 965. A bill to approve the Taos Pueblo Indian Water Rights Settlement Agreement, and for other purposes (Rept. No. 111-117).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. NELSON of Florida (for himself, Mr. KERRY, Mr. LEAHY, Mr. HARKIN, Mr. DURBIN, Ms. LANDRIEU, Mr. BINGAMAN, Mr. LEMIEUX, Mr. LAUTENBERG, Mrs. FEINSTEIN, Mr. UDALL of New Mexico, and Mr. WHITEHOUSE):

S. 2931. A bill to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Haiti; to the Committee on Finance.

By Mr. VITTER:

S. 2932. A bill to amend the public charter school provisions of the Elementary and Secondary Education Act of 1965, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VOINOVICH (for himself and Mr. BROWN):

S. 2933. A bill to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of designating the Colonel Charles Young Home in Xenia, Ohio, as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. VITTER:

S. 2934. A bill to amend the Federal Food, Drug, and Cosmetic Act to ensure the safety of imported seafood; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRASSLEY (for himself, Mr. CORNYN, and Mr. ROBERTS):

S. 2935. A bill to clarify that the revocation of an alien's visa or other documentation is not subject to judicial review; to the Committee on the Judiciary.

By Mr. BAUCUS (for himself, Mr. GRASSLEY, Mr. REID, Mr. NELSON of Florida, Mr. LEMIEUX, Mr. SCHUMER, Mrs. GILLIBRAND, Mr. ROCKEFELLER, Mr. HATCH, Mr. BINGAMAN, Mr. BUNNING, Mr. KERRY, Mr. ENZI, Mrs. LINCOLN, Mr. CORNYN, Mr. MENENDEZ, Mr. DODD, Mr. HARKIN, Ms. LANDRIEU, Mr. WHITEHOUSE, Mr. UDALL of Colorado, Mr. DORGAN, Mr. JOHNSON, Mrs. SHAHEEN, Mr. CONRAD, Mr. LUGAR, Mr. JOHANNS, Mr. LAUTENBERG, Mr. ENSIGN, Mr. BURRIS, and Mr. BROWNBACK):

S. 2936. A bill to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Haiti; to the Committee on Finance.

By Mr. SCHUMER (for himself, Mrs. GILLIBRAND, Mr. NELSON of Florida, Mr. LEMIEUX, and Mr. KERRY):

S. 2937. A bill to provide a temporary suspension of limitation on charitable contributions and to amend the Internal Revenue Code of 1986 to extend the enhanced charitable deduction for contributions of food inventory; to the Committee on Finance.

By Mr. THUNE (for himself, Mr. VITTER, Mr. INHOFE, Mr. JOHANNS, Mrs. HUTCHISON, Mr. BROWNBACK, Mr. LEMIEUX, Mr. BURR, Mr. ENZI, Mr. COBURN, Mr. BARRASSO, Mr. BENNETT, Ms. SNOWE, Mr. GRASSLEY, Mr. ENSIGN, Mr. CRAPO, Mr. WICKER, Mr. BUNNING, Mr. GRAHAM, and Mr. CORNYN):

S. 2938. A bill to terminate authority under the Troubled Asset Relief Program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DEMINT:

S. 2939. A bill to amend title 31, United States Code to require an audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks, and for other purposes; read the first time.

By Mr. LAUTENBERG:

S. 2940. A bill to increase the use of security cameras at airport security screening checkpoints and exits, to impose increased penalties on individuals who circumvent security screening at airports, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BINGAMAN (for himself and Ms. MURKOWSKI) (by request):

S. 2941. A bill to provide supplemental ex gratia compensation to the Republic of the Marshall Islands for impacts of the nuclear testing program of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Ms. STABENOW:

S. Res. 388. A resolution expressing the sense of the Senate regarding unfair and discriminatory measures of the Government of Japan in failing to apply the Eco-Friendly Vehicle Purchase Program to vehicles made by United States automakers; to the Committee on Finance.

By Mr. SHELBY (for himself and Mr. SESSIONS):

S. Res. 389. A resolution commending The University of Alabama Crimson Tide for being unanimously declared the 2009 NCAA Football Bowl Subdivision National Champions; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 428

At the request of Mr. DORGAN, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of S. 428, a bill to allow travel between the United States and Cuba.

S. 476

At the request of Mrs. BOXER, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of S. 476, a bill to amend title 10, United States Code, to reduce the minimum distance of travel necessary for reimbursement of covered beneficiaries of the military health care system for travel for specialty health care.

S. 491

At the request of Mr. WEBB, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of S. 491, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 624

At the request of Mr. DURBIN, the names of the Senator from Louisiana [Ms. LANDRIEU] and the Senator from Pennsylvania [Mr. CASEY] were added as cosponsors of S. 624, a bill to provide 100, 000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis by 2015 by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

S. 663

At the request of Mr. NELSON of Nebraska, the name of the Senator from Louisiana [Mr. VITTER] was added as a cosponsor of S. 663, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish the Merchant Mariner Equity Compensation Fund to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II.

S. 841

At the request of Mr. KERRY, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 841, a bill to direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation.

S. 870

At the request of Mrs. LINCOLN, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 870, a bill to amend the Internal Revenue Code of 1986 to expand the credit for renewable electricity production to include electricity produced from biomass for on-site use and to modify the credit period for certain facilities producing electricity from open-loop biomass.

S. 891

At the request of Mr. BROWNBACK, the names of the Senator from Indiana [Mr. BAYH] and the Senator from New Jersey [Mr. LAUTENBERG] were added as cosponsors of S. 891, a bill to require annual disclosure to the Securities and Exchange Commission of activities involving columbite-tantalite, cassiterite, and wolframite from the Democratic Republic of Congo, and for other purposes.

S. 1005

At the request of Mr. CARDIN, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 1005, a bill to amend the Federal Water Pollution Control Act and the Safe Drinking Water Act to improve water and wastewater infrastructure in the United States.

S. 1067

At the request of Mr. FEINGOLD, the names of the Senator from New Mexico [Mr. UDALL], the Senator from Colorado [Mr. UDALL] and the Senator from Arizona [Mr. KYL] were added as cosponsors of S. 1067, a bill to support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

S. 1076

At the request of Mr. MENENDEZ, the names of the Senator from West Virginia [Mr. BYRD], the Senator from Vermont [Mr. LEAHY], the Senator from Rhode Island [Mr. REED], the Senator from Nevada [Mr. ENSIGN], the Senator from Colorado [Mr. UDALL], the Senator from Virginia [Mr. WARNER] and the Senator from New York [Mr. SCHUMER] were added as cosponsors of S. 1076, a bill to improve the accuracy of fur product labeling, and for other purposes.

S. 1111

At the request of Mr. ROCKEFELLER, the names of the Senator from California [Mrs. FEINSTEIN], the Senator from Oregon [Mr. WYDEN], the Senator from Connecticut [Mr. DODD] and the Senator from California [Mrs. BOXER] were added as cosponsors of S. 1111, a bill to require the Secretary of Health and Human Services to enter into agreements with States to resolve outstanding claims for reimbursement under the Medicare program relating to the Special Disability Workload project.

S. 1156

At the request of Mr. HARKIN, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 1156, a bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to reauthorize and improve the safe routes to school program.

S. 1183

At the request of Mr. DURBIN, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 1183, a bill to authorize the Secretary of Agriculture to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, and for other purposes.

S. 1203

At the request of Mr. BAUCUS, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 1203, a bill to amend the Internal Revenue Code of 1986 to extend the research credit through 2010 and to increase and make permanent the alternative simplified research credit, and for other purposes.

S. 1313

At the request of Mr. LUGAR, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 1313, a bill to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory.

S. 1317

At the request of Mr. LAUTENBERG, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 1317, a bill to increase public safety by

permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists.

S. 1389

At the request of Mr. NELSON of Nebraska, the name of the Senator from Nebraska [Mr. JOHANNS] was added as a cosponsor of S. 1389, a bill to clarify the exemption for certain annuity contracts and insurance policies from Federal regulation under the Securities Act of 1933.

S. 1445

At the request of Mr. LAUTENBERG, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 1445, a bill to amend the Public Health Service Act to improve the health of children and reduce the occurrence of sudden unexpected infant death and to enhance public health activities related to stillbirth.

S. 1582

At the request of Ms. STABENOW, the name of the Senator from Indiana [Mr. BAYH] was added as a cosponsor of S. 1582, a bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to facilitate the accelerated development and deployment of advanced safety systems for commercial motor vehicles.

S. 1744

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 1744, a bill to require the Administrator of the Federal Aviation Administration to prescribe regulations to ensure that all crewmembers on air carriers have proper qualifications and experience, and for other purposes.

S. 1771

At the request of Mr. CASEY, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 1771, a bill to authorize the Secretary of Health and Human Services to establish a program of grants to newly accredited allopathic medical schools for the purpose of increasing the supply of physicians.

S. 1787

At the request of Mr. BINGAMAN, the name of the Senator from Colorado [Mr. UDALL] was added as a cosponsor of S. 1787, a bill to reauthorize the Federal Land Transaction Facilitation Act, and for other purposes.

S. 1859

At the request of Mr. ROCKEFELLER, the names of the Senator from New Jersey [Mr. LAUTENBERG] and the Senator from Illinois [Mr. BURRIS] were added as cosponsors of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 2128

At the request of Mr. LEMIEUX, the name of the Senator from Oklahoma [Mr. INHOFE] was added as a cosponsor of S. 2128, a bill to provide for the establishment of the Office of Deputy Secretary for Health Care Fraud Prevention.

S. 2743

At the request of Ms. SNOWE, the names of the Senator from Massachusetts [Mr. KERRY] and the Senator from Massachusetts [Mr. KIRK] were added as cosponsors of S. 2743, a bill to amend title 10, United States Code, to provide for the award of a military service medal to members of the Armed Forces who served honorably during the Cold War, and for other purposes.

S. 2747

At the request of Mr. BINGAMAN, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 2747, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 2758

At the request of Ms. STABENOW, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 2758, a bill to amend the Agricultural Research, Extension, and Education Reform Act of 1998 to establish a national food safety training, education, extension, outreach, and technical assistance program for agricultural producers, and for other purposes.

S. 2760

At the request of Mr. UDALL of New Mexico, the names of the Senator from West Virginia [Mr. BYRD], the Senator from Oregon [Mr. WYDEN] and the Senator from North Dakota [Mr. DORGAN] were added as cosponsors of S. 2760, a bill to amend title 38, United States Code, to provide for an increase in the annual amount authorized to be appropriated to the Secretary of Veterans Affairs to carry out comprehensive service programs for homeless veterans.

S. 2781

At the request of Ms. MIKULSKI, the names of the Senator from California [Mrs. FEINSTEIN], the Senator from Texas [Mrs. HUTCHISON] and the Senator from Maine [Ms. COLLINS] were added as cosponsors of S. 2781, a bill to change references in Federal law to mental retardation to references to an intellectual disability, and to change references to a mentally retarded individual to references to an individual with an intellectual disability.

S. 2789

At the request of Mr. VOINOVICH, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 2789, a bill to establish a scholarship program to encourage outstanding undergraduate and graduate students in mission-critical fields to pursue a career in the Federal Government.

S. 2812

At the request of Mr. BINGAMAN, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of S. 2812, a bill to amend the Energy Policy Act of 2005 to require the Secretary of Energy to carry out programs to develop and demonstrate 2 small modular nuclear reactor designs, and for other purposes.

S. 2853

At the request of Mr. GREGG, the name of the Senator from Arizona [Mr. MCCAIN] was withdrawn as a cosponsor of S. 2853, a bill to establish a Bipartisan Task Force for Responsible Fiscal Action, to assure the long-term fiscal stability and economic security of the Federal Government of the United States, and to expand future prosperity growth for all Americans.

At the request of Mr. INHOFE, his name was withdrawn as a cosponsor of S. 2853, supra.

S. 2858

At the request of Mrs. BOXER, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 2858, a bill to amend the Public Health Service Act to establish an Office of Mitochondrial Disease at the National Institutes of Health, and for other purposes.

S. 2868

At the request of Mr. LIEBERMAN, the name of the Senator from Delaware [Mr. CARPER] was added as a cosponsor of S. 2868, a bill to provide increased access to the General Services Administration's Schedules Program by the American Red Cross and State and local governments.

S. 2869

At the request of Ms. LANDRIEU, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 2869, a bill to increase loan limits for small business concerns, to provide for low interest refinancing for small business concerns, and for other purposes.

S. 2886

At the request of Ms. CANTWELL, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 2886, a bill to prohibit certain affiliations (between commercial banking and investment banking companies), and for other purposes.

S. 2908

At the request of Mr. KOHL, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 2908, a bill to amend the Energy Policy and Conservation Act to require the Secretary of Energy to publish a final rule that establishes a uniform efficiency descriptor and accompanying test methods for covered water heaters, and for other purposes.

SENATE JOINT RESOLUTION 22

At the request of Mr. LEMIEUX, the name of the Senator from Georgia [Mr. ISAKSON] was added as a cosponsor of Senate Joint Resolution 22, a joint resolution proposing an

amendment to the Constitution of the United States relative to requiring a balanced budget and granting the President of the United States the power of line-item veto.

SENATE JOINT RESOLUTION 23

At the request of Mr. FEINGOLD, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of Senate Joint Resolution 23, a joint resolution disapproving the rule submitted by the Federal Election Commission with respect to travel on private aircraft by Federal candidates.

SENATE RESOLUTION 316

At the request of Mr. MENENDEZ, the name of the Senator from Kansas [Mr. BROWNBACK] was added as a cosponsor of Senate Resolution 316, a resolution calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes.

SENATE RESOLUTION 373

At the request of Mr. CRAPO, the names of the Senator from Wyoming [Mr. BARRASSO], the Senator from Louisiana [Mr. VITTER], the Senator from Oklahoma [Mr. INHOFE], the Senator from Minnesota [Ms. KLOBUCHAR] and the Senator from Rhode Island [Mr. WHITEHOUSE] were added as cosponsors of Senate Resolution 373, a resolution designating the month of February 2010 as "National Teen Dating Violence Awareness and Prevention Month".

SENATE RESOLUTION 381

At the request of Mr. SPECTER, his name was added as a cosponsor of Senate Resolution 381, a resolution designating the week of February 1 through February 5, 2010, as "National School Counseling Week".

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. LEAHY,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on January 20, 2010, at 10 a.m., to hold a hearing entitled "Yemen: Confronting Al-Qaeda, Preventing State Failure."

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "Hearing on the Nomination of Joshua Gotbaum for Director of the Pension Benefit Guaranty Corporation" on January 20, 2010. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on January 20, 2010, at 9:30 a.m. to conduct a hearing entitled "Intelligence Reform: The Lessons and Implications of the Christmas Day Attack."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on January 20, 2010, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Securing America's Safety: Improving the Effectiveness of Anti-Terrorism Tools and Inter-Agency Communication."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on January 20, 2010, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations."

SUBCOMMITTEE ON AVIATION OPERATIONS, SAFETY, AND SECURITY

The Subcommittee on Aviation Operations, Safety, and Security of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on January 20, 2010, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10:03 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2646. An act to amend title 31, United States Code, to enhance the oversight authorities of the Comptroller General, and for other purposes.

H.R. 3237. An act to enact certain laws relating to national and commercial space programs as title 51, United States Code, "National and Commercial Space Programs".

H.R. 3892. An act to designate the facility of the United States Postal Service located at 101 West Highway 64 Bypass in Roper, North Carolina, as the "E.V. Wilkins Post Office".

H.R. 4139. An act to designate the facility of the United States Postal Service located at 7464 Highway 503 in Hickory, Mississippi, as the "Sergeant Matthew L. Ingram Post Office".

H.R. 4173. An act to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes.

At 12:08 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 725. An act to protect Indian arts and crafts through the improvement of applicable criminal proceedings, and for other purposes.

H.R. 3759. An act to authorize the Secretary of the Interior to grant market-related contract extensions of certain timber contracts between the Secretary of the Interior and timber purchasers, and for other purposes.

H. Con. Res. 228. An resolution providing for a joint session of Congress to receive a message from the President.

BILLS REFERRED

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

H.R. 2646. An act to amend title 31, United States Code, to enhance the oversight authorities of the Comptroller General, and for other purposes; to the Committee on Homeland Security and Governmental Affairs

H.R. 3237. An act to enact certain laws relating to national and commercial space programs as title 51, United States Code, "National and Commercial Space Programs"; to the Committee on the Judiciary.

H.R. 3759. To authorize the Secretary of the Interior to grant market-related contract extensions of certain timber contracts between the Secretary of the Interior and timber purchasers, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 3892. An act to designate the facility of the United States Postal Service located at 101 West Highway 64 Bypass in Roper, North Carolina, as the "E.V. Wilkins Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4139. An act to designate the facility of the United States Postal Service located at 7464 Highway 503 in Hickory, Mississippi, as the "Sergeant Matthew L. Ingram Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4173. An act to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

ENROLLED BILLS SIGNED

The PRESIDENT pro tempore announced that he had signed the following enrolled bills, which had previously been signed by the Speaker of the House:

H.R. 1377. An act to amend title 38, United States Code, to expand veteran eligibility for reimbursement by the Secretary of Veterans Affairs for emergency treatment furnished in a non-Department facility, and for other purposes.

H.R. 1817. An act to designate the facility of the United States Postal Service located at 116 North West Street in Somerville, Tennessee, as the "John S. Wilder Post Office Building".

H.R. 2877. An act to designate the facility of the United States Postal Service located at 76 Brookside Avenue in Chester, New York, as the "1st Lieutenant Louis Allen Post Office".

H.R. 3072. An act to designate the facility of the United States Postal Service located at 9810 Halls Ferry Road in St. Louis, Missouri, as the "Coach Jodie Bailey Post Office Building".

H.R. 3319. An act to designate the facility of the United States Postal Service located at 440 South Gulling Street in Portola, California, as the "Army Specialist Jeremiah Paul McCleery Post Office Building".

H.R. 3539. An act to designate the facility of the United States Postal Service located at 427 Harrison Avenue in Harrison, New Jersey, as the "Patricia D. McGinty-Juhl Post Office Building".

H.R. 3667. An act to designate the facility of the United States Postal Service located at 16555 Springs Street in White Springs, Florida, as the "Clyde L. Hillhouse Post Office Building".

H.R. 3767. An act to designate the facility of the United States Postal Service located at 170 North Main Street in Smithfield, Utah, as the "W. Hazen Hillyard Post Office Building".

H.R. 3788. An act to designate the facility of the United States Postal Service located at 3900 Darrow Road in Stow, Ohio, as the "Corporal Joseph A. Tomci Post Office Building".

EXECUTIVE SESSION

Pursuant to the order of Wednesday, December 22, 2009,

The Senate proceeded to executive session; and after the consideration of executive business (involving one roll call vote).

LEGISLATIVE SESSION

Pursuant to the order of Tuesday, December 22, 2009,

The Senate resumed its legislative session.

RECESS

Pursuant to the order of Thursday, December 24, 2009, as modified,

At 12:29 p.m.,

The PRESIDING OFFICER (Mr. BURRIS in the chair) declared the Senate recessed until 2:15 p.m.

AT 2:16 P.M.

The ACTING PRESIDENT pro tempore called the Senate to order.

INCREASING THE STATUTORY LIMIT ON THE PUBLIC DEBT

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That, pursuant to the order of Tuesday, December 22, 2009, the Committee on Finance be discharged from the further consideration of the joint resolution (H.J. Res. 45) increasing the statutory limit on the public debt.

Pursuant to the order of Tuesday, December 22, 2009,

The Senate proceeded to consider the joint resolution.

The question being on the passage of the joint resolution.

Pursuant to the order of Tuesday, December 22, 2009,

On motion by Mr. BAUCUS (for Mr. REID) to strike all after the resolving clause and insert, in lieu thereof, other words (being amendment No. 3299, in the nature of a substitute).

Pursuant to the order of Tuesday, December 22, 2009,

On motion by Mr. BAUCUS to amend the pending amendment in the nature of a substitute, at the appropriate place, by inserting certain words (being amendment No. 3300).

Pending debate,

The pending amendment was laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3299 (in the nature of a substitute) to the joint resolution.

On motion by Mr. THUNE (for himself, Mr. VITTER, Mr. INHOFE, Mr. JOHANNS, Mrs. HUTCHISON, Mr. BROWNBACK, Mr. LEMIEUX, Mr. BURR, Mr. ENZI, Mr. COBURN, Mr. BARRASSO, Mr. BENNETT, Ms. SNOWE, Mr. GRASSLEY, Mr. ENSIGN, Mr. CRAPO, Mr. WICKER, Mr. BUNNING, Mr. GRAHAM, and Mr. CORNYN) to amend the pending amendment (in the nature of a substitute), at the appropriate place, by inserting certain words (being amendment No. 3301).

Pending debate,

ORDERS FOR ADJOURN UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period of one hour for the transaction of morning business; that the minority control the first half therein, and the majority control the second half therein; and that, following morning business, the Senate resume consideration of joint resolution H.J. Res. 45.

ADJOURNMENT

By unanimous consent, on the request of Mr. BAUCUS,

At 5:50 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

THURSDAY, JANUARY 21, 2010

Mrs. KIRSTEN E. GILLIBRAND, from the State of New York, called the Senate to order at 9:30 a.m., Dr. Alan Keiran, the Chief of Staff of the Chaplain of the United States Senate, offered a prayer, and Mrs. GILLIBRAND led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, January 21, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. GILLIBRAND took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-4207. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-243, "Waterfront Park at the Yards Act of 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-4208. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-244, "F Street, N.W., Downtown Retail Priority Area Clarification Amendment Act of 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-4209. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-245, "Affordable Housing For-Sale and Rental Distribution Amendment Act of 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-4210. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-242, "Unused Pharmaceutical Safe Disposal Act of 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-4211. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-246, "Income Tax Joint Filing Clarification Act of 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-4212. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-247, "Cooperative Housing Association Economic Interest Recordation Tax Temporary Amendment Act of 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-4213. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-261, "Homeland Security and Emergency Management Agency Use of Video Surveillance Amendment Act of 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-4214. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-262, "Private Adoption Fee Temporary Amendment Act of 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-4215. A communication from the General Counsel, Office of Government Ethics, transmitting, pursuant to law, a report relative to competitions initiated or conducted in fiscal year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-4216. A communication from the Secretary of the American Battle Monuments Commission, transmitting, pursuant to law, the Commission's annual report for fiscal year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-4217. A communication from the Secretary of the American Battle Monuments Commission, transmitting, pursuant to law, the Commission's Fiscal Year 2010-2015 Strategic Plan; to the Committee on Homeland Security and Governmental Affairs.

EC-4218. A communication from the President of the James Madison Memorial Foundation, transmitting, pursuant to law, the Foundation's annual report for the year ending September 30, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-4219. A communication from the Inspector General of the Department of Energy, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of April 1, 2009 through September 30, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-4220. A communication from the Chairman of the Federal Election Commission, transmitting, pursuant to law, a report relative to the Commission's competitive sourcing efforts during fiscal year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-4221. A communication from the Grants Management Officer, Management Directorate, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Department of Homeland Security Implementation of OMB Guidance on Nonprocurement Debarment and Suspension" as received during adjournment of the Senate in the Office of the President of the Senate on January 8, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-4222. A communication from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-4223. A communication from the Executive Director of the Consumer Product Safety Commission, transmitting, pursuant to law, a report relative to the Commission's annual FAIR Act Inventory Summary for fiscal year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-4224. A communication from the Commissioner of the Social Security Administration, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from April 1, 2009, through September 30, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-4225. A communication from the Chief Financial Officer of the Federal Mediation and Conciliation Service, transmitting, pursuant to law, a report relative to financial integrity for fiscal year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-4226. A communication from the Acting Director of Infrastructure Security Compliance, National Protection and Programs Directorate, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Appendix to Chemical Facility Anti-Terrorism Standards" (RIN1601-AA41) as received during adjournment of the Senate in the Office of the President of the Senate on January 8, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-4227. A communication from the Acting Farm Bill Coordinator, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "State Technical Committees Final Rule" (RIN0578-AA51) as received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4228. A communication from the Acting Farm Bill Coordinator, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Compliance with NEPA Interim Final Rule" (RIN0578-AA55)

as received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4229. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Change in Disease Status of the Republic of Korea with Regard to Foot-and-Mouth Disease and Rinderpest" (Docket No. APHIS-2008-0147) as received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4230. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Citrus Canker; Movement of Fruit From Quarantined Areas" (Docket No. APHIS-2009-0023) as received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4231. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 09-141, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-4232. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 135-09, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-4233. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 130-09, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-4234. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 122-09, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-4235. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 103-09, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-4236. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 142-09, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-4237. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 153-09, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-4238. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 117-09, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-4239. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Iran-Related Multilateral Sanction Regime Efforts"; to the Committee on Armed Services.

EC-4240. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Lead System Integrators" (DFARS Case 2006-D051) as received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Armed Services.

EC-4241. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Business Systems - Definition and Administration" (DFARS Case 2009-D038) as received during adjournment of the Senate in the Office of the President of the Senate on January 8, 2010; to the Committee on Armed Services.

EC-4242. A communication from the Under Secretary of Defense (Policy), transmitting, a report relative to cleanup operations due to the use of weapons systems, and munitions containing depleted uranium in a number of countries, including Saudi Arabia, Kuwait, Iraq and Afghanistan; to the Committee on Armed Services.

EC-4243. A communication from the Deputy Assistant Secretary for Import Administration, Foreign Trade Zones Board, Department of Commerce, transmitting, pursuant to law, an annual report on the Activities of the Foreign-Trade Zones Board, for fiscal year 2008; to the Committee on Finance.

EC-4244. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Class 9 Bonded Warehouse Procedures" (RIN1505-AB85), received during adjournment of the Senate in the Office of the President of the Senate on January 8, 2010; to the Committee on Finance.

EC-4245. A communication from the Senior Advisor for Regulations, Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Technical Revisions to the Supplemental Security Income (SSI) Regulations on Income and Resources" (RIN0960-AG66), received during adjournment of the Senate in the Office of the President of the Senate on January 7, 2010; to the Committee on Finance.

EC-4246. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance on Correcting Failures of Nonqualified Deferred Compensation Plans to Comply with Section 409A" (Notice 2010-6), received during adjournment of the Senate in the Office of the

President of the Senate on January 8, 2010; to the Committee on Finance.

EC-4247. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Treatment of Certain Obligations under section 956(c)" (Notice 2010-12), received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2010; to the Committee on Finance

EC-4248. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Total Return Swaps (TRSs) Used to Avoid Dividend Withholding Tax" (LMSB-4-1209-044), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Finance.

EC-4249. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Repub. Rev. Proc. 2009-4" (Rev. Proc. 2010-4), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Finance.

EC-4250. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Rev. Proc. 2010-3, Annual Update of Domestic No-Rule Areas" (Rev. Proc. 2010-3), received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2010; to the Committee on Finance.

EC-4251. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Repub. Rev. Proc. 2009-5" (Rev. Proc. 2010-5), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Finance.

EC-4252. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Repub. Rev. Proc. 2009-6" (Rev. Proc. 2010-6), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Finance.

EC-4253. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Repub. Rev. Proc. 2009-8" (Rev. Proc. 2010-8), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Finance.

EC-4254. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Automatic Approval of Changes in Funding Method for Takeover Plans and Changes in Pension Valuation Software" (Announcement 2010-3), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Finance.

EC-4255. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition of Certain Persons on the Entity List: Addition of Persons Acting Contrary to the National Security or Foreign Policy Interests of the United States and Entry Modified for Clarification" (RIN0694-AE78) as received during adjournment of the Senate in the Office of the President of the Senate on January 11, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4256. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Exception to the Maturity Limit on Second Mortgages" (RIN3133-AD64) as received during adjournment of the Senate in the Office of the President of the Senate on January 8, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4257. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "12 CFR Part 740 - Accuracy of Advertising and Notice of Insured Status, and 12 CFR Part 745 - Share Insurance and Appendix" (RIN3133-AD54; RIN3133-AD55) as received during adjournment of the Senate in the Office of the President of the Senate on January 7, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4258. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Docket No. FEMA-8053)) as received during adjournment of the Senate in the Office of the President of the Senate on January 7, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4259. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Refinement of Income and Rent Determination Requirements in Public and Assisted Housing Programs: Implementation of the Enterprise Income Verification System - Amendments" ((RIN2501-AD48)(FR-5351-F-02)) as received during adjournment of the Senate in the Office of the President of the Senate on January 7, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4260. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13396 with respect to Cote d'Ivoire Sanctions; to the Committee on Banking, Housing, and Urban Affairs.

EC-4261. A communication from the Assistant Secretary for Congressional and Intergovernmental Relations, Department of Housing and Urban Development, transmitting, pursuant to law, a report relative to the awarding of a sole-source bridge contract to provide property management support for Federal Housing Administration Single Family Homes; to the Committee on Banking, Housing, and Urban Affairs.

EC-4262. A communication from the Secretary of the Department of Commerce, transmitting, pursuant to law, a report on the continuation of a national emergency declared in Executive Order 13222 with respect to the lapse of the Export Administration Act of 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC-4263. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to Executive Order 13346 of July 8, 2004, the annual certification of the effectiveness of the Australia Group; to the Committee on Banking, Housing, and Urban Affairs.

EC-4264. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a six-month periodic report relative to the national emergency that was declared in Executive Order 12938 with respect to the proliferation of weapons of mass destruction; to the Committee on Banking, Housing, and Urban Affairs.

EC-4265. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Community Reinvestment Act Regulations" (RIN1557-AD29) as received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4266. A communication from the President and Chief Executive Officer, Federal Home Loan Bank of Topeka, transmitting, pursuant to law, a report on the Bank's system of internal controls for fiscal

year 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-4267. A communication from the Senior Vice President and Chief Accounting Officer, Federal Home Loan Bank of Dallas, transmitting, pursuant to law, the Bank's management report for fiscal year 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-4268. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District" (FRL No. 9100-1), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Environment and Public Works.

EC-4269. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District" (FRL No. 9097-2), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Environment and Public Works.

EC-4270. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District" (FRL No. 9096-9), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Environment and Public Works.

EC-4271. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Extension of Deadline for Promulgation Designations for the 2008 Ozone National Ambient Air Quality Standards" (FRL No. 9102-2), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Environment and Public Works.

EC-4272. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Puerto Rico; Guaynabo PM10 Limited Maintenance Plan and Redesignation Request" (FRL No. 9091-4), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Environment and Public Works.

EC-4273. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Kentucky: Approval of Revisions to the State Implementation Plan" (FRL No. 9102-6), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Environment and Public Works.

EC-4274. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Mississippi; Update to Materials Incorporated by Reference" (FRL No. 9088-6), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Environment and Public Works.

EC-4275. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, San Joaquin Valley Air Pollution Control District" (FRL No. 9097-1), received during adjournment of the Senate in the Office of the President of the Senate on January 19, 2010; to the Committee on Environment and Public Works.

EC-4276. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Outer Continental Shelf Air Regulations Update to Include New Jersey State Requirements" (FRL No. 9103-3), received during adjournment of the Senate in the Office of the President of the Senate on January 19, 2010; to the Committee on Environment and Public Works.

EC-4277. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Outer Continental Shelf Air Regulations Consistency Update for Alaska" (FRL No. 9095-9), received during adjournment of the Senate in the Office of the President of the Senate on January 19, 2010; to the Committee on Environment and Public Works.

EC-4278. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Outer Continental Shelf Air Regulations Consistency Update for Alaska" (FRL No. 9095-8), received during adjournment of the Senate in the Office of the President of the Senate on January 19, 2010; to the Committee on Environment and Public Works.

EC-4279. A communication from the Administrator, General Services Administration, transmitting, pursuant to law, the Reports of Building Project Survey for Panama City, FL and Clarksburg, WV; to the Committee on Environment and Public Works.

EC-4280. A communication from the Branch Chief, Division of Migratory Bird Management, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Permits; Changes in the Regulations Governing Falconry" (RIN1018-AW44), received during adjournment of the Senate in the Office of the President of the Senate on January 8, 2010; to the Committee on Environment and Public Works.

EC-4281. A communication from the President of the United States, transmitting, pursuant to D.C. Code 1-204.34(d)(1), in accordance with, and to effectuate, the District of Columbia Judicial Nomination Commission's nomination of Milton C. Lee, Jr. to be an Associate Judge of the Superior Court of the District of Columbia; to the Committee on Homeland Security and Governmental Affairs.

EC-4282. A communication from the Chair of the District of Columbia Judicial Nomination Commission, transmitting, pursuant to D.C. Code 1-204.34(d)(1), the nomination of Milton C. Lee, Jr. to be an Associate Judge for the Superior Court of the District of Columbia; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. DORGAN, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 375. A bill to authorize the Crow Tribe of Indians water rights settlement, and for other purposes (Rept. No. 111-118).

S. 313. A bill to resolve water rights claims of the White Mountain Apache Tribe in the

State of Arizona, and for other purposes (Rept. No. 111-119).

INTRODUCTION OF BILLS AND A JOINT RESOLUTION

The following bills and joint resolution were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. PRYOR (for himself and Mr. CARDIN):

S. 2942. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish a nanotechnology program; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS (for herself, Mr. LIEBERMAN, Mr. BENNETT, Mr. ENSIGN, and Mr. BOND):

S. 2943. A bill to require the Attorney General to consult with appropriate officials within the executive branch prior to making the decision to try an unprivileged enemy belligerent in Federal civilian court; to the Committee on the Judiciary.

By Mr. CORNYN (for himself, Mrs. HUTCHISON, Mr. VITTER, Mr. CHAMBLISS, Mr. ROBERTS, Mr. LEMIEUX, and Mr. ISAKSON):

S. 2944. A bill to authorize the Secretary of Homeland Security and the Secretary of State to refuse or revoke visas to aliens if in the security or foreign policy interests of the United States, to require the Secretary of Homeland Security to review all visa applications before adjudication, and to provide for the immediate dissemination of visa revocation information; to the Committee on the Judiciary.

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 2945. A bill to designate the facility of the United States Postal Service located at 1210 West Main Street in Riverhead, New York, as the "Private First Class Garfield M. Langhorn Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Ms. STABENOW:

S. 2946. A bill to direct the Secretary of the Army to take action with respect to the Chicago waterway system to prevent the migration of bighead and silver carps into Lake Michigan, and for other purposes; to the Committee on Environment and Public Works.

By Ms. MURKOWSKI (for herself, Mrs. LINCOLN, Mr. BARRASSO, Mr. NELSON of Nebraska, Mr. CHAMBLISS, Ms. LANDRIEU, Mr. THUNE, Mrs. HUTCHISON, Mr. GRAHAM, Mr. COBURN, Mr. VITTER, Mr. CORNYN, Mr. ISAKSON, Mr. GRASSLEY, Mr. ALEXANDER, Mr. BOND, Mr. INHOFE, Mr. BUNNING, Mr. CRAPO, Mr. BROWNBACK, Mr. ROBERTS, Mr. MCCONNELL, Mr. ENZI, Mr. MCCAIN, Mr. WICKER, Mr. LUGAR, Mr. CORKER, Mr. COCHRAN, Mr. KYL, Mr. BENNETT, Mr. RISCH, Mr. JOHANNS, Mr. SESSIONS, Mr. VOINOVICH, Mr. BURR, Mr. SHELBY, Mr. GREGG, Mr. HATCH, Mr. LEMIEUX, and Mr. DEMINT):

S.J. Res. 26. A joint resolution disapproving a rule submitted by the Environmental Protection Agency relating to the endangerment finding and the cause or contribute findings for greenhouse gases under section 202(a) of the Clean Air Act; to the Committee on Environment and Public Works.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. CASEY (for himself, Mr. SCHUMER, and Mr. ROCKEFELLER):

S. Res. 390. A resolution prohibiting text messaging by employees of the Senate while driving on official business; to the Committee on Rules and Administration.

By Mr. CRAPO (for himself, Ms. KLOBUCHAR, and Mr. VITTER):

S. Res. 391. A resolution recognizing the 25th anniversary of the enactment of the Victims of Crime Act of 1984 (42 U.S.C. 10601 et seq.) and the substantial contributions to the Crime Victims Fund made through the criminal prosecutions conducted by United States Attorneys' offices and other components of the Department of Justice; considered and agreed to.

By Mr. KERRY (for himself, Mr. LUGAR, Mr. NELSON of Florida, Mr. DODD, Mr. LEAHY, Mr. MENENDEZ, Mr. BURRIS, Ms. STABENOW, Mr. SANDERS, Mr. BENNET, Ms. MIKULSKI, Mr. DORGAN, Mr. JOHNSON, Mr. DURBIN, Mr. UDALL of New Mexico, Mr. BAUCUS, Mr. BROWN, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. HARKIN, Mr. CARPER, Mr. LAUTENBERG, Mr. KIRK, Mr. BEGICH, Mr. BAYH, Mr. WYDEN, Ms. KLOBUCHAR, Ms. CANTWELL, Mrs. FEINSTEIN, Mrs. SHAHEEN, Mr. CASEY, Mr. CARDIN, Ms. LANDRIEU, Mrs. GILLIBRAND, Mr. KOHL, Mr. INOUYE, Mr. AKAKA, Mr. FEINGOLD, Mr. WHITEHOUSE, Mrs. HAGAN, Mr. REED, Mr. CORKER, Mr. ROCKEFELLER, Mr. BARRASSO, Mr. ISAKSON, Mr. KAUFMAN, and Mr. REID):

S. Res. 392. A resolution expressing the sense of the Senate on the humanitarian catastrophe caused by the January 12, 2010 earthquake in Haiti; considered and agreed to.

By Mrs. HAGAN (for herself and Mr. BURR):

S. Res. 393. A resolution recognizing the contributions of the American Kennel Club; to the Committee on the Judiciary.

By Mr. BURRIS (for himself and Mr. DURBIN):

S. Res. 394. A resolution congratulating the Northwestern University Feinberg School of Medicine for its 150 years of commitment to advancing science and improving health; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 416

At the request of Mrs. FEINSTEIN, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 416, a bill to limit the use of cluster munitions.

S. 694

At the request of Mr. DODD, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 694, a bill to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

S. 936

At the request of Mr. LAUTENBERG, the name of the Senator from Rhode Island [Mr. REED] was added as a cosponsor of S. 936, a bill to amend the Federal Water Pollution Control Act to authorize appropriations for sewer overflow control grants.

S. 1058

At the request of Mr. UDALL of Colorado, the names of the Senator from Georgia [Mr. ISAKSON] and the Senator from Florida [Mr. LEMIEUX] were added as cosponsors of S. 1058, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level, and for other purposes.

S. 1111

At the request of Mr. ROCKEFELLER, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 1111, a bill to require the Secretary of Health and Human Services to enter into agreements with States to resolve outstanding claims for reimbursement under the Medicare program relating to the Special Disability Workload project.

S. 1234

At the request of Mr. LIEBERMAN, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of S. 1234, a bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names.

S. 1329

At the request of Mr. KOHL, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of

S. 1329, a bill to authorize the Attorney General to award grants to State courts to develop and implement State courts interpreter programs.

S. 1345

At the request of Mr. REED, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 1345, a bill to aid and support pediatric involvement in reading and education.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 2760

At the request of Mr. UDALL of New Mexico, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 2760, a bill to amend title 38, United States Code, to provide for an increase in the annual amount authorized to be appropriated to the Secretary of Veterans Affairs to carry out comprehensive service programs for homeless veterans.

S. 2796

At the request of Mr. ENZI, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 2796, a bill to extend the authority of the Secretary of Education to purchase guaranteed student loans for an additional year, and for other purposes.

S. 2853

At the request of Mr. CRAPO, his name was withdrawn as a cosponsor of S. 2853, a bill to establish a Bipartisan Task Force for Responsible Fiscal Action, to assure the long-term fiscal stability and economic security of the Federal Government of the United States, and to expand future prosperity growth for all Americans.

At the request of Mr. BROWNBACK, his name was withdrawn as a cosponsor of S. 2853, supra.

S. 2885

At the request of Ms. LANDRIEU, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 2885, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide adequate benefits for public safety officers injured or killed in the line of duty, and for other purposes.

S. 2908

At the request of Mr. KOHL, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 2908, a bill to amend the Energy Policy and Conservation Act to require the Secretary of Energy to publish a final rule that establishes a uniform efficiency descriptor and accompanying test methods for covered water heaters, and for other purposes.

S. 2926

At the request of Mrs. LINCOLN, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 2926, a bill to amend the XVIII of the Social Security Act to provide for the application of a consistent Medicare part B premium for all Medicare beneficiaries in a budget neutral manner for 2010, to provide an additional round of economic recovery payments to certain beneficiaries, and to assess the need for a consumer price index for elderly consumers to compute cost-of-living increases for certain governmental benefits.

S. 2936

At the request of Mr. BAUCUS, the names of the Senator from California [Mrs. FEINSTEIN], the Senator from Maryland [Mr. CARDIN], the Senator from Alaska [Mr. BEGICH], the Senator from Montana [Mr. TESTER], the Senator from Missouri [Mr. BOND], the Senator from Kansas [Mr. ROBERTS], the Senator from Tennessee [Mr. ALEXANDER], the Senator from South Dakota [Mr. THUNE], the Senator from Colorado [Mr. BENNET] and the Senator from Vermont [Mr. LEAHY] were added as cosponsors of S. 2936, a bill to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Haiti.

S. 2938

At the request of Mr. THUNE, the names of the Senator from Kansas [Mr. ROBERTS], the Senator from Maine [Ms. COLLINS], the Senator from Utah [Mr. HATCH], the Senator from Idaho [Mr. RISCH], the Senator from Georgia [Mr. ISAKSON], the Senator from Arizona [Mr. KYL] and the Senator from Alaska [Ms. MURKOWSKI] were added as cosponsors of S. 2938, a bill to terminate authority under the Troubled Asset Relief Program, and for other purposes.

SENATE CONCURRENT RESOLUTION 39

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of Senate Concurrent Resolution 39, a concurrent resolution expressing the sense of the Congress that stable and affordable housing is an essential component of an effective strategy for the prevention, treatment, and care of human immunodeficiency virus, and that the United States should make a commitment to providing adequate funding for the development of housing as a response to the acquired immunodeficiency syndrome pandemic.

SENATE RESOLUTION 373

At the request of Mr. CRAPO, the names of the Senator from Idaho [Mr. RISCH] and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of Senate Resolution 373, a resolution designating the month of February 2010 as "National Teen Dating Violence Awareness and Prevention Month".

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That the following committees be authorized to meet during the session of the Senate.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on January 21, 2010, at 9:30 a.m.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on January 21, 2010, at 9:30 a.m.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on January 21, 2010, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on January 21, 2010, at 3 p.m., to hold a hearing entitled "Civilian Strategy for Afghanistan: A Status Report in Advance of the London Conference."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on January 21, 2010, at 10 a.m. in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

EAST ASIA SUBCOMMITTEE

The Committee on Foreign Relations be authorized to meet during the session of the Senate on January 21, 2010, at 10 a.m., to hold an East Asia subcommittee hearing entitled "Principles of U.S. Engagement in Asia."

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on January 21, 2010, at 2:30 p.m.

MESSAGES FROM THE HOUSE

At 11:14 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2611. An act to amend the Homeland Security Act of 2002 to authorize the Securing the Cities Initiative of the Department of Homeland Security, and for other purposes.

H.R. 4095. An act to designate the facility of the United States Postal Service located at 9727 Antioch Road in Overland Park,

Kansas, as the "Congresswoman Jan Meyers Post Office Building".

H.R. 4462. An act to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Haiti.

At 2:06 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 692. An act to provide that claims of the United States to certain documents relating to Franklin Delano Roosevelt shall be treated as waived and relinquished in certain circumstances.

HOUSE BILLS REFERRED

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

H.R. 2611. An act to amend the Homeland Security Act of 2002 to authorize the Securing the Cities Initiative of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4095. An act to designate the facility of the United States Postal Service located at 9727 Antioch Road in Overland Park, Kansas, as the "Congresswoman Jan Meyers Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 2939) to amend title 31, United States Code to require an audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks, and for other purposes, introduced on yesterday by Mr. DEMINT, and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

INCREASING THE STATUTORY LIMIT ON THE PUBLIC DEBT

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the joint resolution (H.J. Res. 45) increasing the statutory limit on the public debt; and

The Senate resumed consideration of the joint resolution.

The question being on agreeing to amendment No. 3301, proposed by Mr. THUNE (for himself, Mr. VITTER, Mr. INHOFE, Mr. JOHANNS, Mrs. HUTCHISON, Mr. BROWNBACK, Mr. LEMIEUX, Mr. BURR, Mr. ENZI, Mr. COBURN, Mr. BARRASSO, Mr. BENNETT, Ms. SNOWE, Mr. GRASSLEY, Mr. ENSIGN, Mr. CRAPO, Mr. WICKER, Mr. BUNNING, Mr. GRAHAM, Mr. CORNYN, Mr. KYL, Ms. MURKOWSKI, Mr. HATCH, Mr. FEINGOLD, Mr. CHAMBLISS, Mr. RISCH, Ms. COLLINS, Mr. ROBERTS, Mr. GREGG, Mr. TESTER, Mr. ISAKSON, and Mr. CORKER), to amendment No. 3299 (in the nature of a substitute), proposed by Mr. BAUCUS (for Mr. REID), to the joint resolution.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3299 (in the nature of a substitute) to the joint resolution.

On motion by Mr. CONRAD (for himself, and Mr. GREGG) to amend the pending amendment (in the nature of a substitute), at the appropriate place, by inserting certain words (being amendment No. 3302).

Pending debate,

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That the Senate immediately vote in relation to amendment No. 3301; that the provisions of the order of Tuesday, December 22, 2009 remain in effect; and that no intervening amendment be in order to the amendment prior to the vote.

Pursuant to the foregoing order,

The question recurring on agreeing to amendment No. 3301 to amendment No. 3299 (in the nature of a substitute) to the joint resolution.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the negative---
yeas... 53, nays... 45

[Rollcall Vote No. 2 Leg.]

YEAS --- 53

Alexander, Barrasso, Bayh, Begich, Bennet, Bennett, Bond, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Feinstein, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Nelson (FL), Pryor, Risch, Roberts, Sessions, Shelby, Snowe, Tester, Thune, Udall (CO), Vitter, Voinovich, Webb, Wicker, Wyden.

NAYS --- 45

Akaka, Baucus, Bingaman, Boxer, Brown, Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Franken, Gillibrand, Harkin, Inouye, Johnson, Kaufman, Kerry, Kirk, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Udall (NM), Warner, Whitehouse.

So the amendment was not agreed to (the amendment not having received 60 yea votes, as pursuant to the order of Tuesday, December 22, 2009).

Pursuant to the order of Tuesday, December 22, 2009,

The amendment, not having received 60 yea votes, was withdrawn.

The question recurring on agreeing to amendment No. 3302 to amendment No. 3299 (in the nature of a substitute) to the joint resolution.

Pending debate,

HAITI CHARITABLE CONTRIBUTIONS TAX RELIEF

On the request of Mr. BAUCUS,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 4462) to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Haiti, received from the House of Representatives for concurrence on today, and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

INCREASING THE STATUTORY LIMIT ON THE PUBLIC DEBT

The Senate resumed consideration of joint resolution H.J. Res. 45.

The question being on agreeing to amendment No. 3302 to amendment No. 3299 (in the nature of a substitute) to the joint resolution.

Pending debate,

GRANTING THE CONSENT AND APPROVAL OF CONGRESS

By unanimous consent, on the request of Mr. DORGAN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the joint resolution (S.J. Res. 25) granting the consent and approval of Congress to amendments made by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to

the Washington Metropolitan Area Transit Regulation Compact.

The Senate proceeded, by unanimous consent, to consider the joint resolution.

The question being on the passage of the joint resolution; and

No amendment being proposed,

The joint resolution was deemed read the third time, by unanimous consent.

Resolved, That it pass; and that the Senate agree to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE 25TH ANNIVERSARY OF THE VICTIMS OF CRIME ACT

On the request of Mr. DORGAN,

The PRESIDING OFFICER (Mr. BURRIS in the chair) laid before the Senate the resolution (S. Res. 391) recognizing the 25th anniversary of the enactment of the Victims of Crime Act of 1984 (42 U.S.C. 10601 et seq.) and the substantial contributions to the Crime Victims Fund made through the criminal prosecutions conducted by United States Attorneys' offices and other components of the Department of Justice, submitted today by Mr. CRAPO (for himself, Ms. KLOBUCHAR, and Mr. VITTER), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXPRESSING THE SENSE OF THE SENATE ON THE HUMANITARIAN CATASTROPHE IN HAITI

On the request of Mr. DORGAN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 392) expressing the Sense of the Senate on the humanitarian catastrophe caused by the January 12, 2010 earthquake in Haiti, submitted today by Mr. KERRY (for himself, Mr. LUGAR, Mr. BILL NELSON, Mr. DODD, Mr. LEAHY, Mr. MENENDEZ, Mr. BURRIS, Ms. STABENOW, Mr. SANDERS, Mr. BENNET, Ms. MIKULSKI, Mr. DORGAN, Mr. JOHNSON, Mr. DURBIN, Mr. TOM UDALL, Mr. BAUCUS, Mr. BROWN, Mrs. MURRAY, Mr. BEN NELSON, Mr. HARKIN, Mr. CARPER, Mr. LAUTENBERG, Mr. KIRK, Mr. BEGICH, Mr. BAYH, Mr. WYDEN, Ms. KLOBUCHAR, Ms. CANTWELL, Mrs. FEINSTEIN, Mrs. SHAHEEN, Mr. CASEY, Mr. CARDIN, Ms. LANDRIEU, Mrs. GILLIBRAND, Mr. KOHL, Mr. INOUYE, Mr. AKAKA, Mr. FEINGOLD, Mr. WHITEHOUSE, Mrs. HAGAN, Mr. REED, Mr. CORKER, Mr. ROCKEFELLER, Mr. BARRASSO, Mr. ISAKSON, Mr. KAUFMAN, and Mr. REID), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DORGAN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of joint resolution H.J. Res. 45.

ADJOURNMENT

By unanimous consent, on the request of Mr. DORGAN,

At 7:11 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow. `

FRIDAY, JANUARY 22, 2010

Mr. JEFF MERKLEY, from the State of Oregon, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. MERKLEY led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, January 22, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF MERKLEY, a Senator from the State of Oregon, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. MERKLEY took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

INCREASING THE STATUTORY LIMIT ON THE PUBLIC DEBT

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the joint resolution (H.J. Res. 45) increasing the statutory limit on the public debt; and

The Senate resumed consideration of the joint resolution.

The question being on agreeing to amendment No. 3302, proposed by Mr. CONRAD (for himself and Mr. GREGG), to amendment No. 3299 (in the nature of a substitute), proposed by Mr. BAUCUS (for Mr. REID), to the joint resolution.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3299 (in the nature of a substitute) to the joint resolution.

On motion by Mr. REID to amend the pending amendment (in the nature of a substitute), at the appropriate place, by inserting certain words (being amendment No. 3305).

Pending debate,

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. REID,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, Friday, January 22, 2010, she had presented to the President of the United States the following enrolled bill:

S. 692. A bill to provide that claims of the United States to certain documents relating to Franklin Delano Roosevelt shall be treated as waived and relinquished in certain circumstances.

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by Mr. Pate, one of his secretaries:

REPORT RELATIVE TO THE INTERDICTION OF AIRCRAFT ENGAGED IN ILLICIT DRUG TRAFFICKING—PM 41

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

To the Congress of the United States:

Consistent with the authorities related to official immunity in the interdiction of aircraft engaged in illicit drug trafficking (Public Law 107-108, 22 U.S.C. 2291-4), as amended, and in order to keep the Congress fully informed, I am providing a report by my Administration. This report includes matters related to support for the interdiction of aircraft engaged in illicit drug trafficking.

BARACK OBAMA.

THE WHITE HOUSE, *January 22, 2010.*

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-4283. A communication from the Assistant Secretary of Land and Minerals Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Requirements for Subsurface Safety Valve Equipment" (RIN1010-AD45), received during adjournment of the Senate in the Office of the President of the Senate on January 7, 2010; to the Committee on Energy and Natural Resources.

EC-4284. A communication from the Acting Assistant Director of Directives and Regulations, Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Forest System Land and Resource Management Planning" (RIN0596-AB86), received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2010; to the Committee on Energy and Natural Resources.

EC-4285. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Certification, Compliance, and Enforcement Requirements for Certain Consumer Products and Commercial and Industrial Equipment" (RIN1904-AA95; RIN1904-AB53), received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2010; to the Committee on Energy and Natural Resources.

EC-4286. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Revised Filing Requirements for Centralized Service Companies Under the Public Utility Holding Company Act of 2005, the Federal Power Act, and the Natural Gas Act, Final Rule" ((Docket No. RM09-21-000)(Order No. 731)), received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2010; to the Committee on Energy and Natural Resources.

EC-4287. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, status reports relative to Iraq for the period of October 15, 2009, through December 15, 2009; to the Committee on Foreign Relations.

EC-4288. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, an annual report relative to the United States Participation in the United Nations; to the Committee on Foreign Relations.

EC-4289. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the semiannual report on the continued compliance of Azerbaijan, Kazakhstan, Moldova, the Russian Federation, Tajikistan, and Uzbekistan with the 1974 Trade Act's freedom of emigration provisions, as required under the Jackson-Vanik Amendment; to the Committee on Foreign Relations.

EC-4290. A communication from the Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting, pursuant to law, the Agency's response to the GAO report entitled "Contingency Contracting: DOD, State and USAID Continue to Face Challenges in Tracking Contractor Personnel and Contracts in Iraq and Afghanistan"; to the Committee on Foreign Relations.

EC-4291. A communication from the Assistant General Counsel for Regulatory Services, Office of Elementary and Secondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "School Improvement Grants; American Recovery and Reinvestment Act of 2009 (ARRA); Title I of the Elementary and Secondary Education Act of 1965, as Amended" (RIN1810-AB06), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-4292. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2009-2094); to the Committee on the Judiciary.

EC-4293. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2009-2097); to the Committee on the Judiciary.

EC-4294. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2010-0016); to the Committee on the Judiciary.

EC-4295. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2010-0018); to the Committee on the Judiciary.

EC-4296. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2010-0046); to the Committee on the Judiciary.

EC-4297. A communication from the Policy Editor, Bureau of Immigration and Customs Enforcement, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safe Harbor Procedures for Employers Who Receive a No-Match Letter: Clarification; Final Regulatory Flexibility Analysis" (RIN1653-AA50), received during recess of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on the Judiciary.

EC-4298. A communication from the General Counsel of the National Tropical Botanical Garden, transmitting, pursuant to law, a report relative to an audit of the Garden for the period from January 1, 2008, through December 31, 2008; to the Committee on the Judiciary.

EC-4299. A communication from the Clerk of Court, U.S. Court of Federal Claims, transmitting, pursuant to law, the Court's annual report for the year ended September 30, 2009; to the Committee on the Judiciary.

EC-4300. A communication from the Director of Regulation Policy and Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Copayments for Medications" (RIN2900-AN50), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Veterans' Affairs.

EC-4301. A communication from the Director of Regulation Policy and Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Vocational Rehabilitation and Employment Program - Periods of Eligibility" (RIN2900-AM84), received during adjournment of the Senate in

the Office of the President of the Senate on January 15, 2010; to the Committee on Veterans' Affairs.

EC-4302. A communication from the Director of Regulation Policy and Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Vocational Rehabilitation and Employment Program - Basic Entitlement; Effective Date of Induction into a Rehabilitation Program; Cooperation in Initial Evaluation" (RIN2900-AN13), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Veterans' Affairs.

EC-4303. A communication from the Director of Regulation Policy and Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Vocational Rehabilitation and Employment Program - Self-Employment" (RIN2900-AN31), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Veterans' Affairs.

EC-4304. A communication from the Secretary of the Department of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Commerce, Science, and Transportation.

EC-4305. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, a report relative to the accuracy and impact of the Do-Not-Call Registry; to the Committee on Commerce, Science, and Transportation.

EC-4306. A communication from the Secretary of Transportation, transmitting proposed legislation relative to rail transit safety; to the Committee on Commerce, Science, and Transportation.

EC-4307. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, a report relative to the Government Accountability Office report entitled "Information Security: NASA Needs to Remedy Vulnerabilities in Key Networks"; to the Committee on Commerce, Science, and Transportation.

EC-4308. A communication from the Acting Administrator, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, a report entitled "Annual Report on Transportation Security"; to the Committee on Commerce, Science, and Transportation.

EC-4309. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of Homeland Security, transmitting, pursuant to law, a report entitled "Other Transaction Authority Fiscal Year 2009 Report to Congress"; to the Committee on Commerce, Science, and Transportation.

EC-4310. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled "2008 Status of the Nation's Highways, Bridges and Transit: Conditions and Performance"; to the Committee on Commerce, Science, and Transportation.

EC-4311. A communication from the Senior Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Passenger Equipment Safety Standards; Front End Strength of Cab Cars and Multiple-Unit Locomotives" (RIN2130-AB80), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF A BILL

The following bill was introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. CARPER (for himself and Ms. COLLINS):

S. 2947. A bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation; to the Committee on Finance.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. UDALL of Colorado (for himself and Mr. BENNET):

S. Res. 395. A resolution commemorating the 150th anniversary of the founding of the Colorado National Guard; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 211

At the request of Mrs. MURRAY, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 211, a bill to facilitate nationwide availability of 2-1-1 telephone service for information and referral on human services and volunteer services, and for other purposes.

S. 705

At the request of Mr. KERRY, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of S. 705, a bill to reauthorize the programs of the Overseas Private Investment Corporation, and for other purposes.

S. 941

At the request of Mr. CRAPO, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of S. 941, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearm laws and regulations, protect the community from criminals, and for other purposes.

S. 987

At the request of Mr. DURBIN, the name of the Senator from Kansas [Mr. BROWNBACK] was added as a cosponsor of S. 987, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 1282

At the request of Mr. BROWNBACK, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of S. 1282, a bill to establish a Commission on Congressional Budgetary Accountability and Review of Federal Agencies.

S. 1343

At the request of Mr. BROWN, the names of the Senator from Michigan [Ms. STABENOW] and the Senator from Vermont [Mr. SANDERS] were added as cosponsors of S. 1343, a bill to amend the Richard B. Russell National School Lunch Act to improve and expand direct certification procedures for the national school lunch and school breakfast programs, and for other purposes.

S. 1400

At the request of Ms. STABENOW, the name of the Senator from Florida [Mr. NELSON] was added as a cosponsor of S. 1400, a bill to amend the Internal Revenue Code of 1986 to make permanent the depreciation classification of motorsports entertainment complexes.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 1932

At the request of Mr. MCCAIN, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 1932, a bill to amend the Elementary and Secondary Education Act of 1965 to allow members of the Armed Forces who served on active duty on or after September 11, 2001, to be eligible to participate in the Troops-to-Teachers Program, and for other purposes.

S. 1939

At the request of Mrs. GILLIBRAND, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 1939, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 2128

At the request of Mr. LEMIEUX, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 2128, a bill to provide for the establishment of the Office of Deputy Secretary for Health Care Fraud Prevention.

S. 2801

At the request of Mr. FRANKEN, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 2801, a bill to provide children in foster care with school stability and equal access to educational opportunities.

S. 2853

At the request of Mrs. HUTCHISON, her name was withdrawn as a cosponsor of S. 2853, a bill to establish a Bipartisan Task Force for Responsible Fiscal Action, to assure the long-term fiscal stability and economic security of the Federal Government of the United States, and to expand future prosperity growth for all Americans.

At the request of Mr. ENSIGN, his name was withdrawn as a cosponsor of S. 2853, supra.

S. 2871

At the request of Mr. INOUYE, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 2871, a bill to make technical corrections to the Western and Central Pacific Fisheries Convention Implementation Act, and for other purposes.

S. 2935

At the request of Mr. GRASSLEY, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 2935, a bill to clarify that the revocation of an alien's visa or other documentation is not subject to judicial review.

S. 2938

At the request of Mr. THUNE, the names of the Senator from Georgia [Mr. CHAMBLISS] and the Senator from Tennessee [Mr. CORKER] were added as cosponsors of S. 2938, a bill to terminate authority under the Troubled Asset Relief Program, and for other purposes.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10:16 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker had signed the following enrolled bill:

H.R. 4462. An act to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Haiti.

The enrolled bill was subsequently signed by the PRESIDENT pro tempore.

At 10:33 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1065. An act to resolve water rights claims of the White Mountain Apache Tribe in the State of Arizona, and for other purposes.

H.R. 3250. An act to designate the facility of the United States Postal Service located at 1210 West Main Street in Riverhead, New York, as the "Private First Class Garfield M. Langhorn Post Office Building".

H.R. 3254. An act to approve the Taos Pueblo Indian Water Rights Settlement Agreement, and for other purposes.

H.R. 3342. An act to authorize the Secretary of the Interior, acting through the Commissioner of Reclamation, to develop water infrastructure in the Rio Grande Basin, and to approve the settlement of the water rights claims of the Pueblos of Nambe, Pojoaque, San Ildefonso, and Tesuque.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 158. A concurrent resolution expressing support for the designation of an Early Detection Month for breast cancer and all forms of cancer.

The message further announced that the House agrees to the amendment of the Senate to the bill (H.R. 730) to strengthen efforts in the Department of Homeland Security to develop nuclear forensics capabilities to permit attribution of the source of nuclear material, and for other purposes.

At 4:59 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced the House having proceeded to reconsider the joint resolution (H.J. Res. 64) making further continuing appropriations for fiscal year 2010, and for other purposes, returned by the President of the United States with his objections, to the House, in which it originated, it was resolved that the said joint resolution do not pass, two-thirds of the House of Representatives not agreeing to pass the same.

ENROLLED BILL SIGNED

The PRESIDENT pro tempore reported that he had signed the following enrolled bill, which had previously been signed by the Speaker of the House:

S. 692. An act to provide that claims of the United States to certain documents relating to Franklin Delano Roosevelt shall be treated as waived and relinquished in certain circumstances.

HOUSE BILL AND CONCURRENT RESOLUTION REFERRED

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

H.R. 3250. An act to designate the facility of the United States Postal Service located at 1210 West Main Street in Riverhead, New York, as the "Private First Class Garfield M. Langhorn Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 158. Concurrent resolution expressing support for the designation of an Early Detection Month for breast cancer and all forms of cancer; to the Committee on Health, Education, Labor, and Pensions.

DESIGNATING "NATIONAL SCHOOL COUNSELING WEEK"

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 381) designating the week of February 1 through February 5, 2010, as "National School Counseling Week".

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDER FOR FURTHER CONSIDERATION OF JOINT RESOLUTION H.J. RES. 45

By unanimous consent, on the request of Mr. REID,

Ordered, That the time from when the Senate resumes consideration of joint resolution H.J. Res. 45 on Tuesday, January 26, 2010 until 11:30 a.m. be equally divided and controlled for concurrent debate between the two leaders, or their designees, on pending amendments Numbered 3300 and 3302; that, at 11:30 a.m., the Senate vote in relation to amendment No. 3300; that, following said vote, the question recur on agreeing to amendment No. 3302; that there be 2 minutes for debate thereon; that, upon conclusion of debate, the Senate vote on the question of agreeing to the amendment; and that the provisions of the order of Tuesday, December 22, 2009, remain in effect.

ORDER FOR EXECUTIVE SESSION ON MONDAY, JANUARY 25, 2010

By unanimous consent, on the request of Mr. REID,

As in executive session,

Ordered, That, at 5:30 p.m. on Monday, January 25, 2010, the Senate proceed to executive session to consider the nomination of Rosanna Peterson to be United States District Judge for the Eastern District of Washington; that time until 6 p.m. be equally divided and controlled for debate thereon between Mr. LEAHY and Mr. SESSIONS, or their designees; that, at 6 p.m., the Senate vote on confirmation of the nomination; that, following the vote, a motion to reconsider be made and laid on the table; that no further motion be in order; that the President be immediately notified of the Senate's action; and that the Senate then resume its legislative session.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, JANUARY 25, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2 p.m. on Monday, January 25, 2010; that, on Monday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 3 p.m., with Senators permitted to speak for 10 minutes each therein; and that, following morning business, the Senate resume consideration of joint resolution H.J. Res. 45.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 5:48 p.m.,

The Senate adjourned, under its order of today, until 2 p.m. on Monday, January 25, 2010.

MONDAY, JANUARY 25, 2010

Mr. AL FRANKEN, from the State of Minnesota, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. FRANKEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, January 25, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable AL FRANKEN, a Senator from the State of Minnesota, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. FRANKEN took the chair.

THE JOURNAL

Pursuant to the order of Friday, January 22, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Friday, January 22, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Friday, January 22, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-4312. A communication from the Acting Division Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Interim Cap on High-Cost Support for Competitive Eligible Telecommunications Carriers" (FCC08-122), received in the Office of the President of the Senate on December 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4313. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Shipping; Vessel Inspections; Technical and Conforming Amendments" ((RIN1625-ZA21)(Docket No. USG-2008-1107)), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4314. A communication from the Senior Trial Attorney, Office of the Secretary of Transportation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Enhancing Airline Passenger Protections" (RIN2105-AD72), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4315. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Positive Train Control Systems" (RIN2130-AC03), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4316. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Removal of Entry from the Entity List: Person Removed Based on Removal Request" (RIN0694-AE75), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4317. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Closed Captioning of Video Programming, Order, CG Docket No. 05-231" (FCC 09-109), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4318. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Television Broadcasting Services; Bangor, Maine" (MB Docket No. 09-122), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4319. A communication from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "National Bridge Inspection Standards" (RIN2125-AF33), received during adjournment of the Senate in

the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4320. A communication from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Discontinuance of Form FHWA-47" (RIN2125-AF31), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4321. A communication from the Director, Census Bureau, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Temporary Suspension of the Population Estimates and Income Estimates Challenge Programs" (RIN0607-AA49), received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4322. A communication from the Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Revision of Parts 2 and 15 of the Commission's Rules to Permit Unlicensed National Information Infrastructure (U-NII) Devices in the 5GHz Band" ((ET Docket No. 03-122)(FCC06-12)), received in the Office of the President of the Senate on December 21, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4323. A communication from the Director, Bureau of Economic Analysis, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Direct Investment Surveys: BE-605, Quarterly Survey of Foreign Direct Investment in the United States - Transactions of U.S. Affiliate with Foreign Parent" (RIN0691-AA70), received during adjournment of the Senate in the Office of the President of the Senate on January 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4324. A communication from the Attorney, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Adjustment of Maximum and Minimum Civil Penalties" (RIN2137-AE48), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4325. A communication from the Assistant Chief Counsel for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Revision to Requirements for the Transportation of Batteries and Battery-Powered Devices; and Harmonization with the United Nations Recommendations, International Maritime Dangerous Goods Code, and International Civil Aviation Organization's Technical Instructions; Correction" (RIN2137-AE54), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4326. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Vehicle Identification Number Requirements; Technical Amendment" (RIN2127-AK63), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4327. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards; Designated Seating Positions" (RIN2127-AK65), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4328. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards; Lamps, Reflective Devices, and Associated Equipment" (RIN2127-AK66), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4329. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standard; Air Brake Systems; Interim Final Rule" (RIN2127-AK44), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4330. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standard; Air Brake Systems" (RIN2127-AK62), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4331. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Qualification and Certification of Locomotive Engineers; Miscellaneous Revisions" (RIN2130-AB95), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4332. A communication from the Director, National Institute of Standards and Technology, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Technology Innovation Program" (RIN0693-AB59), received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4333. A communication from the Director, National Institute of Standards and Technology, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "FY2010 Management, Science and Engineering Research Grants Programs; Availability of Funds" (RIN0693-ZA91), received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4334. A communication from the Director, National Institute of Standards and Technology, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Summer Undergraduate Research Fellowships (SURF) NIST Gaithersburg and Boulder Programs; Availability of Funds" (RIN0693-ZA92), received during adjournment of the Senate in the Office of the President of the Senate on January 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4335. A communication from the Deputy Assistant Administrator for Operations, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Halibut Fisheries; Limited Access for Guided Sport Charter Vessels in Alaska" (RIN0648-AW92), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4336. A communication from the Deputy Assistant Administrator for Operations, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; Red Snapper Closure" (RIN0648-AX75), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4337. A communication from the Deputy Assistant Administrator for Operations, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Bigeye Tuna Catch Limits in Longline Fisheries in 2009, 2010, and 2011" (RIN0648-AX59), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4338. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2010 Gulf of Alaska Pollock and Pacific Cod Total Allowable Catch Amounts" (RIN0648-XT52), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4339. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States" (RIN0648-AY19), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4340. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; 2010 Summer Flounder, Scup, and Black Sea Bass Specifications; Preliminary 2010 Quota Adjustments; 2010 Summer Flounder Quota for Delaware" (RIN0648-XR08), received during adjournment of the Senate in the Office of the President of the Senate on January 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4341. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Pacific Whiting Allocation; Pacific Whiting Seasons" (RIN0648-XT30), received during adjournment of the Senate in the Office of the President of the Senate on January 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4342. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Closure" (RIN0648-XT31), received during adjournment of the Senate in the Office of the President of the Senate on January 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4343. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Western and Central Pacific Fisheries for Highly Migratory Species; Bigeye Tuna Longline Fishery Closure" (RIN0648-XT01), received during adjournment of the Senate in the Office of the President of the Senate on January 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4344. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer" (RIN0648-XT39), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4345. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2010 Bering Sea and Aleutian Islands Pacific Cod Total Allowable Catch Amount" (RIN0648-XT41), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4346. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2010 Bering Sea Pollock Total Allowable Catch Amount" (RIN0648-XT40), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4347. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Chimes and Lights Fireworks Display, Port Orchard, WA" ((RIN1625-AA00)-(Docket No. USG-2009-0989)), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4348. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Atlantic Intracoastal Waterway, Sunset Beach, NC" ((RIN1625-AA00)(Docket No. USG-2009-0985)), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4349. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Naval Training December 2009 and January 2010; San Clemente Island, CA" ((RIN1625-AA00)-(Docket No. USG-2009-0920)), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4350. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; San Clemente Island Northwest Harbor December and January Training; Northwest Harbor, San Clemente Island, CA" ((RIN1625-AA00)-(Docket No. USG-2009-0921)), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4351. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Automated and Remotely Operated Bridges" ((RIN1625-AA09)-(Docket No. USG-2009-0968)), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4352. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security and Safety Zone; Cruise Ship Protection, Elliott Bay and Pier-91, Seattle, WA" (Docket No. USG-2009-0331), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4353. A communication from the Attorney Advisor, U.S. Coast Guard,

Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security and Safety Zone; Chicago Sanitary and Ship Canal, Romeoville, IL" ((RIN1625-AA11)(Docket No. USG-2009-1004)), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4354. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Point Thomson, AK" ((RIN2120-AA66)(Docket No. FAA-2009-0457)), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4355. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Elim, AK" ((RIN2120-AA66)(Docket No. FAA-2009-0200)), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4356. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Spencer, WV" ((RIN2120-AA66)(Docket No. FAA-2009-0602)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4357. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Riverside/Rubidous Flabob Airport, Riverside, CA" ((RIN2120-AA66)-(Docket No. FAA-2009-0690)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4358. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Albany, TX" ((RIN2120-AA66)(Docket No. FAA-2009-0631)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4359. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Clarks Point, AK" ((RIN2120-AA66)(Docket No. FAA-2009-0197)), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4360. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Manokotak, AK" ((RIN2120-AA66)(Docket No. FAA-2009-0694)), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4361. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Burnet, TX" ((RIN2120-AA66)(Docket No. FAA-2009-0859)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4362. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Myrtle Beach, SC" ((RIN2120-AA66)(Docket No. FAA-2009-0650)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4363. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Riverton, WY" ((RIN2120-AA66)(Docket No. FAA-2009-0704)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4364. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Gadsden, AL" ((RIN2120-AA66)(Docket No. FAA-2009-0955)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4365. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Altus, OK" ((RIN2120-AA66)(Docket No. FAA-2009-0540)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4366. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; West Branch, MI" ((RIN2120-AA66)(Docket No. FAA-2009-0696)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4367. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Road Oak, IA" ((RIN2120-AA66)(Docket No. FAA-2009-0801)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4368. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class D and Class E Airspace; State College, PA" ((RIN2120-AA66)(Docket No. FAA-2009-0750)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4369. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Use of Uncertain Portable Oxygen Concentrator Devices Onboard Aircraft" ((RIN2120-AJ55)(Docket No. FAA-2009-0767)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4370. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment and Modification of Class E Airspace; Bishop, CA" ((RIN2120-AA66)(Docket No.

FAA-2009-0695)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4371. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Sarasota, FL" ((RIN2120-AA66)(Docket No. FAA-2009-0652)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4372. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class D and Class E Airspace; Albemarie, NC" ((RIN2120-AA66)(Docket No. FAA-2009-0203)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4373. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Gadsden, AL" ((RIN2120-AA66)(Docket No. FAA-2009-0955)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4374. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Engine Components, Inc. (ECi) Reciprocating Engine Cylinder Assemblies" ((RIN2120-AA64)(Docket No. FAA-2008-0052)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4375. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Corporation Model MD-11 and MD-11F Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0686)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4376. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fire Fighting Enterprises Limited Portable Halon 1211 Fire Extinguishers as Installed on Various Transport Airplanes, Small Airplanes, and Rotorcraft" ((RIN2120-AA64)(Docket No. FAA-2009-1225)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4377. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Honeywell International Inc. ALF502 Series and LF507 Series Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2007-0096)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4378. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A380-841, -842, and -861 Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2009-1211)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4379. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Construcciones Aeronauticas, S.A. (CASA), Model CN-235, CN-235-100, CN-235-200, and CN-235-300 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0637)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4380. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A300-600 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1114)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4381. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-243 Airplanes and Model A330-341, -342, and -343" ((RIN2120-AA64)(Docket No. FAA-2009-1109)), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4382. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bell Helicopter Textron Canada (BHTC) Model 407 and Model 427 Helicopters" ((RIN2120-AA64)(Docket No. FAA-2009-1123)), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4383. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of a Special Air Traffic Rule in the Vicinity of Luke Air Force Base (AFB), AZ" ((RIN2120-AJ29)(Docket No. FAA-2008-1087)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4384. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dassault-Aviation Model Falcon 7X Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1252)), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4385. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus (Type Certificate Previously Held by Airbus Industrie) Model A340-200, -300, -500, and -600 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1230)), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4386. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; PIAGGIO AERO INDUSTRIES S.p.A Model PIAGGIO P-180 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-

0699)), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4387. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Area Navigation (RNAV) Route Q-108; Florida" ((RIN2120-AA66)(Docket No. FAA-2009-0885)), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4388. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Colored Federal Airways; Alaska" ((RIN2120-AA66)(Docket No. FAA-2009-0824)), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4389. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Jet Route J-20; Florida" ((RIN2120-AA66)-(Docket No. FAA-2009-0888)), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4390. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D Airspace; St. Louis, MO" ((RIN2120-AA66)(Docket No. FAA-2009-0543)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4391. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 737-600, -700, and -800 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2008-0669)), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4392. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 737-300, -400, and -500 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0788)), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4393. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; PILATUS Aircraft Ltd. Model PC-7 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0938)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4394. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 737-600, -700, -700C, -800, and -900 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1226)), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4395. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 747-200F, 747-200C, 747-400, 747-400D, and 747-400F Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0655)), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4396. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-300, 747-400, 747SR, and 747SP Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0682)), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4397. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 747-400, -400D, and -400F Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1222)), received in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4398. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 737-100, -200, -200C, -300, -400, and -500 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1210)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4399. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 707 Airplanes, and Model 720 and 720B Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1209)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4400. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 737-300, -400, -500, -600, -700, -700C, -800, and -900, and 747-400 Series Airplanes; and Model 757, 767, and 777 Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2009-0911)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4401. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 737-600, -700, -700C, -800, and -900 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2007-29087)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4402. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 737-300, -400, and -500 Series Airplanes Equipped with a Digital Transient Suppression Device (DTSD) Installed in Accordance with Supplemental Type Certificate (STC)

ST00127BO" ((RIN2120-AA64)(Docket No. FAA-2009-0521)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4403. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 767-200, -300, -300F, and -400ER Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1195)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4404. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 727 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1104)), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4405. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company (GE) CF34-1A, CF34-3A, and CF34-3B Series Turbofan Engines" ((RIN2120-AA64)-(Docket No. FAA-2008-0328)), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4406. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company GE90-110B1, GE90-113B, and GE90-115B Series Turbofan Engines" ((RIN2120-AA64)-(Docket No. FAA-2009-0143)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4407. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company CF6-80C2 Series Turbofan Engines; Correction" ((RIN2120-AA64)(Docket No. FAA-2009-0018)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4408. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company CF34-1A, -3A, -3A2, -3B, and -3B1 Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2007-27687)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4409. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company (GE) CF34-1A, CF34-3A, and CF34-3B Series Turbofan Engines; Delay of Effective Date" ((RIN2120-AA64)(Docket No. FAA-2009-0328)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4410. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (9); Amdt. No. 3351" (RIN2120-AA65), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4411. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (71); Amdt. No. 3352" (RIN2120-AA65), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4412. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (24); Amdt. No. 3353" (RIN2120-AA65), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4413. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (99); Amdt. No. 3354" (RIN2120-AA65), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4414. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (2); Amdt. No. 3355" (RIN2120-AA65), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4415. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. (Type Certificate Previously Held by de Havilland, Inc.) Model DHC-8-400 Series Airplanes" (RIN2120-AA64), received in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4416. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and E Airspace; Fort Stewart (Hinesville), GA" ((RIN2120-AA66)(Docket No. FAA-2009-0959)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4417. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model BD-100-1A10 (Challenger 300) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1113)), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4418. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-200 and -300 Series Airplanes; Model A340-200 and -300 Series Airplanes; and Model A340-500 and -600 Series Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2009-1112)), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4419. A communication from the Program Analyst, Federal Aviation

Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1196)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4420. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France (ECF) Model AS332C, AS332L, AS332L1, AS332L2, SA330F, SA330G, and SA330J Helicopters" ((RIN2120-AA64)(Docket No. FAA-2009-1008)), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4421. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Model SA 330 F, G, and J Helicopters" ((RIN2120-AA64)-(Docket No. FAA-2009-1124)), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4422. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Model EC120B Helicopters" ((RIN2120-AA64)-(Docket No. FAA-2009-1118)), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4423. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Model EC225LP Helicopters" ((RIN2120-AA64)-(Docket No. FAA-2009-1089)), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4424. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Corporation Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30, DC-10-30F (KC-10A and KDC-10), DC-10-40, DC-10-40F, MD-10-10F, and MD-10-30F Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2007-0186)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4425. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; AeroSpace Technologies of Australia Pty Ltd Models N22B, N22S, and N24A Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0987)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4426. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca Arriel 1A1, 1A2, 1B, 1C, 1C2, 1D, 1D1, 1E2, 1K1, 1S, and 1S1 Turboshaft Engines" ((RIN2120-AA64)-(Docket No. FAA-2009-0544)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4427. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Cirrus Design Corporation Model SR22 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1162)), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

EC-4428. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 Airplanes, and Model ERJ 190-100 LR, -100 IGW, -100 STD, -200 STD, -200 LR, and -200 IGW Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0412)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4429. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135BJ, -135ER, -135KE, -135KL, -135LR, -145, -145ER, -145MR, -145LR, -145XR, -145MP, and -145EP Airplanes" ((RIN2120-AA64)(Docket No. FAA-2007-0083)), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 2948. A bill to establish the African Burial Ground International Memorial Museum and Educational Center in New York, New York, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BAUCUS (for himself, Mr. GRASSLEY, Mr. NELSON of Florida, Mr. MENENDEZ, and Mr. LEMIEUX):

S. 2949. A bill to amend section 1113 of the Social Security Act to provide authority for increased fiscal year 2010 payments for temporary assistance to United States citizens returned from foreign countries, to provide necessary funding to avoid shortfalls in the Medicare cost-sharing program for low-income qualifying individuals, and for other purposes; considered and passed.

By Mr. SCHUMER (for himself and Mr. HATCH):

S. 2950. A bill to extend the pilot program for volunteer groups to obtain criminal history background checks; considered and passed.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. UDALL of New Mexico:

S. Res. 396. A resolution to enable each newly constituted Senate to carry out its responsibility to determine the Rules of its Proceedings at the beginning of each Congress; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 714

At the request of Mr. WEBB, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 714, a bill to establish the National Criminal Justice Commission.

S. 1154

At the request of Ms. KLOBUCHAR, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 1154, a bill to amend the Public Health Service Act to facilitate emergency medical

services personnel training and certification curriculums for military veterans.

S. 1438

At the request of Mrs. GILLIBRAND, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of S. 1438, a bill to express the sense of Congress on improving cybersecurity globally, to require the Secretary of State to submit a report to Congress on improving cybersecurity, and for other purposes.

S. 1598

At the request of Mr. SCHUMER, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 1598, a bill to amend the National Child Protection Act of 1993 to establish a permanent background check system.

S. 1672

At the request of Mr. REED, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 1672, a bill to reauthorize the National Oilheat Research Alliance Act of 2000.

S. 1709

At the request of Ms. STABENOW, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 1709, a bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to establish a grant program to promote efforts to develop, implement, and sustain veterinary services, and for other purposes.

S. 2747

At the request of Mr. BINGAMAN, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 2747, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 2781

At the request of Ms. MIKULSKI, the names of the Senator from Massachusetts [Mr. KERRY] and the Senator from New Jersey [Mr. MENENDEZ] were added as cosponsors of S. 2781, a bill to change references in Federal law to mental retardation to references to an intellectual disability, and to change references to a mentally retarded individual to references to an individual with an intellectual disability.

S. 2935

At the request of Mr. GRASSLEY, the name of the Senator from Alabama [Mr. SESSIONS] was added as a cosponsor of S. 2935, a bill to clarify that the revocation of an alien's visa or other documentation is not subject to judicial review.

SENATE RESOLUTION 164

At the request of Mr. FEINGOLD, the name of the Senator from Oklahoma [Mr. COBURN] was added as a cosponsor of Senate Resolution 164, a resolution amending Senate Resolution 400, 94th Congress, and Senate Resolution 445, 108th Congress, to improve congressional oversight of the intelligence activities of the United States, to provide a strong, stable, and capable congressional committee structure to provide the intelligence community appropriate oversight, support, and leadership, and to implement a key recommendation of the National Commission on Terrorist Attacks Upon the United States.

INCREASING THE STATUTORY LIMIT ON THE PUBLIC DEBT

Pursuant to the order of Friday, January 22, 2010,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the joint resolution (H.J. Res. 45) increasing the statutory limit on the public debt; and

The Senate resumed consideration of the joint resolution.

The question being on agreeing to amendment No. 3305, proposed by Mr. REID, to amendment No. 3299 (in the nature of a substitute), proposed by Mr. BAUCUS (for Mr. REID), to the joint resolution.

Pending debate,

Mr. REID presented a motion to bring to a close debate on the pending amendment No. 3305; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the pending amendment No. 3305 to amendment No. 3299 (in the nature of a substitute) to joint resolution H.J. Res. 45:

HARRY REID, MAX BAUCUS, PATRICK LEAHY, CHRISTOPHER DODD, EDWARD KAUFMAN, MARK R. WARNER, PAUL G. KIRK JR., TOM UDALL, D. K. INOUYE, JEFFREY A. MERKLEY, ROBERT MENENDEZ, BYRON L. DORGAN, JACK REED, DEBBIE STABENOW, TOM HARKIN, ROLAND W. BURRIS, JAY ROCKEFELLER, DICK DURBIN.

The question being on agreeing to amendment No. 3305 to amendment No. 3299 (in the nature of a substitute) to the joint resolution.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

Mr. REID presented a motion to bring to a close debate on the pending amendment No. 3299 (in the nature of a substitute); which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the pending amendment No. 3299 (in the nature of a substitute) to joint resolution H.J. Res. 45:

HARRY REID, MAX BAUCUS, PATRICK LEAHY, EDWARD KAUFMAN, PAUL G. KIRK JR., TOM UDALL, D. K. INOUYE, J. A. MERKLEY, ROBERT MENENDEZ, BYRON L. DORGAN, JACK REED, DEBBIE STABENOW, TOM HARKIN, ROLAND W. BURRIS, JAY ROCKEFELLER, CHRISTOPHER DODD, CHUCK SCHUMER, DICK DURBIN.

The question being on agreeing to amendment No. 3305 to amendment No. 3299 (in the nature of a substitute) to the joint resolution.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

The question being on agreeing to amendment No. 3305 to amendment No. 3299 (in the nature of a substitute) to the joint resolution.

Mr. REID presented a motion to bring to a close debate on joint resolution H.J. Res. 45; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on joint resolution H.J. Res. 45:

HARRY REID, MAX BAUCUS, CHRISTOPHER DODD, PATRICK LEAHY, EDWARD KAUFMAN, PAUL G. KIRK JR., TOM UDALL, D. K. INOUYE, JEFFREY A. MERKLEY, ROBERT MENENDEZ, BYRON L. DORGAN, JACK REED, DEBBIE STABENOW, TOM HARKIN, ROLAND W. BURRIS, JAY ROCKEFELLER, CHUCK SCHUMER, DICK DURBIN.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

The question being on agreeing to amendment No. 3305 to amendment No. 3299 (in the nature of a substitute) to the joint resolution.

Pursuant to the order of Friday, January 22, 2010,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3299 (in the nature of a substitute) to the joint resolution.

On motion by Mr. BAUCUS to amend the pending amendment (in the nature of a substitute), at the appropriate place, by inserting certain words (being amendment No. 3306).

Pending debate,

EXECUTIVE SESSION

Pursuant to the order of Friday, January 22, 2010, as modified,

The Senate proceeded to executive session; and after the consideration of executive business (involving one roll call vote).

LEGISLATIVE SESSION

Pursuant to the order of Friday, January 22, 2010,

The Senate resumed its legislative session.

EMERGENCY AID TO AMERICAN SURVIVORS OF THE HAITI EARTHQUAKE ACT

On the request of Mr. SPECTER,

The PRESIDING OFFICER (Mr. MERKLEY in the chair) laid before the Senate the bill (S. 2949) to amend section 1113 of the Social Security Act to provide authority for increased fiscal year 2010 payments for temporary assistance to United States citizens returned from foreign countries, to provide necessary funding to avoid shortfalls in the Medicare cost-sharing program for low-income qualifying individuals, and for other purposes, introduced on today by Mr. BAUCUS (for himself, Mr. GRASSLEY, Mr. BILL NELSON, Mr. MENENDEZ, and Mr. LEMIEUX), and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CRIMINAL HISTORY BACKGROUND CHECKS PILOT EXTENSION ACT

On the request of Mr. SPECTER,

The PRESIDING OFFICER laid before the Senate the bill (S. 2950) to extend the pilot program for volunteer groups to obtain criminal history background checks, introduced on today by Mr. SCHUMER (for himself and Mr. HATCH), and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

NATIONAL TEEN DATING VIOLENCE AWARENESS AND PREVENTION MONTH

By unanimous consent, on the request of Mr. SPECTER,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 373) designating the month of February 2010 as "National Teen Dating Violence Awareness and Prevention Month".

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agreed thereto.

The question being on agreeing to the accompanying preamble.

On motion by Mr. SPECTER (for Mr. CRAPO) to amend the preamble, in the sixteenth whereas clause, by striking “haven”, and inserting “have” (being amendment No. 3307).

The amendment was agreed to.

The preamble, as amended, was agreed to.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

COMMEMORATING THE 150TH ANNIVERSARY OF THE FOUNDING OF THE COLORADO NATIONAL GUARD

By unanimous consent, on the request of Mr. SPECTER,

Ordered, That the Committee on the Armed Services be discharged from the further consideration of the resolution (S. Res. 395) commemorating the 150th anniversary of the founding of the Colorado National Guard.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

NATIONAL ADVISORY COMMITTEE ON INSTITUTIONAL QUALITY AND INTEGRITY

The PRESIDING OFFICER announced that the PRESIDENT pro tempore, pursuant to Public Law 110-315, had appointed the following to be members of the National Advisory Committee on Institutional Quality and Integrity: Bruce Cole, of Indiana, Anne Neal, of Wisconsin, and Michael Poliakoff, of Colorado.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. SPECTER,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of joint resolution H.J. Res. 45, as pursuant to the order of Tuesday, December 22, 2009.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 2:15 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mr. SPECTER,

At 8:28 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

TUESDAY, JANUARY 26, 2010

Mrs. JEANNE SHAHEEN, from the State of New Hampshire, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mrs. SHAHEEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, January 26, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. SHAHEEN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

INCREASING THE STATUTORY LIMIT ON THE PUBLIC DEBT

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the joint resolution (H.J. Res. 45) increasing the statutory limit on the public debt; and

The Senate resumed consideration of the joint resolution.

The question being on agreeing to amendment No. 3306, proposed by Mr. BAUCUS, to amendment No. 3299 (in the nature of a substitute), proposed by Mr. BAUCUS (for Mr. REID), to the joint resolution.

Pending debate,

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That amendment No. 3300 be modified.

The question being on agreeing to amendment No. 3306 to amendment No. 3299 (in the nature of a substitute), to the joint resolution.

Pending debate,

The hour of 11:30 a.m. having arrived,

Pursuant to the order of yesterday,

The question recurring on agreeing to amendment No. 3300, as modified, proposed by Mr. BAUCUS, to amendment No. 3299 (in the nature of a substitute) to the joint resolution.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment, as modified.

The question being taken.

It was determined in the affirmative---
yeas... 97, nays... 0

[Rollcall Vote No. 4 Leg.]

YEAS --- 97

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown, Brownback, Bunning, Burr, Burris, Byrd, Cantwell, Cardin, Carper, Casey, Chambliss, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dodd, Dorgan, Durbin, Ensign, Enzi, Feingold, Feinstein, Franken, Gillibrand, Graham, Grassley, Gregg, Hagan, Harkin, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kaufman, Kerry, Kirk, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lincoln, Lugar, McCain, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Risch, Roberts, Rockefeller, Sanders, Schumer, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Whitehouse, Wicker, Wyden.

So the amendment, as modified, was agreed to.

Pursuant to the order of Tuesday, December 22, 2009,

A motion to reconsider was considered made and laid on the table.

Pursuant to the order of yesterday,

The question recurring on agreeing to amendment No. 3302, proposed by Mr. CONRAD (for himself, Mr. GREGG, Mr. BAYH, Mr. BEGICH, Mr. BENNET, Mr. BINGAMAN, Mr. DORGAN, Mrs. FEINSTEIN, Ms. KLOBUCHAR, Mr. LIEBERMAN, Mrs. MCCASKILL, Mr. BILL NELSON, Mrs. SHAHEEN, Mr. MARK UDALL, Mr. WARNER, Mr. WEBB, Ms. COLLINS, Mr. CORKER, Mr. VOINOVICH, Mr. GRAHAM, Mr. ISAKSON, Mr. ALEXANDER, and Mr. LEMIEUX), to amendment No. 3299 (in the nature of a substitute), as amended, to the joint resolution.

After debate,

On motion by Mr. CONRAD,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the negative---
yeas... 53, nays... 46

[Rollcall Vote No. 5 Leg.]

YEAS --- 53

Alexander, Bayh, Begich, Bennet, Bingaman, Bond, Boxer, Carper, Chambliss, Collins, Conrad, Corker, Cornyn, Dorgan, Durbin, Enzi, Feingold, Feinstein, Franken, Gillibrand, Graham, Gregg, Hagan, Isakson, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Leahy, LeMieux, Levin, Lieberman, Lincoln, Lugar, McCaskill, Menendez, Nelson (NE), Nelson (FL), Pryor, Reid, Schumer, Shaheen, Tester, Udall (CO), Vitter, Voinovich, Warner, Webb, Wicker, Wyden.

NAYS --- 46

Akaka, Barrasso, Baucus, Bennett, Brown, Brownback, Bunning, Burr, Burris, Byrd, Cantwell, Cardin, Casey, Coburn, Cochran, Crapo, DeMint, Dodd, Ensign, Grassley, Harkin, Hatch, Hutchison, Inhofe, Inouye, Kirk, Kyl, Lautenberg, McCain, McConnell, Merkley, Mikulski, Murray, Reed, Risch, Roberts, Rockefeller, Sanders, Sessions, Shelby, Snowe, Specter, Stabenow, Thune, Udall (NM), Whitehouse.

So the amendment was not agreed to (the amendment not having received 60 yea votes, as pursuant to the order of Tuesday, December 22, 2009).

Pursuant to the order of Tuesday, December 22, 2009,

The amendment, not having received 60 yea votes, was withdrawn.

The question recurring on agreeing to amendment No. 3306 to amendment No. 3299 (in the nature of a substitute), as amended, to the joint resolution.

Pending debate,

RECESS

Pursuant to the order of yesterday, as modified,

At 12:43 p.m.,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) declared the Senate recessed until 2:15 p.m.

AT 2:15 P.M.

The PRESIDING OFFICER (Mr. BEGICH in the chair) called the Senate to order.

INCREASING THE STATUTORY LIMIT ON THE PUBLIC DEBT

The Senate resumed consideration of joint resolution H.J. Res. 45.

The question being on agreeing to amendment No. 3306 to amendment No. 3299 (in the nature of a substitute), as amended, to the joint resolution.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3299 (in the nature of a substitute), as amended, to the joint resolution.

On motion by Mr. SESSIONS (for himself, Mrs. MCCASKILL, Mr. KYL, and Mr. GREGG) to further amend the pending amendment (in the nature of a substitute), at the appropriate place, by inserting certain words (being amendment No. 3308).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3299 (in the nature of a substitute), as amended, to the joint resolution.

On motion by Mr. COBURN (for himself, Mr. MCCAIN, Mr. ENZI, and Mr. LEMIEUX) to further amend the pending amendment (in the nature of a substitute), at the appropriate place, by inserting certain words (being amendment No. 3303).

Mr. COBURN then demanded that the amendment be divided.

Pending debate,

The PRESIDING OFFICER (Mrs. GILLIBRAND in the chair) stated that the amendment was not divisible as a matter of right because the Senate had entered into a unanimous consent agreement limiting the universe of amendments on the joint resolution.

The question being on agreeing to amendment No. 3303 to amendment No. 3299 (in the nature of a substitute), as amended, to the joint resolution.

Pending debate,

By unanimous consent, on the request of Mr. REID,

Ordered, That it be in order for pending amendment No. 3303 to be modified to strike sections 17 and 18, and to be divided, as follows: section 1 being designated as Division I; section 2 being designated as Division II; sections 3 through 15 being

designated as Division III; section 16 being designated as Division IV.

Ordered further, That Mr. COBURN be recognized to speak for 15 minutes; that, upon conclusion of debate, the Senate vote in "stacked" sequence in relation to the Divisions of the amendment in the following order: Division I, Division, II, Division III, and Division IV; and that there be 6 minutes, equally divided and controlled in the usual form, for debate prior to each vote;

Ordered further, That, after the minority leader, or his designee, proposes an amendment, no further amendment or motion be in order.

Ordered further, That, on Thursday, January 28, 2010, when the Senate resumes consideration of the pending joint resolution following the times for the recognition of the two leaders, the question recur on agreeing to an amendment, intended to be proposed by Mr. BROWNBACK, relative to Commission; that there be 4 minutes, equally divided and controlled in the usual form, for debate thereon; that, upon conclusion of debate, the Senate vote in relation to the amendment; that the Senate then vote in "stacked" sequence in relation to the following amendments in the following order; and that there be 4 minutes, equally divided and controlled in the usual form, for debate prior to each vote:

Amendment No. 3308;

Amendment No. 3305;

Amendment No. 3299 (in the nature of a substitute), as amended.

Ordered further, That the joint resolution, as amended, then be read the third time; that there be 4 minutes, equally divided and controlled in the usual form, for debate thereon; and that, upon conclusion of debate, the Senate vote on passage of the joint resolution, as amended.

Ordered further, That each amendment receive a minimum of 60 yea votes to be agreed to; that if an amendment so receives 60 yea votes, a motion to reconsider be considered made and laid on the table; that, if the Senate fails to agree to any amendment with a minimum of 60 yea votes, the amendment be withdrawn; and that the joint resolution receive a minimum of 60 yea votes to pass.

Ordered further, That amendment No. 3306 and the motions to bring to a close debate be withdrawn.

ORDER FOR EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

As in executive session,

Ordered, That, upon disposition of joint resolution H.J. Res. 45, the Senate proceed to executive session to consider the nomination of Ben Bernanke to be Chairman of the Board of Governors of the Federal Reserve System; that there be 60 minutes, equally divided and controlled, for debate between the leaders, or their designees; and that, upon conclusion of debate, the Senate vote on the question of agreeing to the motion to bring to a close debate on the nomination.

INCREASING THE STATUTORY LIMIT ON THE PUBLIC DEBT

The Senate resumed consideration of joint resolution H.J. Res. 45.

Pursuant to the order of today,

The question being on agreeing to Division I of amendment No. 3303 to amendment No. 3299 (in the nature of a substitute), as amended, to the joint resolution.

After debate,

On motion by Mr. COBURN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending Division of the amendment.

The question being taken.

It was determined in the affirmative---
yeas... 94, nays... 0

[Rollcall Vote No. 6 Leg.]

YEAS --- 94

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown, Brownback, Bunning, Burr, Burris, Cantwell, Cardin, Carper, Casey, Chambliss, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dodd, Dorgan, Durbin, Ensign, Enzi, Feingold, Feinstein, Franken, Gillibrand, Graham, Grassley, Gregg, Hagan, Harkin, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kaufman, Kerry, Kirk, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lincoln, Lugar, McCain, McCaskill, McConnell, Menendez, Merkley, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Risch, Rockefeller, Sanders, Schumer, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Vitter, Whitehouse, Wicker, Wyden.

So the Division of the amendment was agreed to.

Pursuant to the order of today,

The question being on agreeing to Division II of amendment No. 3303 to amendment No. 3299 (in the nature of a substitute), as amended, to the joint resolution.

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the succeeding votes be 10 minutes in duration.

The question being on agreeing to Division II of amendment No. 3303 to amendment No. 3299 (in the nature of a substitute), as amended, to the joint resolution.

After debate,

On motion by Mr. COBURN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending Division of the amendment.

The question being taken.

It was determined in the negative---
yeas... 46, nays... 48

[Rollcall Vote No. 7 Leg.]

YEAS --- 46

Alexander, Barrasso, Bayh, Bennet, Bennett, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Isakson, Johanns, Klobuchar, Kohl, Kyl, LeMieux, Lincoln, Lugar, McCain, McCaskill, McConnell, Murkowski, Risch, Sessions, Shelby, Snowe, Thune, Udall (CO), Vitter, Wicker.

NAYS --- 48

Akaka, Baucus, Begich, Bingaman, Bond, Boxer, Brown, Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Harkin, Inouye, Johnson, Kaufman, Kerry, Kirk, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Menendez, Merkley, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (NM), Whitehouse, Wyden.

So the Division of the amendment was not agreed to (the Division of the amendment not having received 60 yea votes, as pursuant to the order of December 22, 2009, as modified today).

Pursuant to the order of Tuesday, December 22, 2009, as modified today,

The Division of the amendment, not having received 60 yea votes, was withdrawn.

Pursuant to the order of today,

The question being on agreeing to Division III of amendment No. 3303 to amendment No. 3299 (in the nature of a substitute), as amended, to the joint resolution.

After debate,

On motion by Mr. COBURN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending Division of the amendment.

The question being taken.

It was determined in the negative---
yeas... 33, nays... 61

[Rollcall Vote No. 8 Leg.]

YEAS --- 33

Alexander, Barrasso, Bayh, Bennett, Brownback, Bunning, Burr, Chambliss, Coburn, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, McCain, McCaskill, McConnell, Risch, Sessions, Shelby, Thune, Vitter, Wicker.

NAYS --- 61

Akaka, Baucus, Begich, Bennet, Bingaman, Bond, Boxer, Brown, Burris, Cantwell, Cardin, Carper, Casey, Cochran, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Grassley, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Kirk, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman,

Lincoln, Lugar, Menendez, Merkley, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Whitehouse, Wyden.

So the Division of the amendment was not agreed to (the Division of the amendment not having received 60 yea votes, as pursuant to the order of Tuesday, December 22, 2009, as modified today).

Pursuant to the order of Tuesday, December 22, 2009, as modified today,

The Division of the amendment, not having received 60 yea votes, was withdrawn.

Pursuant to the order of today,

The question being on agreeing to Division IV of amendment No. 3303 to amendment No. 3299 (in the nature of a substitute), as amended, to the joint resolution.

After debate,

On motion by Mr. COBURN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending Division of the amendment.

The question being taken.

It was determined in the negative---
yeas... 37, nays... 57

[Rollcall Vote No. 9 Leg.]

YEAS --- 37

Alexander, Barrasso, Bayh, Bennett, Brownback, Bunning, Burr, Chambliss, Coburn, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Sessions, Shelby, Snowe, Thune, Vitter, Wicker.

NAYS --- 57

Akaka, Baucus, Begich, Bennet, Bingaman, Bond, Boxer, Brown, Burris, Cantwell, Cardin, Carper, Casey, Cochran, Collins, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Kirk, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Whitehouse, Wyden.

So the Division of the amendment was not agreed to (the Division of the amendment not having received 60 yea votes, as pursuant to the order of Tuesday, December 22, 2009, as modified today).

Pursuant to the order of Tuesday, December 22, 2009, as modified today,

The Division of the amendment, not having received 60 yea votes, was withdrawn.

The question recurring on agreeing to amendment No. 3038 to amendment No. 3299 (in the nature of a substitute), as amended, to the bill.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3299 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. BROWNBACK (for himself, Mr. CHAMBLISS, Mr. ENSIGN, and Mr. VITTER) to further amend the pending amendment (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 3309).

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. DURBIN,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. DURBIN,

The Senate resumed its legislative session.

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-4430. A communication from the Administrator, Risk Management Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "General Administrative Regulations; Subpart X - Interpretations of Statutory and Regulatory Provisions" (7 CFR Part 400), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4431. A communication from the Director of the Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Daily Economic Loss Assistance Payment Program" (RIN0560-AI07), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4432. A communication from the President of the United States, transmitting, pursuant to law, an Executive Order issued on January 16, 2010 relative to the augmentation of the active Armed Forces for the effective conduct of operational missions, including those involving humanitarian assistance, related to relief efforts in Haiti necessitated by the earthquake on January 12, 2010; to the Committee on Armed Services.

EC-4433. A communication from the Assistant to the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Home Mortgage Disclosure" (Docket No. 1379), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-4434. A communication from the Deputy Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Custody of Funds or Securities of Clients by Investment Advisers" (RIN3235-AK32), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4435. A communication from the Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Temporary Rule Regarding Principal Trades with Certain Advisory Clients" (RIN3235-AJ96), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4436. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 12947 with respect to terrorists who threaten to disrupt the Middle East peace process; to the Committee on Banking, Housing, and Urban Affairs.

EC-4437. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "National Credit Union Share Insurance Fund Premium and One Percent Deposit" (RIN3133-AD63), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4438. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Organization and Operations of Federal Credit Unions; Underserved Areas (IRPS 08-2)" (RIN3133-AD48), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4439. A communication from the General Counsel of the National Credit

Union Administration, transmitting, pursuant to law, the report of a rule entitled "Prompt Corrective Action; Amended Definition of Post-Merger Net Worth" (RIN3133-AD43), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4440. A communication from the Assistant to the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance: Regulatory Capital; Impact of Modifications to Generally Accepted Accounting Principles; Consolidation of Asset-Backed Commercial Paper Programs; and Other Related Issues" (Docket No. R-1368), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4441. A communication from the Deputy Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Shareholder Approval of Executive Compensation of TARP Recipients" (RIN3235-AK31), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4442. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Assistant Secretary for Housing-Federal Housing Commissioner, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "HOPE for Homeowners Program; Statutory Transfer of Program Authority to HUD and Conforming Amendments to Adopt Recently enacted Statutory Charges" (RIN2502-AI76), received in the Office of the President of the Senate on January 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4443. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Docket No. FEMA-8107)), received in the Office of the President of the Senate on January 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4444. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Docket No. FEMA-8103)), received in the Office of the President of the Senate on January 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4445. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67)(Docket No. FEMA-2008-0020)), received in the Office of the President of the Senate on January 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4446. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65)(Docket No. FEMA-2008-0020)), received in the Office of the President of the Senate on January 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4447. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67)(Docket No. FEMA-2008-0020)), received in the Office of the President of the Senate on January 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4448. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Criminal and Civil Penalties Under the Robert T. Stafford Disaster Relief and Emergency Assistance Act" ((44 CFR Part 206)(Docket No. FEMA-2009-0007)), received in the Office of the President of the Senate on January 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4449. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the Department's 2010 Report on Foreign Policy-Based Export Controls; to the Committee on Banking, Housing, and Urban Affairs.

EC-4450. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Israel; to the Committee on Banking, Housing, and Urban Affairs.

EC-4451. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to final cost and performance goals for coal-based technologies; to the Committee on Energy and Natural Resources.

EC-4452. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled "The Effect of Private Wire Laws on Development of Combined Heat and Power Facilities"; to the Committee on Energy and Natural Resources.

EC-4453. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Electric Reliability Organization Revised Mandatory Reliability Standards for Interchange Scheduling and Coordination" (Docket No. RM09-8-000), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Energy and Natural Resources.

EC-4454. A communication from the Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Special Regulations; Areas of the National Park System; Yellowstone National Park, Winter Use" (RIN1024-AD73), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Energy and Natural Resources.

EC-4455. A communication from the Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Special Regulations; Areas of the National Park System; Grand Teton National Park, John D. Rockefeller, Jr. Memorial Parkway, Winter Use" (RIN1024-AD82), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Energy and Natural Resources.

EC-4456. A communication from the Secretary of the Interior, transmitting, pursuant to law, the annual report related to the Colorado River System Reservoirs for calendar year 2010; to the Committee on Energy and Natural Resources.

EC-4457. A communication from the Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Removal of the Brown Pelican (Pelecanus occidentalis) From the Federal List of Endangered and Threatened Wildlife" (RIN1018-AV28), received in the Office of the President of the Senate on January 20, 2010; to the Committee on Environment and Public Works.

EC-4458. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulations, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Alternate Fracture Toughness Requirements for Protection Against Pressurized Thermal Shock Events" (RIN3150-AI01), received in the Office of the President of the Senate on January 20, 2010; to the Committee on Environment and Public Works.

EC-4459. A communication from the Federal Register Certifying Officer, Financial Management Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Offset of Tax Refund Payments to Collect Past-Due, Legally Enforceable Nontax Debt" (RIN1510-AB20), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Finance.

EC-4460. A communication from the Federal Register Certifying Officer, Financial Management Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Debt Collection Authorities under the Debt Collection Improvement Act of 1996" (RIN1510-AB19), received in the Office of the President of the Senate on December 23, 2009; to the Committee on Finance.

EC-4461. A communication from the Commissioner, Social Security Administration, transmitting, pursuant to law, a report relative to the Administration's processing of continuing disability reviews for fiscal year 2008; to the Committee on Finance.

EC-4462. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2010 Section 1274A CPI Adjustments" (Rev. Rul. 2010-2), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Finance.

EC-4463. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Extension of Temporary Rules Allowing Issuers to Purchase and Hold Their Own Tax-Exempt Bonds" (Rev. Rul. 2010-7), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Finance.

EC-4464. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "LIFFE 1256(g)(7)-(C) Qualified Board or Exchange" (Rev. Rul. 2010-3), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Finance

EC-4465. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates - January 2010" (Rev. Rul. 2010-1), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Finance.

EC-4466. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 305 Treatment of a Stock Distribution by a Publicly Traded Regulated Investment Company or Real Estate Investment Trust in Which the Shareholders have an Election to Receive Money or Stock, Subject to an Aggregate Limitation on the Amount of Money to be Distributed" (Revenue Procedure 2010-12), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Finance.

EC-4467. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Notice Delaying the Effective Date of Revenue Ruling 2006-57" (Notice 2009-95), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Finance

EC-4468. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Extension of Temporary Suspension of AHYDO Rules" (Notice 2010-11), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Finance

EC-4469. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Use of Controlled Corporations to Avoid the Application of Section 304" ((RIN1545-BI14)(TD9477)), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Finance.

EC-4470. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Extension of Notice 2008-55" (Notice 2010-3), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Finance.

EC-4471. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Apportionment of Tax Items among the Members of a Controlled Group of Corporations" (TD9476), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Finance.

EC-4472. A communication from the Writer/Editor, Bureau of Immigration and Customs Enforcement, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safe Harbor Procedures for Employers Who Receive a No-Match Letter: Rescission" (RIN1653-AA59), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Finance.

EC-4473. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to loan guarantees to Israel; to the Committee on Foreign Relations.

EC-4474. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010-0001 - 2010-0014); to the Committee on Foreign Relations.

EC-4475. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010-0224 - 2010-0232); to the Committee on Foreign Relations.

EC-4476. A communication from the Assistant General Counsel for Regulatory Services, Office of Elementary and Secondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Interim Final Requirements for School Improvement Grants" (RIN1810-AB06), received in the Office of the President of the Senate on January 20, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-4477. A communication from the Acting Director, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Allocation of Assets in Single-Employer Plans; Valuation of Benefits and Assets; Expected Retirement Age" (29 CFR Part 4044), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-4478. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Definition of "Plan Assets" - Participant Contributions" (RIN1210-AB02), received during

adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-4479. A communication from the Assistant Secretary for Administration and Management, Department of Health and Human Services, transmitting, pursuant to law, an annual report relative to the Department's competitive sourcing efforts during fiscal year 2009; to the Committee on Health, Education, Labor, and Pensions.

EC-4480. A communication from the Office Manager, Office of the National Coordinator for HIT, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Health Information Technology: Initial Set of Standards, Implementation Specifications, and Certification, Criteria for Electronic Health Record Technology" (RIN0991-AB58), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-4481. A communication from the Secretary, Health and Human Services, transmitting, pursuant to law, a performance report to the President and the Congress for the Prescription Drug User Fee Act; to the Committee on Health, Education, Labor, and Pensions.

EC-4482. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Head Start Impact Study Final Report - January 2010"; to the Committee on Health, Education, Labor, and Pensions.

EC-4483. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Remote Location Filing" (RIN1505-AB20), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-4484. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-255, "Fiscal Year 2010 Budget Support Act of 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-4485. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-263, "Public Land Surplus Standards Amendment"; to the Committee on Homeland Security and Governmental Affairs.

EC-4486. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-264, "Fire Alarm Notice and Tenant Fire Safety Amendment Act of 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-4487. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-265, "Whistleblower Protection Amendment Act of 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-4488. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-266, "Prescription Drug Dispensing Practices Reform Act of 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-4489. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-267, "Disclosure of Information to the Council Amendment Act of 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-4490. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-268, "Fiscal Year 2010 Limited Grant-Making Authority Clarification Temporary Act of 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-4491. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-269, "African American Civil War Memorial Freedom Foundation, Inc. African-American Civil War Museum Approval Temporary Act of 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-4492. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-270, "Retirement Incentive Temporary Amendment Act of 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-4493. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-271, "Fiscal Year 2010 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Temporary Approval Act of 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-4494. A communication from the Auditor of the District of Columbia, transmitting, pursuant to law, a report entitled "District's Earmark Process Needs Improvement"; to the Committee on Homeland Security and Governmental Affairs.

EC-4495. A communication from the General Counsel, Government and Accountability Office, transmitting, pursuant to law, a report relative to the number of federal agencies that did not fully implement a recommendation made by the Office in response to a bid protest during fiscal year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-4496. A communication from the Chief Privacy Officer, Department of Homeland Security, transmitting, pursuant to law, a report entitled "2009 Report to Congress on Data Mining Technology and Policy"; to the Committee on Homeland Security and Governmental Affairs.

EC-4497. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2009 through September 30, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-4498. A communication from the President's Pay Agent, transmitting, pursuant to law, a report on locality-based comparability payments; to the Committee on Homeland Security and Governmental Affairs.

EC-4499. A communication from the Deputy Chief of the Regulatory Management Division, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Naturalization for Certain Persons in the U.S. Armed Forces" (RIN1615-AB85), received during adjournment of the Senate in the Office of the President of the Senate on January 19, 2010; to the Committee on the Judiciary.

EC-4500. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law an annual report relative to military and overseas voters; to the Committee on the Judiciary.

EC-4501. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "'Imported Directly' Requirement Under the United States-Bahrain Free Trade Agreement" (RIN1505-AC13), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Finance.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. BURR (for himself, Mrs. HAGAN, Mr. WARNER, and Mr. WEBB):

S. 2951. A bill to authorize funding to protect and conserve lands contiguous with the Blue Ridge Parkway to serve the public, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. FRANKEN:

S. 2952. A bill to establish funds to rapidly create new jobs in the private and public sector; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WEBB (for himself and Mr. WARNER):

S. 2953. A bill to modify the boundary of Petersburg National Battlefield in the Commonwealth of Virginia, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ:

S. 2954. A bill to amend the Federal Election Campaign Act of 1971 to apply the ban on contributions and expenditures by foreign nationals to domestic corporation which are owned or controlled by foreign principals; to the Committee on Rules and Administration.

By Mr. FEINGOLD:

S. 2955. A bill to amend the Internal Revenue Code of 1986 to provide a temporary payroll increase tax credit for certain employers; to the Committee on Finance.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 2956. A bill to authorize the Pechanga Band of Luiseno Mission Indians Water Rights Settlement, and for other purposes; to the Committee on Indian Affairs.

By Mr. LEMIEUX:

S. 2957. A bill to amend the Internal Revenue Code of 1986 to temporarily reduce payroll taxes of employees and employers by one-half, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent and Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. REID (for himself, Mr. MCCONNELL, Ms. MIKULSKI, Mr. CARDIN, Mr. AKAKA, Mr. ALEXANDER, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BEGICH, Mr. BENNET, Mr. BENNETT, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BURRIS, Mr. BYRD, Ms. CANTWELL, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON, Mr. KAUFMAN, Mr. KERRY, Mr. KIRK, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEMIEUX, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 397. A resolution relative to the death of Charles McCurdy ("Mac") Mathias, Jr., former United States Senator for the State of Maryland; considered and agreed to.

By Mr. REID:

S. Res. 398. A resolution to authorize representation by the Senate Legal Counsel in the case of Schonberg, et al. v. Sanders, et al; considered and agreed to.

By Mr. ENSIGN (for himself and Mr. REID):

S. Res. 399. A resolution honoring the heroic actions of Court Security Officer Stanley Cooper, Deputy United States Marshal Richard J. "Joe" Gardner, the law enforcement officers of the United States Marshals Service and Las Vegas Metropolitan Police Department, and the Court Security Officers in responding to the armed assault at the Lloyd D. George Federal Courthouse on January 4, 2010; considered and agreed to.

By Mr. BURRIS (for himself and Mr. DURBIN):

S. Con. Res. 49. A concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued to honor the life of Elijah Parish Lovejoy; to the Committee on Homeland Security and Governmental Affairs.

ADDITIONAL COSPONSORS

S. 259

At the request of Mr. BOND, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 259, a bill to establish a grant program to provide vision care to children, and for other purposes.

S. 619

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 619, a bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antibiotics used in the treatment of human and animal diseases.

S. 694

At the request of Mr. DODD, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 694, a bill to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

S. 781

At the request of Mr. ROBERTS, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 781, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 1121

At the request of Mr. HARKIN, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 1121, a bill to amend part D of title V of the Elementary and Secondary Education Act of 1965 to provide grants for the repair, renovation, and construction of elementary and secondary schools, including early learning facilities at the elementary schools.

S. 1179

At the request of Mr. ENSIGN, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 1179, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 1203

At the request of Mr. BAUCUS, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 1203, a bill to amend the Internal Revenue Code of 1986 to extend the research credit through 2010 and to increase and make permanent the alternative simplified research credit, and for other purposes.

S. 1389

At the request of Mr. NELSON of Nebraska, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 1389, a bill to clarify the exemption for certain annuity contracts and insurance policies from Federal regulation under the Securities Act of 1933.

S. 1535

At the request of Mrs. FEINSTEIN, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 1535, a bill to amend the Fish and Wildlife Act of 1956 to establish additional prohibitions on shooting wildlife from aircraft, and for other purposes.

S. 1553

At the request of Mr. GRASSLEY, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of S. 1553, a bill to

require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1610

At the request of Ms. CANTWELL, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of S. 1610, a bill to amend the Internal Revenue Code of 1986 to repeal the shipping investment withdrawal rules in section 955 and to provide an incentive to reinvest foreign shipping earnings in the United States.

S. 1789

At the request of Mr. DURBIN, the name of the Senator from Virginia [Mr. WEBB] was added as a cosponsor of S. 1789, a bill to restore fairness to Federal cocaine sentencing.

S. 2727

At the request of Mr. BYRD, his name was added as a cosponsor of S. 2727, a bill to provide for continued application of arrangements under the Protocol on Inspections and Continuous Monitoring Activities Relating to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms in the period following the Protocol's termination on December 5, 2009.

S. 2946

At the request of Ms. STABENOW, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 2946, a bill to direct the Secretary of the Army to take action with respect to the Chicago waterway system to prevent the migration of bighead and silver carps into Lake Michigan, and for other purposes.

SENATE JOINT RESOLUTION 26

At the request of Ms. MURKOWSKI, the name of the Senator from Nevada [Mr. ENSIGN] was added as a cosponsor of Senate Joint Resolution 26, a joint resolution disapproving a rule submitted by the Environmental Protection Agency relating to the endangerment finding and the cause or contribute findings for greenhouse gases under section 202(a) of the Clean Air Act.

SENATE RESOLUTION 373

At the request of Mr. CRAPO, the name of the Senator from Rhode Island [Mr. REED] was added as a cosponsor of Senate Resolution 373, a resolution designating the month of February 2010 as "National Teen Dating Violence Awareness and Prevention Month".

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on January 26, 2010, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on January 26, 2010, at 10 a.m. to conduct a hearing entitled "Intelligence Reform: The Lessons and Implications of the Christmas Day Attack, Part II."

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on January 26, 2010, at 2:30 p.m.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 4:26 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 2949. An act to amend section 1113 of the Social Security Act to provide authority for increased fiscal year 2010 payments for temporary assistance to United States citizens returned from foreign countries, to provide necessary funding to avoid shortfalls in the Medicare cost-sharing program for low-income qualifying individuals, and for other purposes.

RELATIVE TO THE DEATH OF CHARLES McCURDY ("MAC") MATHIAS

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 397) relative to the death of Charles McCurdy ("Mac") Mathias, Jr., former United States Senator for the State of Maryland, submitted today by Mr. REID (for himself, Mr. MCCONNELL, Ms. MIKULSKI, Mr. CARDIN, Mr. AKAKA, Mr. ALEXANDER, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BEGICH, Mr. BENNET, Mr. BENNETT, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BURRIS, Mr. BYRD, Ms. CANTWELL, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON, Mr. KAUFMAN, Mr. KERRY, Mr. KIRK, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEMIEUX, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MURKOWSKI, Mrs. MURRAY, Mr. BEN NELSON, Mr. BILL NELSON, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. MARK UDALL, Mr. TOM UDALL, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORIZING SENATE LEGAL COUNSEL REPRESENTATION

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 398) to authorize representation by the Senate Legal Counsel in the case of Schonberg, et al. v. Sanders, et al, submitted today by Mr. REID, and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HONORING HEROIC RESPONSE TO ARMED ASSAULT AT FEDERAL COURTHOUSE

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 399) honoring the heroic actions of Court Security Officer Stanley Cooper, Deputy United States Marshal Richard J. "Joe" Gardner, the law enforcement officers of the United States Marshals Service and Las Vegas Metropolitan Police Department, and the Court Security Officers in responding to the armed assault at the Lloyd D. George Federal Courthouse on January 4, 2010, submitted today by Mr. ENSIGN (for himself, and Mr. REID), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 8:20 P.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 8:20 p.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that, at 8:30 p.m., the Senate proceed as a body to the Hall of the House of Representatives to hear an address from the President of the United States.

Ordered further, That, upon conclusion of the Joint Session, the Senate adjourn until 9:30 a.m. on Thursday, January 28, 2010; that, on Thursday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there be a period of one hour for the transaction of morning business; and that the Senate then resume consideration of joint resolution H.J. Res. 45, as pursuant to the order of today.

Ordered further, That there be 1 hour, equally divided and controlled, for debate between the two leaders, or their designees; and that Mr. SANDERS control 15 minutes of the time of the majority.

ADJOURNMENT

By unanimous consent, on the request of Mr. DURBIN,

At 9:02 p.m.,

The Senate adjourned, under its order of today, until 8:20 p.m. on tomorrow.

WEDNESDAY, JANUARY 27, 2010

Mr. MARK BEGICH, from the State of Alaska, called the Senate to order at 8:20 p.m., the Chaplain offered a prayer, and Mr. BEGICH led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, January 27, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK BEGICH, a Senator from the State of Alaska, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. BEGICH took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

MORNING BUSINESS

The following morning business occurred on today:

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 6, 2009, the Secretary of the Senate, on January 26, 2010, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

S. 2949. An act to amend section 1113 of the Social Security Act to provide authority for increased fiscal year 2010 payments for temporary assistance to United States citizens returned from foreign countries, to provide necessary funding to avoid shortfalls in the Medicare cost-sharing program for low-income qualifying individuals, and for other purposes.

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 2009, the enrolled bill was signed on today, January 27, 2010, during the adjournment of the Senate by the PRESIDENT pro tempore.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, Wednesday, January 27, 2010, she had presented to the President of the United States the following enrolled bill:

S. 2949. A bill to amend section 1113 of the Social Security Act to provide authority for increased fiscal year 2010 payments for temporary assistance to United States citizens returned from foreign countries, to provide necessary funding to avoid shortfalls in the Medicare cost-sharing program for low-income qualifying individuals, and for other purposes.

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate:

REPORT ON THE STATE OF THE UNION DELIVERED TO A JOINT SESSION OF CONGRESS PM 42

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States which was ordered to lie on the table:

To the Congress of the United States:

Madam Speaker, Vice President BIDEN, Members of Congress, distinguished guests, and fellow Americans:

Our Constitution declares that from time to time, the President shall give to Congress information about the state of our Union. For 220 years, our leaders have fulfilled this duty. They have done so during periods of prosperity and tranquility. And they have done so in the midst of war and depression; at moments of great strife and great struggle.

It's tempting to look back on these moments and assume that our progress was inevitable—that America was always destined to succeed. But when the Union was turned back at Bull Run and the Allies first landed at Omaha Beach, victory was very much in doubt. When the market crashed on Black Tuesday and civil rights marchers were beaten on Bloody Sunday, the future was anything but certain. These were times that tested the courage of our convictions, and the strength of our Union. And despite all our divisions and disagreements; our hesitations and our fears; America prevailed because we chose to move forward as one Nation, and one people.

Again, we are tested. And again, we must answer history's call.

One year ago, I took office amid two wars, an economy rocked by severe recession, a financial system on the verge of collapse, and a Government deeply in debt. Experts from across the political spectrum warned that if we did not act, we might face a second depression. So we acted—immediately and aggressively. And 1 year later, the worst of the storm has passed.

But the devastation remains. One in ten Americans still cannot find work. Many businesses have shuttered. Home values have declined. Small towns and rural communities have been hit especially hard. For those who had already known poverty, life became that much harder.

This recession has also compounded the burdens that America's families have been dealing with for decades—the burden of working harder and longer for less; of being unable to save enough to retire or help kids with college.

So I know the anxieties that are out there right now. They're not new. These struggles are the reason I ran for President. These struggles are what I've witnessed for years in places like Elkhart, Indiana and Galesburg, Illinois. I hear about them in the letters that I read each night. The toughest to read are those written by children—asking why they have to move from their home, or when their mom or dad will be able to go back to work.

For these Americans and so many others, change has not come fast enough. Some are frustrated; some are angry. They don't understand why it seems like bad behavior on Wall Street is rewarded but hard work on Main Street isn't; or why Washington has been unable or unwilling to solve any of our problems. They are tired of the partisanship and the shouting and the pettiness. They know we can't afford it. Not now.

So we face big and difficult challenges. And what the American people hope—what they deserve—is for all of us, Democrats and Republicans, to work through our differences; to overcome the numbing weight of our politics. For while the people who sent us here have different backgrounds, different stories and different beliefs, the anxieties they face are the same. The aspirations they hold are shared. A job that pays the bills. A chance to get ahead. Most of all, the ability to give their children a better life.

You know what else they share? They share a stubborn resilience in the face of adversity. After one of the most difficult years in our history, they remain busy building cars and teaching kids; starting businesses and going back to school. They're coaching little league and helping their neighbors. As one woman wrote me, "We are strained but hopeful, struggling but encouraged."

It is because of this spirit—this great decency and great strength—that I have never been more hopeful about America's future than I am tonight. Despite our hardships, our union is strong. We do not give up. We do not quit. We do not allow fear or division to break our spirit. In this new decade, it's time the American people get a Government that matches their decency; that embodies their strength. And tonight, I'd like to talk about how together, we can deliver on that promise.

It begins with our economy.

Our most urgent task upon taking office was to shore up the same banks that helped cause this crisis. It was not easy to do. And if there's one thing that has unified Democrats and Republicans, it's that we all hated the bank bailout. I hated it. You hated it. It was about as popular as a root canal.

But when I ran for President, I promised I wouldn't just do what was popular—I would do what was necessary. And if we had allowed the meltdown of the financial system, unemployment might be double what it is today. More businesses would certainly have closed. More homes would have surely been lost.

So I supported the last Administration's efforts to create the financial rescue program. And when we took the program over, we made it more transparent and accountable. As a result, the markets are now stabilized, and we have recovered most of the money we spent on the banks.

To recover the rest, I have proposed a fee on the biggest banks. I know Wall Street isn't keen on this idea, but if these firms can afford to hand out big bonuses again, they can afford a modest fee to pay back the taxpayers who rescued them in their time of need.

As we stabilized the financial system, we also took steps to get our economy growing again, save as many jobs as possible, and help Americans who had become unemployed.

That's why we extended or increased unemployment benefits for more than 18 million Americans; made health insurance 65 percent cheaper for families who get their coverage through COBRA; and passed 25 different tax cuts.

Let me repeat: we cut taxes. We cut taxes for 95 percent of working families. We cut taxes for small businesses. We cut taxes for first-time homebuyers. We cut taxes for parents trying to care for their children. We cut taxes for 8 million Americans paying for college. As a result, millions of Americans had more to spend on gas, and food, and other necessities, all of which helped businesses keep more workers. And we haven't raised income taxes by a single dime on a single person. Not a single dime.

Because of the steps we took, there are about 2 million Americans working right now who would otherwise be unemployed. Two hundred thousand work in construction and clean energy. Three hundred thousand are teachers and other education workers. Tens of thousands are cops, firefighters, correctional officers, and first responders. And we are on track to add another one and a half million jobs to this total by the end of the year.

The plan that has made all of this possible, from the tax cuts to the jobs, is the Recovery Act. That's right—the Recovery Act, also known as the Stimulus Bill. Economists on the left and the right say that this bill has helped saved jobs and avert disaster. But you don't have to take their word for it.

Talk to the small business in Phoenix that's about to triple its workforce because of the Recovery Act.

Talk to the window manufacturer in Philadelphia who said he used to be skeptical about the Recovery Act, until he had to add two more work shifts just because of the business it created.

Talk to the single teacher raising two kids who was told by her principal on the last week of school that because of the Recovery Act, she wouldn't be laid off after all.

There are stories like this all across America. And after 2 years of recession, the economy is growing again. Retirement funds have started to gain back some of their value. Businesses are beginning to invest again, and slowly some are starting to hire again.

But I realize that for every success story, there are other stories, of men and women who wake up with the anguish of not knowing where their next paycheck will come from; who send out resumes week after week and hear nothing in response. That is why jobs must continue to be our number one focus in 2010. And that is why I am calling for a new jobs bill tonight.

Now, the true engine of job creation in this country will always be America's businesses. But Government can create the conditions necessary for businesses to expand and hire more workers.

We should start where most new jobs do—in small businesses, companies that begin when an entrepreneur takes a chance on a dream, or a worker decides it's time she became her own boss.

Through sheer grit and determination, these companies have weathered the recession and are ready to grow. But when you talk to small business owners in places like Allentown, Pennsylvania or Elyria, Ohio, you find out that even though banks on Wall Street are lending again, they are mostly lending to bigger companies. But financing remains difficult for small business owners across the country.

So tonight, I'm proposing that we take $30 billion of the money Wall Street banks have repaid and use it to help community banks give small businesses the credit they need to stay afloat. I am also proposing a new small business tax credit—one that will go to over 1 million small businesses who hire new workers or raise wages. While we're at it, let's also eliminate all capital gains taxes on small business investment; and provide a tax incentive for all businesses, large and small, to invest in new plants and equipment.

Next, we can put Americans to work today building the infrastructure of tomorrow. From the first railroads to the interstate highway system, our Nation has always been built to compete. There's no reason Europe or China should have the fastest trains, or the new

factories that manufacture clean energy products.

Tomorrow, I'll visit Tampa, Florida, where workers will soon break ground on a new high-speed railroad funded by the Recovery Act. There are projects like that all across this country that will create jobs and help our Nation move goods, services, and information. We should put more Americans to work building clean energy facilities, and give rebates to Americans who make their homes more energy efficient, which supports clean energy jobs. And to encourage these and other businesses to stay within our borders, it's time to finally slash the tax breaks for companies that ship our jobs overseas and give those tax breaks to companies that create jobs in the United States of America.

The House has passed a jobs bill that includes some of these steps. As the first order of business this year, I urge the Senate to do the same. People are out of work. They are hurting. They need our help. And I want a jobs bill on my desk without delay.

But the truth is, these steps still won't make up for the seven million jobs we've lost over the last 2 years. The only way to move to full employment is to lay a new foundation for long-term economic growth, and finally address the problems that America's families have confronted for years.

We cannot afford another so-called economic "expansion" like the one from last decade—what some call the "lost decade"—where jobs grew more slowly than during any prior expansion; where the income of the average American household declined while the cost of health care and tuition reached record highs; where prosperity was built on a housing bubble and financial speculation.

From the day I took office, I have been told that addressing our larger challenges is too ambitious—that such efforts would be too contentious, that our political system is too gridlocked, and that we should just put things on hold for awhile.

For those who make these claims, I have one simple question:

How long should we wait? How long should America put its future on hold?

You see, Washington has been telling us to wait for decades, even as the problems have grown worse. Meanwhile, China's not waiting to revamp its economy. Germany's not waiting. India's not waiting. These nations aren't standing still. These nations aren't playing for second place. They're putting more emphasis on math and science. They're rebuilding their infrastructure. They are making serious investments in clean energy because they want those jobs.

I do not accept second-place for the United States of America. As hard as it may be, as uncomfortable and contentious as the debates may be, it's time to get serious about fixing the problems that are hampering our growth.

One place to start is serious financial reform. Look, I am not interested in punishing banks, I'm interested in protecting our economy. A strong, healthy financial market makes it possible for businesses to access credit and create new jobs. It channels the savings of families into investments that raise incomes. But that can only happen if we guard against the same recklessness that nearly brought down our entire economy.

We need to make sure consumers and middle-class families have the information they need to make financial decisions. We can't allow financial institutions, including those that take your deposits, to take risks that threaten the whole economy.

The House has already passed financial reform with many of these changes. And the lobbyists are already trying to kill it. Well, we cannot let them win this fight. And if the bill that ends up on my desk does not meet the test of real reform, I will send it back.

Next, we need to encourage American innovation. Last year, we made the largest investment in basic research funding in history—an investment that could lead to the world's cheapest solar cells or treatment that kills cancer cells but leaves healthy ones untouched. And no area is more ripe for such innovation than energy. You can already see the results of last year's investment in clean energy—in the North Carolina company that will create 1,200 jobs making advanced batteries; or in the California business that's putting thousands to work making solar panels.

But to create more of these clean energy jobs, we need more production, more efficiency, more incentives. That means building a new generation of safe, clean nuclear power plants in this country. It means making tough decisions about opening new offshore areas for oil and gas development. It means continued investment in advanced biofuels and clean coal technologies. And yes, it means passing a comprehensive energy and climate bill with incentives that will finally make clean energy the profitable kind of energy in America.

I am grateful to the House for passing such a bill last year. This year, I am eager to help advance the bipartisan effort in the Senate. I know there have been questions about whether we can afford such changes in a tough economy; and I know that there are those who disagree with the overwhelming scientific evidence on climate change. But even if you are a doubter, providing incentives for energy efficiency and clean energy are the right thing to do for our future—because the nation that leads the clean energy economy will be the nation that leads the global economy. And America must be that Nation.

Third, we need to export more of our goods. Because the more products we make and sell to other countries, the more jobs we support here in America. So tonight, we set a new goal: We will double our exports over the next 5 years, an increase that will support two million jobs in America. To help meet this goal, we're launching a National Export Initiative that will help farmers and small businesses increase their exports, and reform export controls consistent with national security.

We have to seek new markets aggressively, just as our competitors are. If America sits on the sidelines while other nations sign trade deals, we will lose the chance to create jobs on our shores. But realizing those benefits also means enforcing those agreements so our trading partners play by the rules. And that's why we will continue to shape a Doha trade agreement that opens global markets, and why we will strengthen our trade relations in Asia and with key partners like South Korea, Panama, and Colombia.

Fourth, we need to invest in the skills and education of our people.

This year, we have broken through the stalemate between left and right by launching a national competition to improve our schools. The idea here is simple: instead of rewarding failure, we only reward success. Instead of funding the status quo, we only invest in reform—reform that raises student achievement, inspires students to excel in math and science, and turns around failing schools that steal the future of too many young Americans, from rural communities to inner-cities. In the 21st century, one of the best anti-poverty programs is a world-class education. We cannot settle for an America where the success of our children depends more on their zip code than their potential. And when we renew the Elementary and Secondary Education Act, we will work with Congress to expand these reforms to all 50 states.

Still, in this economy, a high school diploma no longer guarantees a good job. I urge the Senate to follow the House and pass a bill that will revitalize our community colleges, which are a career pathway to the children of so many working families. To make college more affordable, this bill will finally end the unwarranted taxpayer-subsidies that go to banks for student loans. Instead, let's take that money and give families $10,000 for 4 years of college and increase Pell Grants. And let's tell another one million students that when they graduate, they will be required to pay only ten percent of their income on student loans. Because in the United States of America, no one should go broke because they chose to go to college. And it's time for colleges and universities to get serious about cutting their own costs—because they too have a responsibility to help solve this problem.

Now, the price of college tuition is just one of the burdens facing the middle-class. That's why last year I asked Vice President BIDEN to

chair a task force on Middle-Class Families. That's why we're nearly doubling the child care tax credit, and making it easier to save for retirement by giving every worker access to a retirement account and expanding the tax credit for those who start a nest egg. That's why we're working to lift the value of a family's single largest investment—their home. The steps we took last year to shore up the housing market have allowed millions of Americans to take out new loans and save an average of $1,500 on mortgage payments. This year, we will step up re-financing so that homeowners can move into more affordable mortgages.

And that's why we still need health insurance reform—because there is no greater long-term burden on middle-class families.

Now let's be clear—I did not choose to tackle this issue to get some legislative victory under my belt. And by now it should be fairly obvious that I didn't take on health care because it was good politics.

I took on health care because of the stories I've heard from Americans with pre-existing conditions whose lives depend on getting coverage; patients who've been denied coverage; and families—even those with insurance—who are just one illness away from financial ruin.

After nearly a century of trying, we are closer than ever to bringing more security to the lives of so many Americans. The approach we've taken would protect every American from the worst practices of the insurance industry. It would give small businesses and uninsured Americans a chance to choose an affordable health care plan in a competitive market. It would require every insurance plan to cover preventive care. And I want to acknowledge our First Lady, Michelle Obama, who this year is creating a national movement to tackle the epidemic of childhood obesity and make our kids healthier.

Our approach would preserve the right of Americans who have insurance to keep their doctor and their plan. It would reduce costs and premiums for families and businesses. And according to the Congressional Budget Office—the independent organization that both parties have cited as the official scorekeeper for Congress—our approach would bring down the deficit by as much as $1 trillion over the next two decades.

Still, this is a complex issue, and the longer it was debated, the more skeptical people became. I take my share of the blame for not explaining it more clearly to the American people. And I know that with all the lobbying and horse-trading, this process left most Americans wondering what's in it for them.

But I also know this problem is not going away. By the time I'm finished speaking tonight, more Americans will have lost their health insurance. Millions will lose it this year. Our deficit will grow. Premiums will go up. Patients will be denied the care they need. Small business owners will continue to drop coverage altogether.

I will not walk away from these Americans. And neither should the people in this chamber. As temperatures cool, I want everyone to take a second look at the plan we've proposed. There's a reason why many doctors, nurses, and health care experts across the country consider this approach a vast improvement over the status quo. But if anyone from either party has a better approach that will bring down premiums, bring down the deficit, cover the uninsured, strengthen Medicare for seniors, and stop insurance company abuses, let me know. Here's what I ask of Congress, though: Do not walk away from reform. Not now. Not when we are so close. Let us find a way to come together and finish the job for the American people.

Now, even as health care reform would reduce our deficit, it's not enough to dig us out of a massive fiscal hole in which we find ourselves. It's a challenge that makes all others that much harder to solve, and one that's been subject to a lot of political posturing.

So let me start the discussion of Government spending by setting the record straight. At the beginning of the last decade, America had a budget surplus of over $200 billion. By the time I took office, we had a 1 year deficit of over $1 trillion and projected deficits of $8 trillion over the next decade. Most of this was the result of not paying for two wars, two tax cuts, and an expensive prescription drug program. On top of that, the effects of the recession put a $3 trillion hole in our budget. That was before I walked in the door.

Now if we had taken office in ordinary times, I would have liked nothing more than to start bringing down the deficit. But we took office amid a crisis, and our efforts to prevent a second Depression have added another $1 trillion to our national debt.

I am absolutely convinced that was the right thing to do. But families across the country are tightening their belts and making tough decisions. The Federal Government should do the same. So tonight, I'm proposing specific steps to pay for the $1 trillion that it took to rescue the economy last year.

Starting in 2011, we are prepared to freeze government spending for 3 years. Spending related to our national security, Medicare, Medicaid, and Social Security will not be affected. But all other discretionary Government programs will. Like any cash-strapped family, we will work within a budget to invest in what we need and sacrifice what we don't. And if I have to enforce this discipline by veto, I will.

We will continue to go through the budget line by line to eliminate programs that we can't afford and don't work. We've already identified $20 billion in savings for next year. To help working families, we will extend our middle-class tax cuts. But at a time of record deficits, we will not continue tax cuts for oil companies, investment fund managers, and those making over $250,000 a year. We just can't afford it.

Now, even after paying for what we spent on my watch, we will still face the massive deficit we had when I took office. More importantly, the cost of Medicare, Medicaid, and Social Security will continue to skyrocket. That's why I've called for a bipartisan, Fiscal Commission, modeled on a proposal by Republican JUDD GREGG and Democrat KENT CONRAD. This can't be one of those Washington gimmicks that lets us pretend we solved a problem. The Commission will have to provide a specific set of solutions by a certain deadline. Yesterday, the Senate blocked a bill that would have created this commission. So I will issue an executive order that will allow us to go forward, because I refuse to pass this problem on to another generation of Americans. And when the vote comes tomorrow, the Senate should restore the pay-as-you-go law that was a big reason why we had record surpluses in the 1990s.

I know that some in my own party will argue that we cannot address the deficit or freeze Government spending when so many are still hurting. I agree, which is why this freeze will not take effect until next year, when the economy is stronger. But understand—if we do not take meaningful steps to rein in our debt, it could damage our fragile markets, increase the cost of borrowing, and jeopardize our recovery—all of which could have an even worse effect on our job growth and family incomes.

From the right, I expect we'll hear that we should make fewer investments in our people, extend tax cuts for wealthier Americans, eliminate more regulations, and maintain the status quo on health care. The problem is, that's what we did for 8 years. That's what helped lead us into this crisis. It's what helped lead to these deficits. And we cannot do it again.

Rather than fight the same tired battles that have dominated Washington for decades, it's time to try something new. Let's invest in our people without leaving them a mountain of debt. Let's meet our responsibility to the citizens who sent us here. Let's try common sense.

To do that, we have to recognize that we face more than a deficit of dollars right now. We face a deficit of trust—deep and corrosive doubts about how Washington works that have been growing for years. To close that credibility gap we must take action on both ends of Pennsylvania Avenue to end

the outsized influence of lobbyists; to do our work openly; and to give our people the Government they deserve.

That's what I came to Washington to do. That's why—for the first time in history—my Administration posts our White House visitors online. And that's why we've excluded lobbyists from policy-making jobs or seats on Federal boards and commissions.

But we can't stop there. It's time to require lobbyists to disclose each contact they make on behalf of a client with my Administration or Congress. And it's time to put strict limits on the contributions that lobbyists give to candidates for Federal office. Last week, the Supreme Court reversed a century of law to open the floodgates for special interests—including foreign corporations—to spend without limit in our elections. Well, I don't think American elections should be bankrolled by America's most powerful interests, or worse, by foreign entities. They should be decided by the American people, and that's why I'm urging Democrats and Republicans to pass a bill that helps to right this wrong.

I'm also calling on Congress to continue down the path of earmark reform. You have trimmed some of this spending and embraced some meaningful change. But restoring the public trust demands more. For example, some members of Congress post some earmark requests online. Tonight, I'm calling on Congress to publish all earmark requests on a single website before there's a vote so that the American people can see how their money is being spent.

Of course, none of these reforms will even happen if we don't also reform how we work with one another.

I am not naiÿAE4ve. I never thought the mere fact of my election would usher in peace, harmony, and some post-partisan era. I knew that both parties have fed divisions that are deeply entrenched. And on some issues, there are simply philosophical differences that will always cause us to part ways. These disagreements, about the role of Government in our lives, about our national priorities and our national security, have been taking place for over 200 years. They are the very essence of our democracy.

But what frustrates the American people is a Washington where every day is Election Day. We cannot wage a perpetual campaign where the only goal is to see who can get the most embarrassing headlines about their opponent—a belief that if you lose, I win. Neither party should delay or obstruct every single bill just because they can. The confirmation of well-qualified public servants should not be held hostage to the pet projects or grudges of a few individual Senators. Washington may think that the vitriol spilled out on cable and talk radio is just part of the game; that saying anything about the other side, no matter how false, is what it takes to get power. But it is precisely such politics that has stopped either party from helping the American people. Worse yet, it is sowing further division among our citizens and further distrust in our Government.

So no, I will not give up on changing the tone of our politics. I know it's an election year. And after last week, it is clear that campaign fever has come even earlier than usual. But we still need to govern. To Democrats, I would remind you that we still have the largest majority in decades, and the people expect us to solve some problems, not run for the hills. And if the Republican leadership is going to insist that 60 votes in the Senate are required to do any business at all in this town, then the responsibility to govern is now yours as well. Just saying no to everything may be good short-term politics, but it's not leadership. We were sent here to serve our citizens, not our ambitions. So let's show the American people that we can do it together. This week, I'll be addressing a meeting of the House Republicans. And I would like to begin monthly meetings with both the Democratic and Republican leadership. I know you can't wait.

Throughout our history, no issue has united this country more than our security. Sadly, the unity we felt after 9/11 has dissipated. We can argue all we want about who's to blame for this, but I am not interested in re-litigating the past. I know that all of us love this country. All of us are committed to its defense. So let's put aside the schoolyard taunts about who is tough. Let's reject the false choice between protecting our people and upholding our values. Let's leave behind the fear and division, and do what it takes to defend our Nation and forge a more hopeful future—for America and the world.

That is the work we began last year. Since the day I took office, we have renewed our focus on the terrorists who threaten our Nation. We have made substantial investments in our homeland security and disrupted plots that threatened to take American lives. We are filling unacceptable gaps revealed by the failed Christmas attack, with better airline security, and swifter action on our intelligence. We have prohibited torture and strengthened partnerships from the Pacific to South Asia to the Arabian Peninsula. And in the last year, hundreds of al Qaeda's fighters and affiliates, including many senior leaders, have been captured or killed—far more than in 2008.

In Afghanistan, we are increasing our troops and training Afghan Security Forces so they can begin to take the lead in July of 2011, and our troops can begin to come home. We will reward good governance, reduce corruption, and support the rights of all Afghans—men and women alike. We are joined by allies and partners who have increased their own commitment, and who will come together tomorrow in London to reaffirm our common purpose. There will be difficult days ahead. But I am confident we will succeed.

As we take the fight to al Qaeda, we are responsibly leaving Iraq to its people. As a candidate, I promised that I would end this war, and that is what I am doing as President. We will have all of our combat troops out of Iraq by the end of this August. We will support the Iraqi government as they hold elections, and continue to partner with the Iraqi people to promote regional peace and prosperity. But make no mistake: this war is ending, and all of our troops are coming home.

Tonight, all of our men and women in uniform—in Iraq, Afghanistan, and around the world—must know that they have our respect, our gratitude, and our full support. And just as they must have the resources they need in war, we all have a responsibility to support them when they come home. That is why we made the largest increase in investments for veterans in decades. That is why we are building a 21st century VA. And that is why Michelle has joined with Jill Biden to forge a national commitment to support military families.

Even as we prosecute two wars, we are also confronting the greatest danger to the American people—the threat of nuclear weapons. I have embraced the vision of John F. Kennedy and Ronald Reagan through a strategy that reverses the spread of these weapons, and seeks a world without them. To reduce our stockpiles and launchers, while ensuring our deterrent, the United States and Russia are completing negotiations on the farthest-reaching arms control treaty in nearly two decades. And at April's Nuclear Security Summit, we will bring 44 nations together behind a clear goal: securing all vulnerable nuclear materials around the world in 4 years, so that they never fall into the hands of terrorists.

These diplomatic efforts have also strengthened our hand in dealing with those nations that insist on violating international agreements in pursuit of these weapons. That is why North Korea now faces increased isolation, and stronger sanctions—sanctions that are being vigorously enforced. That is why the international community is more united, and the Islamic Republic of Iran is more isolated. And as Iran's leaders continue to ignore their obligations, there should be no doubt: they, too, will face growing consequences.

That is the leadership that we are providing—engagement that advances the common security and prosperity of all people. We are working through the G-20 to sustain a lasting global recovery. We are working with Muslim communities around the world to promote science, education, and innovation. We have gone from a bystander to a leader in the fight against climate

change. We are helping developing countries to feed themselves, and continuing the fight against HIV/AIDS. And we are launching a new initiative that will give us the capacity to respond faster and more effectively to bio-terrorism or an infectious disease—a plan that will counter threats at home, and strengthen public health abroad.

As we have for over 60 years, America takes these actions because our destiny is connected to those beyond our shores. But we also do it because it is right. That is why, as we meet here tonight, over 10,000 Americans are working with many nations to help the people of Haiti recover and rebuild. That is why we stand with the girl who yearns to go to school in Afghanistan; we support the human rights of the women marching through the streets of Iran; and we advocate for the young man denied a job by corruption in Guinea. For America must stand on the side of freedom and human dignity.

Abroad, America's greatest source of strength is our ideals. The same is true at home. We find unity in our incredible diversity, drawing on the promise enshrined in our Constitution: that no matter who you are or what you look like, if you abide by the law you should be protected by it; if you adhere to our common values you should be treated no different than anyone else.

We must carry this promise forward. My Administration has a Civil Rights Division that is once again prosecuting civil rights violations and employment discrimination. We finally strengthened our laws to protect against crimes driven by hate. This year, I will work with Congress and our military to finally repeal the law that denies gay Americans the right to serve the country they love because of who they are. We are going to crack down on violations of equal pay laws—so that women get equal pay for an equal day's work. And we should continue the work of fixing our broken immigration system—to secure our borders and enforce our laws so that everyone plays by the rules.

In the end, it is our ideals, our values that built America—values that allowed us to forge a Nation made up of immigrants from every corner of the globe; values that drive our citizens still. Every day, they meet their responsibilities to their families and their employers. Time and again, they lend a hand to their neighbors and give back to their country. They take pride in their labor, and are generous in spirit. These aren't Republican values or Democratic values they're living by; business values or labor values. They are American values.

Unfortunately, too many of our citizens have lost faith that our biggest institutions—our corporations, our media, and yes, our Government—still reflect these same values. Each of these institutions are full of honorable men and women doing important work for the country. But each time a CEO rewards himself for failure, or a banker puts the rest of us at risk for his own selfish gain, people's doubts grow. Each time lobbyists game the system or politicians tear each other down instead of lifting this country up, we lose faith. The more that TV pundits reduce serious debates into silly arguments, and big issues into sound bites, our citizens turn away.

No wonder there's so much cynicism out there. No wonder there's so much disappointment.

I campaigned on the promise of change—change we can believe in, the slogan went. And right now, I know there are many Americans who aren't sure if they still believe we can change.

But remember this—I never suggested that change would be easy. Democracy in a Nation of three hundred million people canbe noisy and messy and complicated. And when you try to do big things and make big changes, it stirs passions and controversy. That's just how it is.

Of course, those of us in public office can respond to this reality by playing it safe and keeping our poll numbers high. We can avoid telling hard truths. We can kick hard problems down the road. We can do what's necessary to get through the next election instead of what's best for the next generation.

But I also know this: if people had made that decision 50 years ago or 100 years ago or 200 years ago, we wouldn't be here tonight. The only reason we are is because generations of Americans were unafraid to do what was hard; to do what was needed even when success was uncertain; to do what it took to keep the dream of this Nation alive for their children and grandchildren.

Our Administration has had some political setbacks this year, and some of them were deserved. But I wake up every day knowing that they are nothing compared to the setbacks that families all across this country have faced this year. And what keeps me going—what keeps me fighting—is that despite all these setbacks, that spirit of determination and optimism—that fundamental decency that has always been at the core of the American people—lives on.

It lives on in the struggling small business owner who wrote to me of his company, "None of us," he said, " ... are willing to consider, even slightly, that we might fail."

It lives on in the woman who said that even though she and her neighbors have felt the pain of recession, "We are strong. We are resilient. We are American."

It lives on in the 8-year-old boy in Louisiana, who just sent me his allowance and asked if I would give it to the people of Haiti. And it lives on in all the Americans who've dropped everything to go some place they've never been and pull people they've never known from rubble, prompting chants of "U.S.A.! U.S.A.! U.S.A!" when another life was saved.

The spirit that has sustained this Nation for more than two centuries lives on in you, its people. We have finished a difficult year. We have come through a difficult decade. But a new year has come. A new decade stretches before us. We don't quit. I don't quit. Let's seize this moment—to start anew, to carry the dream forward, and to strengthen our Union once more.

Thank you. God Bless You. And God Bless the United States of America.

BARACK OBAMA.

THE WHITE HOUSE, *January 27, 2010.*

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-4502. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, the report of a violation of the Antideficiency Act that occurred within the Army in fiscal year 2004, and has been assigned Army case number 08-06; to the Committee on Appropriations.

EC-4503. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Ventura County Air Pollution Control District" (FRL No. 9094-1), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4504. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Extension of Tolerances for Emergency Exemptions (Multiple Chemicals)" (FRL No. 8801-9), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4505. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Dibenzylidene Sorbitol; Exemption from the Requirement of a Tolerance" (FRL No. 8802-5), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4506. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Choline Chloride; Exemption from the Requirement of a Tolerance" (FRL No. 8802-4), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4507. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Revised Adjusted Net Capital Requirements for Futures Commission Merchants and Introducing Brokers" (RIN3038-AC66), received in the Office of the President of the Senate on January 20, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4508. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Commodity Pool Operator Periodic Account Statements and Annual Financial Reports" (RIN3038-AC38), received in the Office of the President of the Senate on January 20, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4509. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Electronic Filing of Financial Reports and Notices" (RIN3038-AB87), received in the Office of the President of the Senate on January 20, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4510. A communication from the Director of the Regulatory Review Group, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Payment Eligibility and Payment Limitation; Miscellaneous Technical Corrections" ((7 CFR 1400)(RIN0560-AH85)), received during adjournment of the Senate in the Office of the President of the Senate on January 12, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4511. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Tuberculosis in Cattle and Bison; State and Zone Designations; Michigan" (Docket No. APHIS-2009-0046), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4512. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Karnal Bunt; Regulated Areas" (Docket No. APHIS-2009-0036) as received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4513. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Change in Disease Status of the Republic of Korea with Regard to Foot-and-Mouth Disease and Rinderpest" (Docket No. APHIS-2008-0147), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4514. A communication from the Director of the Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Supplemental Revenue Assistance Payments Program" (RIN0560-AH90), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4515. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Haas Avocados from Peru" (Docket No. APHIS-2008-0126), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4516. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of the Army (Financial Management), received in the Office of the President of the Senate on January 21, 2010; to the Committee on Armed Services.

EC-4517. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, (52) reports relative to vacancies in the Department of Defense, received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Armed Services.

EC-4518. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Trade Agreements - Costa Rica and Peru" (DFARS Case 2008-D046), received in the Office of the President of the Senate on January 20, 2010; to the Committee on Armed Services.

EC-4519. A communication from the Deputy Director of the Acquisition Policy and Legislation Branch, Office of the Chief Procurement Officer, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Revision of Department of Homeland Security Acquisition Regulation; Restrictions on Foreign Acquisition (HSAR Case 2009-004)" (RIN1601-AA57), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Armed Services.

EC-4520. A communication from the Deputy Director of the Acquisition Policy and Legislation Branch, Office of the Chief Procurement Officer, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Prohibition on Federal Protective Service Guard Services Contracts with Business Concerns Owned, Controlled, or Operated by an Individual Convicted of a Felony (HSAR Case 2009-001)" (RIN1601-AA55), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Armed Services.

EC-4521. A communication from the Assistant Secretary for Congressional and Intergovernmental Relations, Department of Housing and Urban Development, transmitting, pursuant to law, a report relative to the awarding of a sole-source bridge contract to provide property management support for Federal Housing Administration Single Family Homes; to the Committee on Banking, Housing, and Urban Affairs.

EC-4522. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Reporting of Fraudulent Financial Instruments" (RIN2590-AA11), received in the Office of the President of the Senate on January 25, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4523. A communication from the Assistant to the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Fair Credit Reporting Risk-Based Pricing Regulations" (Docket No. R-1316), received in the Office of the President of the Senate on January 22, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4524. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Annual Adjustment of Ceiling on Allowable Charge for Certain Disclosures

Under Section 612(f) of the Fair Credit Reporting Act" received in the Office of the President of the Senate on January 22, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4525. A communication from the Assistant General Counsel for Legislation and Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Energy Conservation Standards for Certain Consumer Products (Dishwashers, Dehumidifiers, Microwave Ovens, and Electric and Gas Kitchen Ranges and Ovens) and for Certain Commercial and Industrial Equipment (Commercial Clothes Washers)" (RIN1904-AB93), received in the Office of the President of the Senate on January 25, 2010; to the Committee on Energy and Natural Resources.

EC-4526. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Endocrine Disruptor Screening Program; Policies and Procedures for Initial Screening" (FRL No. 8399-9), received in the Office of the President of the Senate on January 25, 2010; to the Committee on Environment and Public Works.

EC-4527. A communication from the Commissioner, Social Security Administration, transmitting proposed legislation relative to extending funding authority for two work incentive provisions; to the Committee on Finance.

EC-4528. A communication from the Chief of Protocol, Department of State, transmitting, a report relative to listings of foreign gifts of more than minimal value reported to employing agencies in calendar year 2009; to the Committee on Foreign Relations.

EC-4529. A communication from the Acting Director, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Parts 4022 and 4044), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-4530. A communication from the Acting Director, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Limitations on Guaranteed Benefits; Maximum Guaranteed Benefit" (29 CFR Part 4022), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-4531. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Performance Report of the Food and Drug Administration's Office of Combination Products for fiscal year 2008; to the Committee on Health, Education, Labor, and Pensions.

EC-4532. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, a report relative to the Administration's compliance with the Sunshine Act during calendar year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-4533. A communication from the General Counsel, Office of Compliance, transmitting, pursuant to law, the Counsel's Report on Americans with Disabilities Act inspections conducted during the 110th Congress; to the Committee on Homeland Security and Governmental Affairs.

EC-4534. A communication from the Program Manager, Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Commerce in Explosives - Storage of Shock Tube with Detonators (2005R-3P)" ((RIN1140-AA30)(Docket No. ATF 15F)), received in the Office of the President of the Senate on January 21, 2010; to the Committee on the Judiciary.

EC-4535. A communication from the Secretary of the Commission, Bureau of Competition, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Revised Jurisdictional Thresholds for Section 8 of the Clayton Act" received in the Office of the President of the Senate on January 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4536. A communication from the Director, Bureau of Economic Analysis, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Direct Investment Surveys: BE-10, 2009 Benchmark Survey of U.S. Direct Investment Abroad" (RIN0691-AA71), received during adjournment of the Senate in the Office of the President of the Senate on January 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4537. A communication from the Acting Deputy Director, National Institute of Standards and Technology, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Precision Measurement Grants Program; Availability of Funds" (RIN0693-ZA93), received during adjournment of the Senate in the Office of the President of the Senate on January 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4538. A communication from the Assistant Secretary for Communications and Information, National Telecommunications and Information Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Broadband Technology Opportunities Program" (RIN0660-ZA28), received in the Office of the President of the Senate on January 25, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4539. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; North and South Atlantic Swordfish Quotas" (RIN0648-AX07), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4540. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Swordfish Quotas" (RIN0648-AV10), received in the Office of the President of the Senate on January 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4541. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Television Broadcasting Services; Cincinnati, OH" (MB Docket No. 09-178), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4542. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Television Broadcasting Services; High Point, North Carolina" (MB Docket No. 09-196), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4543. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Television Broadcasting Services; Columbus, Ohio" (MB Docket No. 09-124), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4544. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Television Broadcasting Services; Anchorage, Alaska" (MB Docket No. 09-210), received in the Office of the President of the Senate on January 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4545. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Maupin, Oregon)" (MB Docket No. 09-130), received in the Office of the President of the Senate on January 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4546. A communication from the Assistant General Counsel for Regulatory, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Civil Penalty Factors" (16 CFR Part 1119), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4547. A communication from the Assistant General Counsel for Regulatory, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Children's Products Containing Lead; Determinations Regarding Lead Content Limits on Certain Materials or Products; Final Rule" (16 CFR Part 1500), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4548. A communication from the Assistant General Counsel for Regulatory, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Children's Products Containing Lead; Interpretive Rules on Inaccessible Component Parts" (16 CFR Part 1500), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4549. A communication from the Assistant General Counsel for Regulatory, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Ban of Lead-Containing Paint and Certain Consumer Products Bearing Lead-Containing Paint" (16 CFR Part 1303), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4550. A communication from the Assistant General Counsel for Regulatory, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Labeling Amendment of Blasting Caps" (16 CFR Part 1500), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4551. A communication from the Assistant General Counsel for Regulatory, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Final Rule: Standard for All Terrain Vehicles" (16 CFR Part 1420), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4552. A communication from the Assistant General Counsel for Regulatory, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Children's Products Containing Lead; Final Rule; Procedures and Requirements for a Commission Determination or Exclusion" (16 CFR Part 1500), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4553. A communication from the Assistant General Counsel for Regulatory, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Children's Products Containing Lead; Exemptions for Certain Electronic Devices; Interim Final Rule" (16 CFR Part 1500), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4554. A communication from the Assistant General Counsel for Regulatory, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Labeling Requirement for Toy and Game Advertisements; Final Rule" (16 CFR Part 1500), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4555. A communication from the Assistant General Counsel for Regulatory, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Exemption From Classification as Banned Hazardous Substance; Exemption for Boston Billow Nursing Pillow and Substantially Similar Nursing Pillows" (16 CFR Part 1500), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4556. A communication from the Assistant General Counsel for Regulatory, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Information Disclosure Under Section 6(b) of the Consumer Product Safety Act" (16 CFR Part 1101), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4557. A communication from the Assistant General Counsel for Regulatory, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Certificates of Compliance" (16 CFR Part 1110), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4558. A communication from the Assistant General Counsel for Regulatory, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Technical Amendment to the Flammability Standards for Carpets and Rugs" (RIN3041-AC38), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4559. A communication from the Assistant General Counsel for Regulatory, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Portable Generators; Final Rule; Labeling Requirements" (RIN3041-AC37), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. MENENDEZ:

S. 2958. A bill to provide funding and incentives for caregiver support and long-term care assistance; to the Committee on Finance.

By Mr. FRANKEN:

S. 2959. A bill to amend the Federal Election Campaign Act of 1971 to protect Federal, State, and local elections from the influence of foreign nationals; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 827

At the request of Mr. ROCKEFELLER, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 827, a bill to establish a program to reunite bondholders with matured unredeemed United States savings bonds.

S. 833

At the request of Mr. SCHUMER, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 833, a bill to amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV.

S. 1320

At the request of Mr. TESTER, the names of the Senator from New York [Mrs. GILLIBRAND] and the Senator from Idaho [Mr. RISCH] were added as cosponsors of S. 1320, a bill to provide assistance to owners of manufactured homes constructed before January 1, 1976, to purchase Energy Star-qualified manufactured homes.

S. 1400

At the request of Ms. STABENOW, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of S. 1400, a bill to amend the Internal Revenue Code of 1986 to make permanent the depreciation classification of motorsports entertainment complexes.

S. 1524

At the request of Mr. KERRY, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 1524, a bill to strengthen the capacity, transparency, and accountability of United States foreign assistance programs to effectively adapt and respond to new challenges of the 21st century, and for other purposes.

S. 1532

At the request of Mrs. MURRAY, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 1532, a bill to establish partnerships to create or enhance educational and skills development pathways to 21st century careers, and for other purposes.

S. 1627

At the request of Mr. HARKIN, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 1627, a bill to improve choices for consumers for vehicles and fuel, and for other purposes.

S. 1674

At the request of Mr. WYDEN, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 1674, a bill to provide for an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 2924

At the request of Mr. LEAHY, the names of the Senator from New York [Mr. SCHUMER], the Senator from New Hampshire [Mrs. SHAHEEN] and the Senator from Illinois [Mr. DURBIN] were added as cosponsors of S. 2924, a bill to reauthorize the Boys & Girls Clubs of America, in the wake of its Centennial, and its programs and activities.

SENATE RESOLUTION 396

At the request of Mr. UDALL of New Mexico, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of Senate Resolution 396, a resolution to enable each newly constituted Senate to carry out its responsibility to determine the Rules of its Proceedings at the beginning of each Congress.

ADDRESS BY THE PRESIDENT OF THE UNITED STATES ON THE STATE OF THE UNION

Pursuant to the order of yesterday,

At 8:30 p.m.,

The Senate proceeded in a body to the Hall of the House of Representatives to hear an address by the President of the United States, the Honorable Barack H. Obama.

The VICE PRESIDENT appointed the following committee of Senators to join with a like committee on the part of the House of Representatives to escort the President of the United States into the Chamber of the House of Representatives: Mr. REID, Mr. DURBIN, Mr. SCHUMER, Mrs. MURRAY, Mr. MENENDEZ, Mr. DORGAN, Ms. STABENOW, Mr. MCCONNELL, Mr. KYL, Mr. ALEXANDER, Ms. MURKOWSKI, Mr. THUNE and Mr. CORNYN.

The two Houses being assembled,

The President of the United States addressed them as follows:

"Madam Speaker, Vice President BIDEN, Members of Congress, distinguished guests, and fellow Americans:

Our Constitution declares that, from time to time, the President shall give to Congress information about the state of our union. For 220 years, our leaders have fulfilled this duty. They have done so during periods of prosperity and tranquility. And they have done so in the midst of war and depression, at moments of great strife and great struggle.

It's tempting to look back on these moments and assume that our progress was inevitable—that America was always destined to succeed. But when the Union was turned back at Bull Run and the Allies first landed at Omaha Beach, victory was very much in doubt. When the market crashed on Black Tuesday and civil rights marchers were beaten on Bloody Sunday, the future was anything but certain. These were the times that tested the courage of our convictions, and the strength of our union. And despite all our divisions and disagreements, our hesitations and our fears, America prevailed because we chose to move forward as one nation—as one people.

Again, we are tested. And again, we must answer history's call.

One year ago, I took office amid two wars, an economy rocked by severe recession, a financial system on the verge of collapse and a government deeply in debt. Experts from across the political spectrum warned that, if we did not act, we might face a second Depression. So we acted—immediately and aggressively. And 1 year later, the worst of the storm has passed.

But the devastation remains. One in 10 Americans still cannot find work. Many businesses have shuttered. Home values have declined. Small towns and rural communities have been hit especially hard. And for those who had already known poverty, life has become that much harder.

This recession has also compounded the burdens that America's families have been dealing with for decades—the burden of working harder and longer for less, ofbeing unable to save enough to retire or help kids with college.

So I know the anxieties that are out there right now. They're not new. These struggles are the reason I ran for President. These struggles are what I've witnessed for years in places like Elkhart, Indiana, and Galesburg, Illinois. I hear about them in the letters that I read each night. The toughest to read are those written by children—asking why they have to move from their home, asking when their mom or dad will be able to go back to work.

For these Americans and so many others, change has not come fast enough. Some are frustrated; some are angry. They don't understand why it seems like bad behavior on Wall Street is rewarded but hard work on Main Street isn't; or why Washington has been unable or unwilling to solve any of our problems. They are tired of the partisanship and the shouting and the pettiness. They know we can't afford it. Not now.

So we face big and difficult challenges. And what the American people hope—what they deserve—is for all of us, Democrats and Republicans, to work through our differences, to overcome the numbing weight of our politics. For, while the people who sent us here have different backgrounds, different stories, different beliefs, the anxieties they face are the same. The aspirations they hold are shared. A job that pays the bills. A chance to get ahead. Most of all, the ability to give their children a better life.

And you know what else they share? They share a stubborn resilience in the face of adversity. After one of the most difficult years in our history, they remain busy building cars and teaching kids, starting businesses and going back to school. They're coaching Little League and helping their neighbors. One woman wrote to me and said, "We are strained but hopeful, struggling but encouraged."

It's because of this spirit—this great decency and great strength—that I have never been more hopeful about America's future than I am tonight. Despite our hardships, our union is strong. We do not give up. We do

not quit. We do not allow fear or division to break our spirit. In this new decade, it's time the American people get a government that matches their decency, that embodies their strength.

And tonight, I'd like to talk about how, together, we can deliver on that promise.

It begins with our economy.

Our most urgent task upon taking office was to shore up the same banks that helped cause this crisis. It was not easy to do. And if there is one thing that has unified Democrats and Republicans and everybody in between is that we all hated the bank bailout. I hated it. You hated it. It was about as popular as a root canal.

But when I ran for President, I promised I wouldn't just do what was popular—I would do what was necessary. And if we had allowed the meltdown of the financial system, unemployment might be double what it is today. More businesses would certainly have closed. More homes would have surely been lost.

So I supported the last administration's efforts to create the financial rescue program. And when we took that program over, we made it more transparent and more accountable. And as a result, the markets are now stabilized, and we recovered most of the money we spent on the banks—most but not all.

To recover the rest, I have proposed a fee on the biggest banks. Now, I know Wall Street isn't keen on this idea, but if these firms can afford to hand out big bonuses again, they can afford a modest fee to pay back the taxpayers who rescued them in their time of need.

As we stabilized the financial system, we also took steps to get our economy growing again, save as many jobs as possible, and help Americans who had become unemployed.

That's why we extended or increased unemployment benefits for more than 18 million Americans, made health insurance 65 percent cheaper for families who get their coverage through COBRA, and passed 25 different tax cuts.

Now, let me repeat: We cut taxes. We cut taxes for 95 percent of working families. We cut taxes for small businesses. We cut taxes for first-time home buyers. We cut taxes for parents trying to care for their children. We cut taxes for 8 million Americans paying for college.

As a result, millions of Americans had more to spend on gas and food and other necessities, all of which helped businesses keep more workers. And we haven't raised income taxes by a single dime on a single person. Not a single dime.

Because of the steps we took, there are about 2 million Americans working right now who would otherwise be unemployed. 200,000 work in construction and clean energy. 300,000 are teachers and other education workers. Tens of thousands are cops, firefighters, correctional officers, first responders. And we are on track to add another 1.5 million jobs to this total by the end of the year.

The plan that has made all of this possible, from the tax cuts to the jobs, is the Recovery Act. That's right—the Recovery Act, also known as the stimulus bill. Economists on the left and the right say this bill has helped saved jobs and avert disaster. But you don't have to take their word for it.

Talk to the small business in Phoenix that will triple its workforce because of the Recovery Act.

Talk to the window manufacturer in Philadelphia who said he used to be skeptical about the Recovery Act until he had to add two more work shifts just because of the business it created. Talk to the single teacher raising two kids who was told by the principal in the last week of school that, because of the Recovery Act, she wouldn't be laid off at all.

There are stories like this all across America. And after 2 years of recession, the economy is growing again. Retirement funds have started to gain back some of their value. Businesses are beginning to invest again, and slowly, some are starting to hire again.

But I realize that, for every success story, there are other stories—of men and women who wake up with the anguish of not knowing where their next paycheck will come from, who send out resumes week after week and hear nothing in response. That is why jobs must be our number one focus in 2010, and that is why I am calling for a new jobs bill tonight.

Now, the true engine of job creation in this country will always be America's businesses. But government can create the conditions necessary for businesses to expand and hire more workers.

We should start where most new jobs do—in small businesses, companies that begin when an entrepreneur takes a chance on a dream or a worker decides it's time she became her own boss.

Through sheer grit and determination, these companies have weathered the recession, and they are ready to go. But when you talk to small business owners in places like Allentown, Pennsylvania or Elyria, Ohio, you find out that, even though banks on Wall Street are lending again, they are mostly lending to bigger companies. Financing remains difficult for small business owners across the country. Even those who are making a profit.

So, tonight, I am proposing that we take $30 billion of the money that Wall Street banks have repaid and useit to help community banks give small businesses the credit they need to stay afloat. I am also proposing a new small business tax credit—one that will go to over 1 million small businesses who hire new workers or raise wages.

While we're at it, let's also eliminate all capital gains taxes on small business investment; and provide a tax incentive for all large businesses and all small businesses to invest in new plants and equipment.

Next, we can put Americans to work today building the infrastructure of tomorrow. From the first railroads to the Interstate Highway System, our nation has always been built to compete. There is no reason Europe or China should have the fastest trains or the new factories that manufacture clean energy products.

Tomorrow, I'll visit Tampa, Florida where workers will soon break ground on a new high-speed railroad funded by the Recovery Act. There are projects like that all across this country that will create jobs and help move our Nation's goods, services and information. We should put more Americans to work building clean energy facilities, and give rebates to Americans who make their homes more energy efficient, which supports clean energy jobs. And to encourage these and other businesses to stay within our borders, it is time to finally slash the tax breaks for companies that ship our jobs overseas and give those tax breaks to companies that create jobs right here in the United States of America.

Now, the House has passed a jobs bill that includes some of these steps. As the first order of business this year, I urge the Senate to do the same, and I know they will. They will. People are out of work. They are hurting. They need our help. And I want a jobs bill on my desk without delay.

But the truth is, these steps won't make up for the 7 million jobs that we've lost over the last 2 years. The only way to move to full employment is to lay a new foundation for long-term economic growth and finally address the problems that America's families have confronted for years.

We can't afford another so-called economic expansion like the one from the last decade—what some call the "lost decade"—where jobs grew more slowly than during any prior expansion, where the income of the average American household declined while the cost of health care and tuition reached record highs, where prosperity was built on a housing bubble and financial speculation.

From the day I took office, I have been told that addressing our larger challenges is too ambitious—that such an effort would be too contentious. I've been told that our political system is too gridlocked and that we should just put things on hold for a while.

For those who make these claims, I have one simple question:

How long should we wait? How long should America put its future on hold?

You see, Washington has been telling us to wait for decades even as the problems have grown worse. Meanwhile, China's not waiting to revamp its economy. Germany's not waiting. India's not waiting. These nations, they're not standing still. These nations aren't playing for second place. They're putting more emphasis on math and science. They're rebuilding their infrastructure. They're making serious investments in clean energy because they want those jobs.

Well, I do not accept second place for the United States of America. As hard as it may be, as uncomfortable and contentious as the debates may become, it's time to get serious about fixing the problems that are hampering our growth.

Now, one place to start is with serious financial reform. Look, I am not interested in punishing banks; I'm interested in protecting our economy. A strong, healthy financial market makes it possible for businesses to access credit and create new jobs. It channels the savings of families into investments that raise incomes. But that can only happen if we guard against the same recklessness that nearly brought down our entire economy.

We need to make sure consumers and middle class families have the information they need to make financial decisions. We can't allow financial institutions, including those that take your deposits, to take risks that threaten the whole economy.

The House has already passed financial reform with many of these changes. And the lobbyists are trying to kill it. Well, we cannot let them win this fight. And if the bill that ends up on my desk does not meet the test of real reform, I will send it back until we get it right. We've got to get it right.

Next, we need to encourage American innovation. Last year, we made the largest investment in basic research funding in history—an investment that could lead to the world's cheapest solar cells or treatment that kills cancer cells but leaves healthy ones untouched. And no area is more ripe for such innovation than energy. You can see the results of last year's investments in clean energy—in the North Carolina company that will create 1,200 jobs nationwide, helping to make advanced batteries; or in the California business that will put 1,000 people to work making solar panels.

But to create more of these clean energy jobs, we need more production, more efficiency, more incentives. And that means building a new generation of safe, clean nuclear power plants in this country. It means making tough decisions about opening new offshore areas for oil and gas development. It means continued investment in advanced biofuels and clean coal technologies. And yes, it means passing a comprehensive energy and climate bill with incentives that will finally make clean energy the profitable kind of energy in America.

I am grateful to the House for passing such a bill last year. And this year, I am eager to help advance the bipartisan effort in the Senate. I know there have been questions about whether we can afford such changes in a tough economy. I know that there are those who disagree with the overwhelming scientific evidence on climate change. But here is the thing, even if you doubt the evidence, providing incentives for energy efficiency and clean energy are the right things to do for our future—because the nation that leads the clean energy economy will be the nation that leads the global economy. And America must be that nation.

Third, we need to export more of our goods. Because the more products we make and sell to other countries, the more jobs we support right here in America. So, tonight, we set a new goal: we will double our exports over the next 5 years, an increase that will support 2 million jobs in America. To help meet this goal, we're launching a national export initiative that will help farmers and small businesses increase their exports and reform export controls consistent with national security.

We have to seek new markets aggressively, just as our competitors are. If America sits on the sidelines while other nations sign trade deals, we will lose the chance to create jobs on our shores. But realizing those benefits also means enforcing those agreements so our trading partners play by the rules. And that's why we will continue to shape a Doha trade agreement that opens global markets, and why we will strengthen our trade relations in Asia and with key partners like South Korea and Panama and Colombia.

Fourth, we need to invest in the skills and education of our people.

Now, this year, we've broken through the stalemate between left and right by launching a national competition to improve our schools. And the idea here is simple: instead of rewarding failure, we only reward success. Instead of funding the status quo, we only invest in reform—reform that raises student achievement, inspires students to excel in math and science and turns around failing schools that steal the future of too many young Americans, from rural communities to the inner cities. In the 21st century, the best anti-poverty program around is a world-class education. And in this country, the success of our children cannot depend more on where they live than on their potential.

When we renew the Elementary and Secondary Education Act, we will work with Congress to expand these reforms to all 50 States. Still, in this economy, a high school diploma no longer guarantees a good job. That's why I urge the Senate to follow the House and pass a bill that will revitalize our community colleges, which is a career pathway to the children of so many working families. To make college more affordable, this bill will finally end the unwarranted taxpayer subsidies that go to banks for student loans. Instead, let's take that money and give families a $10,000 tax credit for 4 years of college and increase Pell Grants. And let's tell another 1 million students that, when they graduate, they will be required to pay only 10 percent of their income on student loans, and all of their debt will be forgiven after 20 years—and forgiven after 10 years if they choose a career in public service. Because in the United States of America, no one should go broke because they chose to go to college. And by the way, it's time for colleges and universities to get serious about cutting their own costs—because they, too, have a responsibility to help solve this problem.

Now, the price of college tuition is just one of the burdens facing the middle class. That's why, last year, I asked Vice President BIDEN to chair a task force on middle class families. That's why we're nearly doubling the child care tax credit and making it easier to save for retirement by giving access to every worker a retirement account and expanding the tax credit for those who start a nest egg. That's why we're working to lift the value of a family's single largest investment—their home. The steps we took last year to shore up the housing market have allowed millions of Americans to take out new loans and save an average of $1,500 on mortgage payments. This year, we will step up refinancing so that homeowners can move into more affordable mortgages. And it is precisely to relieve the burden on middle class families that we still need health insurance reform.

Now let's clear a few things up. I didn't choose to tackle this issue to get some legislative victory under my belt. And by now, it should be fairly obvious that I didn't take on health care because it was good politics.

I took on health care because of the stories I've heard from Americans with preexisting conditions whose lives depend on getting coverage, patients who have been denied coverage, families—even those with insurance—who are just one illness away from financial ruin.

After nearly a century of trying—Democratic administrations, Republican administrations—we are closer than ever to bringing more security to the lives of so many Americans. The approach we've taken would protect every American from the worst practices of the insurance industry. It would give small businesses and uninsured Americans a chance to choose an affordable health care plan in a competitive market. It would require every insurance plan to cover preventative care. And by the way, I want to acknowledge our First Lady, Michelle Obama, who, this year, is creating a national

movement to tackle the epidemic of childhood obesity and make kids healthier.

Our approach would preserve the right of Americans who have insurance to keep their doctor and their plan. It would reduce costs and premiums for millions of families and businesses. And according to the Congressional Budget Office—the independent organization that both parties have cited as the official scorekeeper for Congress—our approach would bring down the deficit by as much as $1 trillion over the next 2 decades.

Still, this is a complex issue, and the longer it was debated, the more skeptical people became. I take my share of the blame for not explaining it more clearly to the American people. And I know that, with all the lobbying and horse-trading, the process left most Americans wondering, what's in it for me.

But I also know this problem is not going away. By the time I'm finished speaking tonight, more Americans will have lost their health insurance. Millions will lose it this year. Our deficit will grow. Premiums will go up. Patients will be denied the care they need. Small business owners will continue to drop coverage all together. I will not walk away from these Americans, and neither should the people in this Chamber.

So, as temperatures cool, I want everyone to take another look at the plan we've proposed. There is a reason why many doctors, nurses, and health care experts, who know our system best, consider this approach a vast improvement over the status quo. But if anyone from either party has a better approach that will bring down premiums, bring down the deficit, cover the uninsured, strengthen Medicare for seniors, and stop insurance company abuses, let me know. I'm eager to see it. Here's what I ask Congress, though: Don't walk away from reform. Not now. Not when we are so close. Let us find a way to come together and finish the job for the American people. Let's get it done.

Now, even as health care reform would reduce our deficit, it's not enough to dig us out of a massive fiscal hole in which we find ourselves. It's a challenge that makes all others that much harder to solve and one that's been subject to a lot of political posturing.

So let me start the discussion of government spending by setting the record straight. At the beginning of the last decade, the year 2000, America had a budget surplus of over $200 billion. By the time I took office, we had a 1-year deficit of over $1 trillion and projected deficits of $8 trillion over the next decade. Most of this was the result of not paying for two wars, two tax cuts, and an expensive prescription drug program. On top of that, the effects of the recession put a $3 trillion hole in our budget. All this was before I walked in the door. I'm just stating the facts.

Now, if we had taken office in ordinary times, I would have liked nothing more than to start bringing down the deficit. But we took office amid a crisis, and our efforts to prevent a second Depression have added another $1 trillion to our national debt. That, too, is a fact.

I'm absolutely convinced that was the right thing to do. But families across the country are tightening their belts and making tough decisions. The Federal Government should do the same. So, tonight, I'm proposing specific steps to pay for the $1 trillion that it took to rescue the economy last year.

Starting in 2011, we are prepared to freeze government spending for 3 years. Spending related to our national security, Medicare, Medicaid, and Social Security will not be affected. But all other discretionary government programs will. Like any cash-strapped family, we will work within a budget to invest in what we need and sacrifice what we don't. And if I have to enforce this discipline by veto, I will.

We will continue through the budget line by line, page by page to eliminate programs that we can't afford and don't work. We've already identified $20 billion in savings for next year. To help working families, we will extend our middle class tax cuts. But at a time of record deficits, we will not continue tax cuts for oil companies, for investment fund managers, and for those making over $250,000 a year. We just can't afford it.

Now, even after paying for what we spent on my watch, we'll still face the massive deficit we had when I took office. More importantly, the cost of Medicare, Medicaid, and Social Security will continue to skyrocket. That's why I've called for a bipartisan fiscal commission, modeled on a proposal by Republican JUDD GREGG and Democrat KENT CONRAD. This can't be one of those Washington gimmicks that lets us pretend we solved a problem. The commission will have to provide a specific set of solutions by a certain deadline. Now, yesterday, the Senate blocked a bill that would have created this commission. So I will issue an Executive order that will allow us to go forward because I refuse to pass this problem on to another generation of Americans. And when the vote comes tomorrow, the Senate should restore the pay-as-you-go law that was a big reason for why we had record surpluses in the 1990s.

I know that some in my party will argue that we can't address the deficit or freeze government spending when so many are still hurting. And I agree, which is why this freeze won't take effect until next year, when the economy is stronger. That's how budgeting works. But understand, if we don't take meaningful steps to rein in our debt, it could damage our markets, increase the cost of borrowing and jeopardize our recovery—all of which would have an even worse effect on our job growth and family incomes.

From some on the right, I expect we'll hear a different argument—that if we just make fewer investments in our people, extend tax cuts, including those for wealthier Americans, eliminate more regulations, and maintain the status quo on health care, our deficits will go away. The problem is, that's what we did for 8 years. That's what helped us into this crisis. It's what helped lead to these deficits. We can't do it again.

Rather than fight the same tired battles that have dominated Washington for decades, it's time to try something new. Let's invest in our people without leaving them a mountain of debt. Let's meet our responsibility to the citizens who sent us here. Let's try common sense—a novel concept.

To do that, we have to recognize that we face more than a deficit of dollars right now. We face a deficit of trust—deep and corrosive doubts about how Washington works that have been growing for years. To close that credibility gap, we have to take action on both ends of Pennsylvania Avenue to end the outsized influence of lobbyists, to do our work openly, to give our people the government they deserve.

That's what I came to Washington to do. That's why—for the first time in history—my administration posts on our White House visitors online. That's why we've excluded lobbyists from policymaking jobs or seats on Federal boards and commissions.

But we can't stop there. It's time to require lobbyists to disclose each contact they make on behalf of a client with my administration or with Congress. It's time to put strict limits on the contributions that lobbyists give to candidates for Federal office. With all due deference to the separation of powers, last week, the Supreme Court reversed a century of law that I believe will open the floodgates for special interests—including foreign corporations—to spend without limit in our elections. I don't think American elections should be bankrolled by America's most powerful interests, or worse, by foreign entities. They should be decided by the American people. And I would urge Democrats and Republicans to pass a bill that helps correct some of these problems.

I'm also calling on Congress to continue down the path of earmark reform—Democrats and Republicans. You've trimmed some of this spending. You've embraced some meaningful change. But restoring the public trust demands more. For example, some Members of Congress post some earmark requests online. Tonight, I am calling on Congress to publish all earmark requests on a single Web site before there is a vote so that the American people can see how their money is being spent.

Of course, none of these reforms will even happen if we don't also reform how we work with one another.

Now, I am not naive. I never thought that the mere fact of my election would usher in peace and harmony and some post-partisan era. I knew that both parties have fed divisions that are deeply entrenched. And on some issues, there are simply philosophical differences that will always cause us to part ways. These disagreements about the role of government in our lives, about our national priorities and our national security, they've been taking place for over 200 years. They are the very essence of our democracy.

But what frustrates the American people is a Washington where every day is an election day. We can't wage a perpetual campaign where the only goal is to see who can get the most embarrassing headlines about the other side—a belief that, if you lose, I win. Neither party should delay or obstruct every single bill just because they can. I'm speaking to both parties now. The confirmation of well-qualified public servants shouldn't be held hostage to the pet projects or grudges of a few individual Senators. Washington may think that saying anything about the other side—no matter how false, no matter how malicious—is just part of the game. But it's precisely such politics that has stopped either party from helping the American people. Worse yet, it is sowing further division among our citizens, further distrust in our government.

So, no, I will not give up on trying to change the tone of our politics. I know it's an election year. And after last week, it's clear that campaign fever has come even earlier than usual. But we still need to govern. To Democrats, I would remind you that we still have the largest majority in decades, and the people expect us to solve problems, not run for the hills. And if the Republican leadership is going to insist that 60 votes in the Senate are required to do any business at all in this town—a super majority—then the responsibility to govern is now yours as well. Just saying "no" to everything may be good short-term politics, but it's not leadership. We were sent here to serve our citizens, not our ambitions. So let's show the American people that we can do it together. This week, I'll be addressing a meeting of the House Republicans. I'd like to begin monthly meetings with both the Democratic and Republican leadership. I know you can't wait.

Throughout our history, no issue has united this country more than our security. Sadly, some of the unity we felt after 9/11 has dissipated. We can argue all we want about who is to blame for this, but I'm not interested in re-litigating the past. I know that all of us love this country. All of us are committed to its defense. So let's put aside the schoolyard taunts about who is tough. Let's reject the false choice between protecting our people and upholding our values. Let's leave behind the fear and division, and do what it takesto defend our Nation and forge a more hopeful future—for America and for the world.

That's the work we began last year. Since the day I took office, we've renewed our focus on the terrorists who threaten our Nation. We've made substantial investments in our homeland security and disrupted plots that threatened to take American lives. We are filling unacceptable gaps revealed by the failed Christmas attack, with better airline security and swifter action on our intelligence. We've prohibited torture and strengthened partnerships from the Pacific to South Asia to the Arabian Peninsula. And in the last year, hundreds of al Qaeda's fighters and affiliates, including many senior leaders, have been captured or killed—far more than in 2008.

And in Afghanistan, we are increasing our troops and training Afghanistan Security Forces so they can begin to take the lead in July of 2011, and our troops can begin to come home. We will reward good governance, work to reduce corruption, and support the rights of all Afghans—men and women alike. We are joined by allies and partners who have increased their own commitments and who will come together tomorrow in London to reaffirm our common purpose. There will be difficult days ahead. But I am absolutely confident we will succeed.

As we take the fight to al Qaeda, we are responsibly leaving Iraq to its people. As a candidate, I promised that I would end this war, and that is what I am doing as President. We will have all of our combat troops out of Iraq by the end of this August. We will support the Iraqi Government as they hold elections, and we will continue to partner with the Iraqi people to promote regional peace and prosperity. But make no mistake: this war is ending, and all of our troops are coming home.

Tonight, all of our men and women in uniform—in Iraq, in Afghanistan, and around the world—have to know that they have our respect, our gratitude, our full support. And just as they must have the resources they need in war, we all have a responsibility to support them when they come home. That's why we made the largest increase in investments for veterans in decades last year. That's why we're building a 21st century VA. And that's why Michelle has joined with Jill Biden to forge a national commitment to support military families.

Even as we prosecute two wars, we are also confronting, perhaps, the greatest danger to the American people—the threat of nuclear weapons. I've embraced the vision of John F. Kennedy and Ronald Reagan through a strategy that reverses the spread of these weapons and seeks a world without them. To reduce our stockpiles and launchers, while ensuring our deterrent, the United States and Russia are completing negotiations on the farthest reaching arms control treaty in nearly 2 decades. And at April's Nuclear Security Summit, we will bring 44 nations together, here in Washington, D.C., behind a clear goal—securing all vulnerable nuclear materials around the world in 4 years so that they never fall into the hands of terrorists.

Now, these diplomatic efforts have also strengthened our hand in dealing with those nations that insist on violating international agreements in pursuit of these weapons. That is why North Korea now faces increased isolation and stronger sanctions—sanctions that are being vigorously enforced. That's why the international community is more united and the Islamic Republic of Iran is more isolated. And as Iran's leaders continue to ignore their obligations, there should be no doubt: they, too, will face growing consequences. That is a promise.

That is the leadership we are providing—engagement that advances the common security and prosperity of all people. We are working through the G-20 to sustain a lasting global recovery. We are working with Muslim communities around the world to promote science and education and innovation. We have gone from a bystander to a leader in the fight against climate change. We are helping developing countries to feed themselves, and continuing the fight against HIV/AIDS. And we are launching a new initiative that will give us the capacity to respond faster and more effectively to bioterrorism or an infectious disease—a plan that will counter threats at home and strengthen public health abroad.

As we have for over 60 years, America takes these actions because our destiny is connected to those beyond our shores. But we also do it because it is right. That's why, as we meet here tonight, over 10,000 Americans are working with many nations to help the people of Haiti recover and rebuild. That's why we stand with the girl who yearns to go to school in Afghanistan, why we support the human rights of the women marching through the streets of Iran, why we advocate for the young man denied a job by corruption in Guinea. For America must always stand on the side of freedom and human dignity. Always.

Abroad, America's greatest source of strength has always been our ideals. The same is true at home. We find unity in our incredible diversity, drawing on the promise enshrined in our Constitution: the notion that we are all created equal, that no matter who you are or what you look like, if you abide by the law, you should be protected by it; if you adhere to our common values, you should be treated no different than anyone else.

We must continually renew this promise. My administration has a Civil Rights division that is, once again, prosecuting civil rights' violations and employment discrimination. We finally strengthened our laws to protect against crimes driven by hate. This year, I will work with Congress and our military to finally repeal the law that denies gay Americans the right to serve the country they love because of who they are. It's the right thing to do. We're going to crack down on violations of equal pay laws—so that women get equal pay for an equal day's work. And we should continue the work of fixing our broken immigration system—to secure our borders and enforce our laws and ensure that everyone who plays by the rules can contribute to our economy and enrich our nation.

In the end, it is our ideals, our values, that built America—values that allowed us to forge a nation made up of immigrants from every corner of the globe; values that drive our citizens still. Every day, Americans meet their responsibilities to their families and their employers. Time and again, they lend a hand to their neighbors and give back to their country. They take pride in their labor and are generous in spirit. These aren't Republican values or Democratic values that they're living by; business values or labor values. They are American values.

Unfortunately, too many of our citizens have lost faith that our biggest institutions—our corporations, our media and, yes, our government—still reflect these same values. Each of these institutions are full of honorable men and women doing important work that helps our country prosper. But each time a CEO rewards himself for failure or a banker puts the rest of us at risk for his own selfish gain, people's doubts grow. Each time lobbyists game the system or politicians tear each other down instead of lifting this country up, we lose faith. The more that TV pundits reduce serious debates to silly arguments, big issues into sound bites, our citizens turn away.

No wonder there's so much cynicism out there.

No wonder there's so much disappointment.

I campaigned on the promise of change—change we can believe in, the slogan went. And right now, I know there are many Americans who aren't sure if they still believe we can change—or that I can deliver.

But remember this—I never suggested that change would be easy or that I could do it alone. Democracy in a nation of 300 million people can be noisy and messy and complicated. And when you try to do big things and make big changes, it stirs passions and controversy. That's just how it is.

Those of us in public office can respond to this reality by playing it safe and avoid telling hard truths and pointing fingers. We can do what's necessary to keep our poll numbers high and get through the next election instead of doing what's best for the next generation.

But I also know this: If people had made that decision 50 years ago or 100 years ago or 200 years ago, we wouldn't be here tonight. The only reason we are here is because generations of Americans were unafraid to do what was hard, to do what was needed even when success was uncertain, to do what it took to keep the dream of this nation alive for their children and their grandchildren.

Our administration has had some political setbacks this year, and some of them were deserved. But I wake up every day knowing that they are nothing compared to the setbacks that families all across this country have faced this year. And what keeps me going—what keeps me fighting—is that, despite all these setbacks, that spirit of determination and optimism—that fundamental decency that has always been at the core of the American people—lives on.

It lives on in the struggling small business owner who wrote to me of his company, "None of us," he said, "are willing to consider, even slightly, that we might fail."

It lives on in the woman who said that, even though she and her neighbors have felt the pain of recession, "We are strong. We are resilient. We are American."

It lives on in the 8-year-old boy in Louisiana, who just sent me his allowance, and asked if I would give it to the people of Haiti. And it lives on in all the Americans who've dropped everything to go someplace they've never been and pull people they've never known from the rubble, prompting chants of "USA! USA! USA!" when another life was saved.

The spirit that has sustained this Nation for more than two centuries lives on in you, its people.

We have finished a difficult year. We have come through a difficult decade. But a new year has come. A new decade stretches before us. We don't quit. I don't quit. Let's seize this moment—to start anew, to carry the dream forward, and to strengthen our union once more.

Thank you. God bless you. And God bless the United States of America."

Upon conclusion of the address,

At 10:27 p.m.,

The Joint Session was dissolved; and

ADJOURNMENT

At 10:27 p.m.,

Pursuant to the order of yesterday,

The Senate stood in adjournment, under its order of yesterday, until 9:30 a.m. on tomorrow.

THURSDAY, JANUARY 28, 2010

Mr. MICHAEL F. BENNET, from the State of Colorado, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. BENNET led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, January 28, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MICHAEL F. BENNET, a Senator from the State of Colorado, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. BENNET took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-4560. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; Quota Transfer" (RIN0648-XS73), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4561. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-grouper Fishery of the South Atlantic; Closure of the 2009-2010 Commercial Fishery for Black Sea Bass in the South Atlantic" (RIN0648-XS56), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4562. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Scup Fishery; Commercial Quota Harvested for 2009 Winter II Period" (RIN0648-XS93), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4563. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Herring Fishery; Rescission of Prohibition on Atlantic Herring Fishing in Management Area 2" (RIN0648-XT19), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4564. A communication from the Deputy Assistant Administrator for Operations, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfishery; 2010 Harvest Specifications and Management Measures for Petrale Sole" (RIN0648-AY07), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4565. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States" (RIN0648-AY09), received in the Office of the President of the Senate on January 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4566. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Fisheries Regulations; Fisheries in the Western Pacific; Pelagic Fisheries; Hawaii-based Shallow-set Longline Fishery" (RIN0648-AW49), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4567. A communication from the Acting Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications" (RIN0648-XR09), received in the Office of the President of the Senate on January 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4568. A communication from the Acting Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Fisheries Regulations; Fisheries in the Western Pacific; Pelagic Fisheries; Hawaii-based Shallow-set Longline Fishery; Correction" (RIN0648-AW49), received in the Office of the President of the Senate on January 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4569. A communication from the Acting Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Renewal of Atlantic Tunas Longline Limited Access Permits; Atlantic Shark Dealer Workshop Attendance Requirements" (RIN0648-AW46), received in the Office of the President of the Senate on January 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4570. A communication from the Co-Chief Privacy Officers, Federal Election Commission, transmitting, pursuant to law, an annual report relative to activities that affect privacy; to the Committee on Commerce, Science, and Transportation.

EC-4571. A communication from the Chairman, National Transportation Safety Board, transmitting, pursuant to law, a report relative to the Board's competitive sourcing efforts for fiscal year 2009; to the Committee on Commerce, Science, and Transportation.

EC-4572. A communication from the Secretary of the Department of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Commerce, Science, and Transportation.

EC-4573. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, a report relative to the Government Accountability Office report entitled "Information Security: NASA Needs to Remedy Vulnerabilities in Key Networks"; to the Committee on Commerce, Science, and Transportation.

EC-4574. A communication from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Requirements for Consumer Registration of Durable Infant or Toddler Products; Final Rule" (16 CFR Part 1130), received in the Office of the President of the Senate on January 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4575. A communication from the Deputy Assistant Administrator for Regulatory Programs, Division of Endangered Species, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Species: Final Threatened Listing Determination, Final Protective Regulations, and Final Designation of Critical Habitat for the Oregon Coast Evolutionary Significant Unit of Coho Salmon" (RIN0648-AW39), received in the Office of the President of the Senate on January 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4576. A communication from the Acting Assistant Administrator for Fisheries, Division of Endangered Species, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Species; Designation of Critical Habitat for North Pacific Right Whale" (RIN0648-AV73), received in the Office of the President of the Senate on January 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4577. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Franklin Canal, Franklin, LA" ((RIN1625-AA09)(Docket No. USG-2009-0670)), received in the Office of the President of the Senate on January 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4578. A communication from the Assistant General Counsel for Legislation and Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Weatherization Assistance Program for Low-Income Persons" (RIN1904-AB97), received in the Office of the President of the Senate on January 26, 2010; to the Committee on Energy and Natural Resources.

EC-4579. A communication from the Administrator, Energy Information Administration, Department of Energy,

transmitting, pursuant to law, a report entitled "Performance Profiles of Major Energy Producers 2008"; to the Committee on Energy and Natural Resources.

EC-4580. A communication from the Chair of the District of Columbia Judicial Nomination Commission, transmitting, pursuant to D.C. Code 1-204.34(d)(1), the nomination of Milton C. Lee, Jr. to be an Associate Judge for the Superior Court of the District of Columbia; to the Committee on the Judiciary.

EC-4581. A communication from the Deputy Assistant Secretary of Defense (Force Health Protection and Readiness), Department of Defense, transmitting, pursuant to law, a report relative to the Military Health System for Fiscal Year 2009; to the Committee on Armed Services.

EC-4582. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to relief operations in Haiti by the Department of Defense; to the Committee on Armed Services.

EC-4583. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acrylic acid-benzyl methacrylate-1 propanesulfonic acid, 2-methyl-2-[(1-oxo-2-propenyl)amino]-, monsodium salt copolymer; Tolerance Exemption" (FRL No. 8801-1), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4584. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Triticonazole; Pesticide Tolerances" (FRL No. 8808-6), received in the Office of the President of the Senate on January 22, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4585. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pendimethalin; Pesticide Tolerances" (FRL No. 8804-2), received in the Office of the President of the Senate on January 22, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4586. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Oxirane, 2-Methyl-, Polymer with Oxirane, Dimethyl Ether, Tolerance Exemptions" (FRL No. 8805-3), received in the Office of the President of the Senate on January 22, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4587. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Novaluron; Pesticide Tolerances" (FRL No. 8807-2), received in the Office of the President of the Senate on January 22, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4588. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2-Propenoic acid, 2-ethylhexyl ester, polymer with ethenylbenzene and 2-methylpropyl 2-methyl-2-propenoate; Tolerance Exemption" (FRL No. 8807-4), received in the Office of the President of the Senate on January 22, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4589. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13348 relative to the former Liberian regime of Charles Taylor; to the Committee on Banking, Housing, and Urban Affairs.

EC-4590. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition to the List of Validated End-Users in the People's Republic of China" (RIN0694-AE70), received in the Office of the President of the Senate on January 22, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4591. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Final Model Privacy Form Under the Gramm-Leach-Bliley Act" (RIN3084-AA97), received in the Office of the President of the Senate on January 26, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4592. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "17 CFR Part 160 (74 FR 62890, December 1, 2009), Final Model Privacy Form Under the Gramm-Leach-Bliley Act" (RIN3265-AJ06), received in the Office of the President of the Senate on January 26, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4593. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Federal Home Loan Bank Membership for Community Development Financial Institutions" (RIN2590-AA18), received during adjournment of the Senate in the Office of the President of the Senate on January 4, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4594. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Demonstration of Coverage of Chiropractic Services under Medicare; to the Committee on Finance.

EC-4595. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; North Carolina: Greensboro-Winston Salem-High Point; Determination of Attaining Data for the 1997 Fine Particulate Matter Standard" (FRL No. 9098-8), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Environment and Public Works.

EC-4596. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; North Carolina: Hickory-Morganton-Lenoir; Determination of Attaining Data for the 1997 Fine Particulate Matter Standard" (FRL No. 9098-9), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Environment and Public Works.

EC-4597. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; Tennessee; Redesignation of the Shelby County, Tennessee Portion of the Memphis, Tennessee-Arkansas 1997 8-Hour Ozone Nonattainment Area to Attainment" (FRL No. 9099-1), received during adjournment of the Senate in the Office of the President of the Senate on

January 5, 2010; to the Committee on Environment and Public Works.

EC-4598. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans Georgia: State Implementation Plan Revision" (FRL No. 9098-5), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Environment and Public Works.

EC-4599. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; South Carolina; Approval of Section 110(a)(1) Maintenance Plan for the 1997 8-hour Ozone Standard for Cherokee County; Correcting Amendment" (FRL No. 9099-9), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Environment and Public Works.

EC-4600. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Finding of Failure to Submit Certain State Implementation Plans Required for the 1-Hour Ozone NAAQS" (FRL No. 9099-7), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Environment and Public Works.

EC-4601. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Final Authorization of State Hazardous Waste Management Program Revision" (FRL No. 9098-6), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Environment and Public Works.

EC-4602. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to: The Requirements for Transboundry Shipments of Hazardous Wastes Between OECD Member Countries, the Requirements for Export Shipments of Spent Lead-Acid Batteries, the Requirements for Submitting Exception Reports for Export Shipments of Hazardous Wastes, and the Requirements for Imports of Hazardous Wastes" (FRL No. 9098-7), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Environment and Public Works.

EC-4603. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "TSCA Section 5 Premanufacture and Significant New Use Notification Electronic Reporting; Revisions to Notification Regulations" (RIN2070-AJ41), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Environment and Public Works.

EC-4604. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Control of Emissions from New Marine Compression-Ignition Engines at or Above 30 Liters per Cylinder" (FRL No. 9097-4), received during adjournment of the Senate in the Office of the President of the Senate on January 5, 2010; to the Committee on Environment and Public Works.

EC-4605. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, San Joaquin Valley Air Pollution Control District" (FRL No. 9104-7), received in the Office of the President of the Senate on January 22, 2010; to the Committee on Environment and Public Works.

EC-4606. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Premanufacture Notification Exemption for Polymers; Amendment of Polymer Exemption Rule to Exclude Certain Perfluorinated Polymers" (FRL No. 8805-5), received in the Office of the President of the Senate on January 22, 2010; to the Committee on Environment and Public Works.

EC-4607. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Montana; Revisions to the Administrative Rules of Montana" (FRL No. 8968-3), received in the Office of the President of the Senate on January 22, 2010; to the Committee on Environment and Public Works.

EC-4608. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Significant New Use Rules on Certain Chemical Substances" (FRL No. 8438-4), received in the Office of the President of the Senate on January 27, 2010; to the Committee on Environment and Public Works.

EC-4609. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Primary National Ambient Air Quality Standards for Nitrogen Dioxide" (FRL No. 9107-9), received in the Office of the President of the Senate on January 27, 2010; to the Committee on Environment and Public Works.

EC-4610. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Montana; Revisions to the Administrative Rules of Montana" (FRL No. 9102-7), received in the Office of the President of the Senate on January 27, 2010; to the Committee on Environment and Public Works.

EC-4611. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the support of the Saudi Arabia Ministry of Defense and Aviation (MODA) Command and Control (C2) Computer Subsystem in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-4612. A communication from the Deputy Archivist, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled "Photography in Public Exhibit Space" (RIN3095-AB60), received in the Office of the President of the Senate on January 26, 2010; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with amendments:

H.R. 3276. A bill to promote the production of molybdenum-99 in the United States for medical isotope production, and to condition and phase out the export of highly enriched uranium for the production of medical isotopes (Rept. No. 111-120).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment and with a preamble:

S. Res. 275. A resolution honoring the Minute Man National Historical Park on the occasion of its 50th anniversary.

S. Res. 297. A resolution to recognize the Dyke Marsh Wildlife Preserve as a unique and precious ecosystem.

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 2924. A bill to reauthorize the Boys & Girls Clubs of America, in the wake of its Centennial, and its programs and activities.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. LEAHY (for himself and Mr. LUGAR):

S. 2960. A bill to exempt aliens who are admitted as refugees or granted asylum and are employed overseas by the Federal Government from the 1-year physical presence requirement for adjustment of status to that of aliens lawfully admitted for permanent residence, and for other purposes; to the Committee on the Judiciary.

By Mr. DODD (for himself and Mr. LUGAR):

S. 2961. A bill to provide debt relief to Haiti, and for other purposes; to the Committee on Foreign Relations.

By Mr. DODD (for himself and Mr. MCCAIN):

S. 2962. A bill to amend title II of the Social Security Act to apply an earnings test in determining the amount of monthly insurance benefits for individuals entitled to disability insurance benefits based on blindness; to the Committee on Finance.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 2963. A bill to designate certain land in the State of Oregon as wilderness, to provide for the exchange of certain Federal land and non-Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GRASSLEY:

S. 2964. A bill to amend title XVIII, XIX, and XXI of the Social Security Act to prevent fraud, waste, and abuse under Medicare, Medicaid, and CHIP, and for other purposes; to the Committee on Finance.

By Mr. ENSIGN:

S. 2965. A bill to establish a Commission for Fiscal Sustainability, to assure the long-term fiscal stability and economic security of the Federal Government of the United States, and to create prosperity for all Americans; to the Committee on the Budget.

By Mr. RISCH (for himself and Mr. CRAPO):

S. 2966. A bill to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CARDIN:

S. 2967. A bill to amend the Internal Revenue Code of 1986 to provide a refundable credit for small business job growth, and for other purposes; to the Committee on Finance.

By Mr. LEAHY (for himself and Mr. SESSIONS):

S. 2968. A bill to make certain technical and conforming amendments to the Lanham Act; considered and passed.

By Mr. CASEY:

S. 2969. A bill to provide additional emergency mortgage assistance to struggling homeowners, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. KERRY (for himself, Mr. FEINGOLD, and Mrs. FEINSTEIN):

S. Res. 400. A resolution urging the implementation of a comprehensive strategy to address instability in Yemen; to the Committee on Foreign Relations.

By Mr. NELSON of Florida (for himself and Mr. LEMIEUX):

S. Res. 401. A resolution expressing the sense of the Senate recognizing coach Bobby Bowden for his accomplishments in college football upon his retirement; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 518

At the request of Mr. CARDIN, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of S. 518, a bill to establish the Star-Spangled Banner and War of 1812 Bicentennial Commission, and for other purposes.

S. 557

At the request of Mr. KOHL, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 557, a bill to encourage, enhance, and integrate Silver Alert plans throughout the United States, to authorize grants for the assistance of organizations to find missing adults, and for other purposes.

S. 604

At the request of Mr. SANDERS, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 604, a bill to amend title 31, United States Code, to reform the manner in which the Board of Governors of the Federal Reserve System is audited by the Comptroller General of the United States and the manner in which such audits are reported, and for other purposes.

S. 752

At the request of Mr. DURBIN, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 752, a bill to reform the financing of Senate elections, and for other purposes.

S. 870

At the request of Mrs. LINCOLN, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 870, a bill to amend the Internal Revenue Code of 1986 to expand the credit for renewable electricity production to include electricity produced from biomass for on-site use and to modify the credit period for certain facilities producing electricity from open-loop biomass.

S. 908

At the request of Mr. BAYH, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of S. 908, a bill to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran.

S. 947

At the request of Mrs. LINCOLN, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 947, a bill to amend title XVIII of the Social Security Act to provide for the treatment of certain physician pathology services under the Medicare program.

S. 977

At the request of Mrs. MURRAY, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 977, a bill to amend title 38, United States Code, to provide improved benefits for veterans who are former prisoners of war, and for other purposes.

S. 1067

At the request of Mr. FEINGOLD, the names of the Senator from Utah [Mr. HATCH], the Senator from Wyoming [Mr. ENZI] and the Senator from Texas [Mr. CORNYN] were added as cosponsors of S. 1067, a bill to support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect

civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

S. 1255

At the request of Mr. SCHUMER, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of S. 1255, a bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to extend the authorized time period for rebuilding of certain overfished fisheries, and for other purposes.

S. 1282

At the request of Mr. BROWNBACK, the name of the Senator from Wyoming [Mr. BARRASSO] was added as a cosponsor of S. 1282, a bill to establish a Commission on Congressional Budgetary Accountability and Review of Federal Agencies.

S. 1340

At the request of Mr. LEAHY, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 1340, a bill to establish a minimum funding level for programs under the Victims of Crime Act of 1984 for fiscal years 2010 to 2014 that ensures a reasonable growth in victim programs without jeopardizing the long-term sustainability of the Crime Victims Fund.

S. 1389

At the request of Mr. NELSON of Nebraska, the name of the Senator from Mississippi [Mr. WICKER] was added as a cosponsor of S. 1389, a bill to clarify the exemption for certain annuity contracts and insurance policies from Federal regulation under the Securities Act of 1933.

S. 1397

At the request of Ms. KLOBUCHAR, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 1397, a bill to authorize the Administrator of the Environmental Protection Agency to award grants for electronic device recycling research, development, and demonstration projects, and for other purposes.

S. 1408

At the request of Mr. MENENDEZ, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 1408, a bill to amend the Internal Revenue Code of 1986 to encourage alternative energy investments and job creation.

S. 1425

At the request of Mr. DURBIN, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 1425, a bill to increase the United States financial and programmatic contributions to promote economic opportunities for women in developing countries.

S. 1445

At the request of Mr. LAUTENBERG, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 1445, a bill to amend the Public Health Service Act to improve the health of children and reduce the occurrence of sudden unexpected infant death and to enhance public health activities related to stillbirth.

S. 1553

At the request of Mr. GRASSLEY, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1619

At the request of Mr. DODD, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 1619, a bill to establish the Office of Sustainable Housing and Communities, to establish the Interagency Council on Sustainable Communities, to establish a comprehensive planning grant program, to establish a sustainability challenge grant program, and for other purposes.

S. 1668

At the request of Mr. BENNET, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 1668, a bill to amend title 38, United States Code, to provide for the inclusion of certain active duty service in the reserve components as qualifying service for purposes of Post-9/11 Educational Assistance Program, and for other purposes.

S. 1792

At the request of Mr. ROCKEFELLER, the name of the Senator from Georgia [Mr. CHAMBLISS] was added as a cosponsor of S. 1792, a bill to amend the Internal Revenue Code of 1986 to modify the requirements for windows, doors, and skylights to be eligible for the credit for nonbusiness energy property.

S. 2800

At the request of Mrs. MURRAY, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 2800, a bill to amend subtitle B of title VII of the McKinney-Vento Homeless Assistance Act to provide education for homeless children and youths, and for other purposes.

S. 2853

At the request of Mr. GREGG, the name of the Senator from Utah [Mr. BENNETT] was withdrawn as a cosponsor of S. 2853, a bill to establish a Bipartisan Task Force for Responsible Fiscal Action, to assure the long-term fiscal stability and economic security of the Federal Government of the United States, and to expand future prosperity growth for all Americans.

S. 2900

At the request of Mrs. GILLIBRAND, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 2900, a bill to establish a research, development, and technology demonstration program to improve the efficiency of gas turbines used in combined cycle and simple cycle power generation systems.

S. 2924

At the request of Mr. LEAHY, the names of the Senator from Illinois [Mr. BURRIS] and the Senator from New York [Mrs. GILLIBRAND] were added as cosponsors of S. 2924, a bill to reauthorize the Boys & Girls Clubs of America, in the wake of its Centennial, and its programs and activities.

SENATE RESOLUTION 316

At the request of Mr. MENENDEZ, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of Senate Resolution 316, a resolution calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS AND THE SUBCOMMITTEE ON GREEN JOBS AND THE NEW ECONOMY

The Committee on Environment and Public Works and the Subcommittee on Green Jobs and the New Economy be authorized to meet during the session of the Senate on January 28, 2010, at 9 a.m. in room 406 of the Dirksen Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on January 28, 2010, at 9 a.m., to hold a hearing entitled "Haiti: From Rescue to Recovery and Reconstruction."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on January 28, 2010, at 3:30 p.m.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs be authorized to meet during the session of the Senate on January 28, 2010, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on January 28, 2010, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs be authorized to meet during the session of the Senate on January 28, 2010. The Committee will meet in room 418 of the Russell Senate Office Building beginning at 9:30 a.m.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on January 28, 2010, at 2:30 p.m.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 9:36 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3726. An act to establish the Castle Nugent National Historic Site at St. Croix, United States Virgin Islands, and for other purposes.

H.R. 4474. An act to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes.

H.R. 4508. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

The message also announced that pursuant to section 114(b) of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1103), and the order of the House of January 6, 2009, the Speaker appoints the following Member on the part of the House of Representatives to the Board of Trustees for the John C. Stennis Center for Public Service Training and Development for a term of six years: Mr. TRAVIS CHILDERS of Booneville, Mississippi.

INCREASING THE STATUTORY LIMIT ON THE PUBLIC DEBT

Pursuant to the order of Tuesday, January 26, 2010,

The PRESIDING OFFICER (Mrs. GILLIBRAND in the chair) laid before the Senate its pending business, viz, the joint resolution (H.J. Res. 45) increasing the statutory limit on the public debt; and

The Senate resumed consideration of the joint resolution.

The question being on agreeing to amendment No. 3309, proposed by Mr. BROWNBACK (for himself, Mr. BARRASSO, Mr. CRAPO, And Mr. JOHANNS), to amendment No. 3299 (in the nature of a substitute), as amended, proposed by Mr. BAUCUS (for Mr. REID), to the joint resolution.

After debate,

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the negative---
yeas... 51, nays... 49

[Rollcall Vote No. 10 Leg.]

YEAS --- 51

Alexander, Barrasso, Bayh, Bennet, Bennett, Bond, Brownback, Bunning, Burr, Chambliss, Coburn, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Hagan, Hatch, Hutchison, Inhofe, Isakson, Johanns, Klobuchar, Kyl, LeMieux, Lieberman, Lincoln, Lugar, McCain, McCaskill, McConnell, Merkley, Murkowski, Nelson (NE), Nelson (FL), Risch, Roberts, Sessions, Shaheen, Shelby, Tester, Thune, Vitter, Voinovich, Warner, Webb, Wicker.

NAYS --- 49

Akaka, Baucus, Begich, Bingaman, Boxer, Brown, Burris, Byrd, Cantwell, Cardin, Carper, Casey, Cochran, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Gregg, Harkin, Inouye, Johnson, Kaufman, Kerry, Kirk, Kohl, Landrieu, Lautenberg, Leahy, Levin, Menendez, Mikulski, Murray, Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Snowe, Specter, Stabenow, Udall (CO), Udall (NM), Whitehouse, Wyden.

So the amendment was not agreed to (the amendment not having received 60 yea votes, as pursuant to the order of Tuesday, December 22, 2009).

Pursuant to the order of Tuesday, December 22, 2009,

The amendment, not having received 60 yea votes, was withdrawn.

Pursuant to the order of Tuesday, January 26, 2010,

The question being on agreeing to amendment No. 3308, proposed by Mr. SESSIONS (for himself, Mrs. MCCASKILL, Mr. KYL, and Mr. GREGG) to amendment No. 3299 (in the nature of a substitute), as amended, to the joint resolution.

After debate,

On motion by Mr. SESSIONS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the negative---
yeas... 56, nays... 44

[Rollcall Vote No. 11 Leg.]

YEAS --- 56

Alexander, Barrasso, Bayh, Begich, Bennet, Bennett, Bond, Brownback, Bunning, Burr, Carper, Chambliss, Coburn, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Isakson, Johanns, Klobuchar, Kyl, LeMieux, Lieberman, Lincoln, Lugar, McCain, McCaskill, McConnell, Murkowski, Nelson (NE), Nelson (FL), Pryor, Risch, Roberts, Sessions, Shaheen, Shelby, Snowe, Tester, Thune, Udall (CO), Vitter, Voinovich, Warner, Webb, Wicker.

NAYS --- 44

Akaka, Baucus, Bingaman, Boxer, Brown, Burris, Byrd, Cantwell, Cardin, Casey, Cochran, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Harkin, Inouye, Johnson, Kaufman, Kerry, Kirk, Kohl, Landrieu, Lautenberg, Leahy, Levin, Menendez, Merkley, Mikulski, Murray, Reed, Reid, Rockefeller, Sanders, Schumer, Specter, Stabenow, Udall (NM), Whitehouse, Wyden.

So the amendment was not agreed to (the amendment not having received 60 yea votes, as pursuant to the order of Tuesday, December 22, 2009).

Pursuant to the order of Tuesday, December 22, 2009,

The amendment, not having received 60 yea votes, was withdrawn.

By unanimous consent, on the request of Mr. REID,

Ordered, That the next three votes be 10 minutes in duration.

Pursuant to the order of Tuesday, January 26, 2010,

The question being on agreeing to amendment No. 3305, proposed by Mr. REID (for himself and Mrs. SHAHEEN), to amendment No. 3299 (in the nature of a substitute), as amended, to the joint resolution.

After debate,

On motion by Mr. GREGG,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the affirmative---
yeas... 60, nays... 40

[Rollcall Vote No. 12 Leg.]

YEAS --- 60

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown, Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Kirk, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 40

Alexander, Barrasso, Bennett, Bond, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski,

Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the amendment was agreed to.

Pursuant to the order of Tuesday, December 22, 2009,

A motion to reconsider was made and laid on the table.

The question being on agreeing to amendment No. 3299 (in the nature of a substitute), as amended, to the joint resolution.

After debate,

On motion by Mr. ENSIGN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment (in the nature of a substitute), as amended.

The question being taken.

It was determined in the affirmative---
yeas... 60, nays... 40

[Rollcall Vote No. 13 Leg.]

YEAS --- 60

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown, Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Kirk, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 40

Alexander, Barrasso, Bennett, Bond, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the amendment (in the nature of a substitute), as amended, was agreed to.

Pursuant to the order of Tuesday, December 22, 2009,

A motion to reconsider was made and laid on the table.

The question being on passage of the joint resolution, as amended.

Pursuant to the order of Tuesday, January 26, 2010,

The joint resolution, as amended, was read the third time.

On motion by Mr. INOUYE,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the passage of the joint resolution, as amended.

On the question, Shall it pass?

It was determined in the affirmative---
yeas... 60, nays... 39

[Rollcall Vote No. 14 Leg.]

YEAS --- 60

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown, Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Kirk, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 39

Alexander, Barrasso, Bennett, Bond, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So it was,

Resolved, That the joint resolution, as amended, do pass.

On motion by Mr. REID to reconsider the vote on passage of the joint resolution, as amended.

On motion by Mr. REID,

The motion to reconsider was laid on the table.

ORDER FOR EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

As in executive session,

Ordered, That the order of Tuesday, January 26, 2010, be modified such that time for debate on the nomination of Ben S. Bernanke continue until 3:20 p.m. on today; that, at 3:20 p.m., the Senate vote on the question of agreeing to the motion to bring to a close debate on the nomination; that the first 60 minutes thereon be controlled by the majority; that the remaining time thereon be controlled by the minority; that, if said motion is agreed to, time for debate, pursuant to rule XXII of the Standing Rules of the Senate, be concluded; that the Senate then vote on confirmation of the nomination; that, after the vote, a motion to reconsider be made and laid on the table; that the President be immediately notified of the Senate's action; and that the Senate resume its legislative session.

EXECUTIVE SESSION

Pursuant to the order of today,

The Senate proceeded to executive session; and after the consideration of executive business (involving two rollcall Votes).

LEGISLATIVE SESSION

Pursuant to the order of today,

The Senate resumed its legislative session.

COMPREHENSIVE IRAN SANCTIONS, ACCOUNTABILITY, AND DIVESTMENT ACT

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (S. 2799) to expand the Iran Sanctions Act of 1996, to provide for the divestment of assets in Iran by State and local governments and other entities, to identify locations of concern with respect to transshipment, reexportation, or diversion of certain sensitive items to Iran, and for other purposes.

The question being on the passage of the bill.

After debate,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

On motion by Mr. REID to reconsider the vote on passage of the bill.

On motion by Mr. REID,

The motion to reconsider was laid on the table.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate resumed its legislative session.

TRADEMARK TECHNICAL AND CONFORMING AMENDMENT ACT

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the bill (S. 2968) to make certain technical and conforming amendments to the Lanham Act, introduced on today by Mr. LEAHY (for himself and Mr. SESSIONS), and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

SMALL BUSINESS ACT AND THE SMALL BUSINESS INVESTMENT ACT TEMPORARY EXTENSIONS

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 4508) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes, received from the House of Representatives for concurrence on today, and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that there then be a period of one hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 6:41 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

FRIDAY, JANUARY 29, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, January 29, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. WEBB (for himself and Mr. WARNER):

S. 2970. A bill to amend the Internal Revenue Code of 1986 to allow rehabilitation expenditures for public school buildings to qualify for rehabilitation credit; to the Committee on Finance.

By Mr. KERRY:

S. 2971. A bill to authorize certain authorities by the Department of State, and for other purposes; to the Committee on Foreign Relations.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. DORGAN (for himself, Mr. SPECTER, Mr. LEAHY, Mr. KERRY, Mrs. FEINSTEIN, Mr. SCHUMER, Mrs. BOXER, Ms. SNOWE, Mr. WICKER, and Mr. PRYOR):

S. Res. 402. A resolution expressing support for the designation of January 28, 2010 as National Data Privacy Day; considered and agreed to.

ADDITIONAL COSPONSORS

S. 752

At the request of Mr. DURBIN, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 752, a bill to reform the financing of Senate elections, and for other purposes.

S. 812

At the request of Mr. BAUCUS, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 812, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 1067

At the request of Mr. FEINGOLD, the names of the Senator from Alaska [Ms. MURKOWSKI] and the Senator from Iowa [Mr. GRASSLEY] were added as cosponsors of S. 1067, a bill to support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

S. 2755

At the request of Mr. MENENDEZ, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 2755, a bill to amend the Internal Revenue Code of 1986 to provide an investment credit for equipment used to fabricate solar energy property, and for other purposes.

S. 2924

At the request of Mr. LEAHY, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 2924, a bill to reauthorize the Boys & Girls Clubs of America, in the wake of its Centennial, and its programs and activities.

S. 2961

At the request of Mr. DODD, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 2961, a bill to provide debt relief to Haiti, and for other purposes.

SUPPORTING DESIGNATION OF NATIONAL DATA PRIVACY DAY

On the request of Mr. REID,

The ACTING PRESIDENT pro tempore laid before the Senate the resolution (S. Res. 402) expressing support for the designation of

January 28, 2010 as National Data Privacy Day, submitted today by Mr. DORGAN (for himself, Mr. SPECTER, Mr. LEAHY, Mr. KERRY, Mrs. FEINSTEIN, Mr. SCHUMER, Mrs. BOXER, Ms. SNOWE, Mr. WICKER, and Mr. PRYOR), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, FEBRUARY 1, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2 p.m. on Monday, February 1, 2010; that, on Monday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 3 p.m., with Senators permitted to speak for 10 minutes each therein; and that, following morning business, the Senate proceed to executive session to resume consideration of the nomination of M. Patricia Smith.

AUTHORITY FOR ADJOURNMENT ON TODAY

By unanimous consent, on the request of Mr. REID,

Ordered, That the Senate adjourn, following the remarks of Mr. SESSIONS.

After debate,

ADJOURNMENT

Under the authority of the order of today,

At 11:39 a.m.,

The ACTING PRESIDENT pro tempore declared the Senate adjourned, under its order of today, until 2 p.m. on Monday, February 1, 2010.

MONDAY, FEBRUARY 1, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, February 1, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of Friday, January 29, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Friday, January 29, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Friday, January 29, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the order of the Senate of January 6, 2009, the Secretary of the Senate, on January 29, 2010, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Ms. EDWARDS of Maryland) has signed the following enrolled bill:

H.R. 4508. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 2009, the enrolled bill was signed on that day during the adjournment of the Senate, by the PRESIDENT pro tempore.

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by Mr. Williams, one of his secretaries:

BUDGET OF THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2011—PM 43

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred jointly, pursuant to the order of January 30, 1975 as modified by the order of April 11, 1986; to the Committees on the Budget; and Appropriations:

To the Congress of the United States:

We begin a new year at a moment of continuing challenge for the American people. Even as we recover from crisis, millions of families are still feeling the pain of lost jobs and savings. Businesses are still struggling to find affordable loans to expand and hire workers. Our Nation is still experiencing the consequences of a deep and lasting recession, even as we have seen encouraging signs that the turmoil of the past 2 years is waning. Moving from recession to recovery, and ultimately to prosperity, remains at the heart of my Administration's efforts. This Budget provides a blueprint for the work ahead.

But in order to understand where we are going in the coming year, it is important to remember where we started just 1 year ago. Last January, the United States faced an economic crisis unlike any we had known in generations. Irresponsible risk-taking and debt-fueled speculation—unchecked by sound oversight—led to the near-collapse of our financial system. Our Gross Domestic Product (GDP) was falling at the fastest rate in a quarter-century. Five trillion dollars of Americans' household wealth had evaporated in just 12 weeks as stocks, pensions, and home values plummeted. We were losing an average of 700,000 jobs each month, equivalent to the population of the State of Vermont. The capital and credit markets, integral to the normal functioning of our economy, were virtually frozen. The fear among economists—from across the political spectrum—was that we risked sinking into a second Great Depression.

Immediately, we undertook a series of difficult steps to prevent that outcome. We acted to get lending flowing again so that businesses could get loans to buy equipment and ordinary Americans could get financing

to buy homes and cars, go to college, and start or run businesses. We enacted measures to foster greater stability in the housing market, help responsible homeowners stay in their homes, and help to stop the broader decline in home values. To achieve this, and to prevent an economic collapse that would have affected millions of additional families, we had no choice but to use authority enacted under the previous Administration to extend assistance to some of the very banks and financial institutions whose actions had helped precipitate the turmoil. We also took steps to prevent the rapid dissolution of the American auto industry—which faced a crisis partly of its own making—to prevent the loss of hundreds of thousands of additional jobs during an already fragile time. Many of these decisions were not popular, but we deemed them necessary to prevent a deeper and longer recession.

Even as we worked to stop the economic freefall and address the crises in our banking sector, our housing market, and our auto industry, we also began attacking the economic crisis on a broader front. Less than 1 month after taking office, we enacted the most sweeping economic recovery package in history: the American Recovery and Reinvestment Act. The Recovery Act not only provided tax cuts to small businesses and 95 percent of working families and provided emergency relief to those out of work or without health insurance; it also began to lay a new foundation for long-term economic growth and prosperity. With investments in health care, education, infrastructure, and clean energy, the Recovery Act both saved and created millions of jobs and began the hard work of transforming our economy to thrive in the modern, global marketplace and reverse the financial decline working families experienced in the last decade. Because of these and other steps, we can safely say we have avoided the depression many feared, and we are no longer facing the potential collapse of our financial system. But our work is far from complete.

First and foremost, there are still too many Americans without work. The steps we have taken have helped stop the staggering job losses we were experiencing at the beginning of last year. But the damage has been done. More than seven million jobs were lost since the recession began 2 years ago. This represents not only a terrible human tragedy, but also a very deep hole from which we have to climb out. Until our businesses are hiring again and jobs are being created to replace those we have lost—until America is back at work—my Administration will not rest and this recovery will not be finished.

That is why this Budget includes plans to encourage small businesses to hire as quickly and effectively as possible, to make additional investments in infrastructure, and to jump-start clean energy investments that will help the private sector create good jobs in America.

Long before this crisis hit, middle-class families were under growing strain. For decades, Washington failed to address fundamental weaknesses in the economy: rising health-care costs, a growing dependence on foreign oil, and an education system unable to prepare our children for the jobs of the future. In recent years, spending bills and tax cuts for the wealthy were approved without paying for any of it, leaving behind a mountain of debt. And while Wall Street gambled without regard for the consequences, Washington looked the other way.

As a result, the economy may have been working very well for those at the very top, but it was not working for the middle class. Year after year, Americans were forced to work longer hours and spend more time away from their loved ones, while their incomes flat-lined and their sense of economic security evaporated. Beneath the statistics are the stories of hardship I've heard all across America. For too many, there has long been a sense that the American dream—a chance to make your own way, to support your family, save for college and retirement, own a home—was slipping away. And this sense of anxiety has been combined with a deep frustration that Washington either didn't notice, or didn't care enough to act.

Those days are over. In the aftermath of this crisis, what is clear is that we cannot simply go back to business as usual. We cannot go back to an economy that yielded cycle after cycle of speculative booms and painful busts. We cannot continue to accept an education system in which our students trail their peers in other countries, and a health-care system in which exploding costs put our businesses at a competitive disadvantage and squeeze the incomes of our workers. We cannot continue to ignore the clean energy challenge and stand still while other countries move forward in the emerging industries of the 21st Century. And we cannot continue to borrow against our children's future, or allow special interests to determine how public dollars are spent. That is why, as we strive to meet the crisis of the moment, we are continuing to lay a new foundation for the future.

Already, we have made historic strides to reform and improve our schools, to pass health insurance reform, to build a new clean energy economy, to cut wasteful spending, and to limit the influence of lobbyists and special interests so that we are better serving the national interest. However, there is much left to do, and this Budget lays out the way ahead.

Because an educated workforce is essential in a 21st Century global economy, we are undertaking a reform of elementary and secondary school funding by setting high standards, encouraging innovation, and rewarding success; making the successful Race to the Top fund permanent and opening it up to innovative school districts; investing in educating the next generation of scientists and engineers; and putting our Nation closer to meeting the goal of leading the world in new college graduates by 2020. Moreover, since in today's economy learning must last a lifetime, my Administration will reform the job-training system, streamlining it and focusing it on the high-growth sectors of the economy.

Because even the best-trained workers in the world can't compete if our businesses are saddled with rapidly increasing health-care costs, we're fighting to reform our Nation's broken health insurance system and relieve this unsustainable burden. My Budget includes funds to lay the groundwork for these reforms—by investing in health information technology, patient-centered research, and prevention and wellness—as well as to improve the health of the Nation by increasing the number of primary care physicians, protecting the safety of our food and drugs, and investing in critical biomedical research.

Because small businesses are critical creators of new jobs and economic growth, the Budget eliminates capital gains taxes for investments in small firms and includes measures to increase these firms' access to the loans they need to meet payroll, expand their operations, and hire new workers.

Because we know the nation that leads in clean energy will be the nation that leads the world, the Budget creates the incentives to build a new clean energy economy—from new loan guarantees that will encourage a range of renewable energy efforts and new nuclear power plants to spurring the development of clean energy on Federal lands. More broadly, the Budget makes critical investments that will ensure that we continue to lead the world in new fields and industries: doubling research and development funding in key physical sciences agencies; expanding broadband networks across our country; and working to promote American exports abroad.

And because we know that our future is dependent on maintaining American leadership abroad and ensuring our security at home, the Budget funds all the elements of our national power—including our military—to achieve our goals of winding down the war in Iraq, executing our new strategy in Afghanistan, and fighting al Qaeda all over the world. To honor the sacrifice of the men and women who shoulder this burden and who have throughout our history, the Budget also provides significant resources, including advanced appropriations, to care for our Nation's veterans.

Rising to these challenges is the responsibility we bear for the future of our children, our grandchildren, and our Nation. This is an obligation to change not just what we do in Washington, but how we do it.

As we look to the future, we must recognize that the era of irresponsibility in Washington must end. On the day my Administration took office, we faced an additional $7.5 trillion in national debt by the end of this decade as a result of the failure to pay for two large tax cuts, primarily for the wealthiest Americans, and a new entitlement program. We also inherited the worst recession since the Great Depression—which, even before we took any action, added an additional $3 trillion to the national debt. Our response to this recession, the Recovery Act, which has been critical to restoring economic growth, will add an additional $1 trillion to the debt—only 10 percent of these costs. In total, the surpluses we enjoyed at the start of the last decade have disappeared; instead, we are $12 trillion deeper in debt. In the long term, we cannot have sustainable and durable economic growth without getting our fiscal house in order.

That is why even as we increased our short-term deficit to rescue the economy, we have refused to go along with business as usual, taking responsibility for every dollar we spend, eliminating what we don't need, and making the programs we do need more efficient. We are taking on health care—the single biggest threat to our Nation's fiscal future—and doing so in a fiscally responsible way that will not add a dime to our deficits and will lower the rate of health-care cost growth in the long run.

We are implementing the Recovery Act with an unprecedented degree of oversight and openness so that anyone anywhere can see where their tax dollars are going. We've banned lobbyists from serving on agency advisory boards and commissions, which had become dominated by special interests. We are using new technology to make Government more accessible to the American people. And last year, we combed the budget, cutting millions of dollars of waste and eliminating excess wherever we could—including outdated weapons systems that even the Pentagon said it did not want or need.

We continued that process in this Budget as well, streamlining what does work and ending programs that do not—all while making it more possible for Americans to judge our progress for themselves. The Budget includes more than 120 programs for termination, reduction, or other savings for a total of approximately $23 billion in 2011, as well as an aggressive effort to reduce the tens of billions of dollars in improper Government payments made each year.

To help put our country on a fiscally sustainable path, we will freeze nonsecurity discretionary funding for 3 years. This freeze will require a level of discipline with Americans' tax dollars and a number of hard choices and painful tradeoffs not seen in Washington for many years. But it is what needs to be done to restore fiscal responsibility as we begin to rebuild our economy.

In addition to closing loopholes that allow wealthy investment managers to not pay income taxes on their earnings and ending subsidies for big oil, gas, and coal companies, the Budget eliminates the Bush tax cuts for those making more than $250,000 a year and devotes those resources instead to reducing the deficit. Our Nation could not afford these tax cuts when they passed, and it cannot afford them now.

And the Budget calls for those in the financial sector—who benefited so greatly from the extraordinary measures taken to rescue them from a crisis that was largely of their own making—to finally recognize their obligation to taxpayers. The legislation establishing the Troubled Asset Relief Program (TARP) included a provision requiring the Administration to devise a way for these banks and firms to pay back the American taxpayer. That is why in this Budget we have included a fee on the largest and most indebted financial firms to ensure that taxpayers are fully compensated for the extraordinary support they provided, while providing a deterrent to the risky practices that contributed to this crisis.

Yet even after taking these steps, our fiscal situation remains unacceptable. A decade of irresponsible choices has created a fiscal hole that will not be solved by a typical Washington budget process that puts partisanship and parochial interests above our shared national interest. That is why, working with the Congress, we will establish a bipartisan fiscal commission charged with identifying additional policies to put our country on a fiscally sustainable path—balancing the Budget, excluding interest payments on the debt, by 2015.

This past year, we have seen the consequences of those in power failing to live up to their responsibilities to shareholders and constituents. We have seen how Main Street is as linked to Wall Street as our economy is to those of other nations. And we have seen the results of building an economy on a shaky foundation, rather than on the bedrock fundamentals of innovation, small business, good schools, smart investment, and long-term growth.

We have also witnessed the resilience of the American people—our unique ability to pick ourselves up and forge ahead even when times are tough. All across our country, there are students ready to learn, workers eager to work, scientists on the brink of discovery, entrepreneurs seeking the chance to open a small business, and once-shuttered factories just waiting to whir back to life in burgeoning industries.

This is a Nation ready to meet the challenges of this new age and to lead the world in this new century. Americans are willing to work hard, and, in return, they expect to be able to find a good job, afford a home, send their children to world-class schools, receive high-quality and affordable health care, and enjoy retirement security in their later years. These are the building blocks of the middle class that make America strong, and it is our duty to honor the drive, ingenuity, and fortitude of the American people by laying the groundwork upon which they can pursue these dreams and realize the promise of American life.

This Budget is our plan for how to start accomplishing this in the coming fiscal year. As we look back on the progress of the past 12 months and look forward to the work ahead, I have every confidence that we can—and will—rise to the challenge that our people and our history set for us.

These have been tough times, and there will be difficult months ahead. But the storms of the past are receding; the skies are brightening; and the horizon is beckoning once more.

BARACK OBAMA.

THE WHITE HOUSE, *February 1, 2010.*

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Ms. KLOBUCHAR (for herself and Mr. VITTER):

S. 2972. A bill to amend titles 18 and 28 of the United States Code to provide assistance to the Federal law enforcement agencies in investigating offenses involving child victims; to the Committee on the Judiciary.

By Mr. CASEY (for himself, Mrs. GILLIBRAND, Mr. LEVIN, and Mr. BEGICH):

S. 2973. A bill to amend the Internal Revenue Code of 1986 to provide a temporary payroll increase tax credit for certain employers; to the Committee on Finance.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. VITTER (for himself, Mr. CORNYN, Mr. INHOFE, Mr. BENNETT, Mr. CHAMBLISS, Mr. ENSIGN, and Mr. WICKER):

S. Res. 403. A resolution expressing the sense of the Senate that Umar Farouk Abdulmutallab should be tried by a military

tribunal rather than by a civilian court; to the Committee on the Judiciary.

By Mr. FEINGOLD (for himself, Mr. BROWNBACK, Mr. WICKER, Mrs. GILLIBRAND, Mrs. BOXER, Ms. LANDRIEU, Mr. BYRD, Mr. ISAKSON, Mr. MERKLEY, Mr. SANDERS, Mr. LIEBERMAN, Mr. WHITEHOUSE, Mr. BAYH, Mr. CARDIN, and Mr. CASEY):

S. Res. 404. A resolution supporting full implementation of the Comprehensive Peace Agreement and other efforts to promote peace and stability in Sudan, and for other purposes; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 182

At the request of Mr. DODD, the name of the Senator from Massachusetts [Mr. KIRK] was added as a cosponsor of S. 182, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 210

At the request of Mrs. BOXER, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 210, a bill to amend the Internal Revenue Code of 1986 to increase the credit for employers establishing workplace child care facilities, to increase the child care credit to encourage greater use of quality child care services, to provide incentives for students to earn child care-related degrees and to work in child care facilities, and to increase the exclusion for employer-provided dependent care assistance.

S. 428

At the request of Mr. DORGAN, the name of the Senator from Colorado [Mr. UDALL] was added as a cosponsor of S. 428, a bill to allow travel between the United States and Cuba.

S. 619

At the request of Mrs. GILLIBRAND, her name was added as a cosponsor of S. 619, a bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antibiotics used in the treatment of human and animal diseases.

S. 752

At the request of Mr. DURBIN, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 752, a bill to reform the financing of Senate elections, and for other purposes.

S. 827

At the request of Mr. ROCKEFELLER, the names of the Senator from Idaho [Mr. CRAPO] and the Senator from Louisiana [Mr. VITTER] were added as cosponsors of S. 827, a bill to establish a program to reunite bondholders with matured unredeemed United States savings bonds.

S. 987

At the request of Mr. DURBIN, the name of the Senator from Kansas [Mr. ROBERTS] was added as a cosponsor of S. 987, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 1067

At the request of Mr. FEINGOLD, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 1067, a bill to support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

S. 1102

At the request of Mr. LIEBERMAN, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 1102, a bill to provide benefits to domestic partners of Federal employees.

S. 1192

At the request of Mr. WYDEN, the name of the Senator from Virginia [Mr. WEBB] was added as a cosponsor of S. 1192, a bill to restrict any State or local jurisdiction from imposing a new discriminatory tax on mobile wireless communications services, providers, or property.

S. 1318

At the request of Mr. GREGG, the name of the Senator from Iowa [Mr. GRASSLEY] was added as a cosponsor of S. 1318, a bill to prohibit the use of stimulus funds for signage indicating that a project is being carried out using those funds.

S. 1554

At the request of Mr. HARKIN, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 1554, a bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to prevent later delinquency and improve the health and well-being of maltreated infants and toddlers through the development of local Court Teams for Maltreated Infants and Toddlers and the creation of a National Court Teams Resource Center to assist such Court Teams, and for other purposes.

S. 1606

At the request of Mr. WHITEHOUSE, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 1606, a bill to require foreign manufacturers of products imported into the United States to establish registered agents in the United States who are authorized to accept service of process against such manufacturers, and for other purposes.

S. 1966

At the request of Mr. DODD, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 1966, a bill to provide assistance to improve the health of newborns, children, and mothers in developing countries, and for other purposes.

S. 2772

At the request of Mr. WHITEHOUSE, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 2772, a bill to establish a criminal justice reinvestment grant program to help States and local jurisdictions reduce spending on corrections, control growth in the prison and jail populations, and increase public safety.

S. 2798

At the request of Mr. UDALL of Colorado, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of S. 2798, a bill to reduce the risk of catastrophic wildfire through the facilitation of insect and disease infestation treatment of National Forest System and adjacent land, and for other purposes.

S. 2800

At the request of Mrs. MURRAY, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 2800, a bill to amend subtitle B of title VII of the McKinney-Vento Homeless Assistance Act to provide education for homeless children and youths, and for other purposes.

S. 2904

At the request of Mr. FRANKEN, the names of the Senator from Illinois [Mr. BURRIS], the Senator from Maryland [Mr. CARDIN], the Senator from Vermont [Mr. SANDERS] and the Senator from Oregon [Mr. WYDEN] were added as cosponsors of S. 2904, a bill to amend title 10, United States Code, to require emergency contraception to be available at all military health care treatment facilities.

S. 2923

At the request of Mrs. MURRAY, the names of the Senator from Illinois [Mr. BURRIS] and the Senator from Oregon [Mr. MERKLEY] were added as cosponsors of S. 2923, a bill to provide funding for summer and year-round youth jobs and training programs.

S. 2924

At the request of Mr. LEAHY, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 2924, a bill to reauthorize the Boys & Girls Clubs of America, in the wake of its Centennial, and its programs and activities.

S. 2946

At the request of Ms. STABENOW, the names of the Senator from New York [Mr. SCHUMER] and the Senator from Wisconsin [Mr. FEINGOLD] were added as cosponsors of S. 2946, a bill to direct the Secretary of the Army to take action with respect to the Chicago waterway system to prevent the

migration of bighead and silver carps into Lake Michigan, and for other purposes.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 2:03 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that pursuant to 36 U.S.C. 2302, and the order of the House of January 6, 2009, the Speaker appoints the following Members of the House of Representatives to the United States Holocaust Memorial Council: Mr. WAXMAN of California, Ms. GIFFORDS of Arizona, Mr. KLEIN of Florida, Mr. LATOURETTE of Ohio, and Mr. CANTOR of Virginia.

HOUSE BILLS PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 3254. An act to approve the Taos Pueblo Indian Water Rights Settlement Agreement, and for other purposes.

H.R. 3342. An act to authorize the Secretary of the Interior, acting through the Commissioner of Reclamation, to develop water infrastructure in the Rio Grande Basin, and to approve the settlement of the water rights claims of the Pueblos of Nambe, Pojoaque, San Ildefonso, and Tesuque.

EXECUTIVE SESSION

The hour of 5:30 p.m. having passed,

Pursuant to the order of Thursday, January 28, 2010, as modified today,

The Senate proceeded to executive session; and after the consideration of executive business (involving one rollcall Vote).

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. CASEY,

The Senate resumed its legislative session.

CONGRATULATING THE NORTHWESTERN UNIVERSITY FEINBERG SCHOOL OF MEDICINE

By unanimous consent, on the request of Mr. CASEY,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 394) congratulating the Northwestern University Feinberg School of Medicine for its 150 years of commitment to advancing science and improving health.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

APPOINTMENT BY THE VICE PRESIDENT

READING OF WASHINGTON'S FAREWELL ADDRESS

The PRESIDING OFFICER (Mr. TESTER in the chair) announced that the VICE PRESIDENT, pursuant to the order of the Senate of January 24, 1901, had appointed Mr. BURRIS to read George Washington's Farewell Address on Monday, February 22, 2010.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. CASEY,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period of one hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; that the majority control the first half therein and the minority control the second half therein; that, following morning business, the Senate proceed to executive session (to resume consideration of the nomination of M. Patricia Smith); and that time during adjournment, recess, and morning business be counted against time for debate, pursuant to rule XXII of the Standing Rules of the Senate.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 2:15 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mr. CASEY,

At 6:51 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

TUESDAY, FEBRUARY 2, 2010

Mr. AL FRANKEN, from the State of Minnesota, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mr. FRANKEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, February 2, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable AL FRANKEN, a Senator from the State of Minnesota, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. FRANKEN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by Mrs. Neiman, one of his secretaries:

CONTINUATION OF THE NATIONAL EMERGENCY DECLARED WITH RESPECT TO THE SITUATION IN OR IN RELATION TO Cote D'IVOIRE—PM 44

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

To the Congress of the United States

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the

automatic termination of a national emergency, unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13396 of February 7, 2006, with respect to the situation in or in relation to Cote d'Ivoire is to continue in effect beyond February 7, 2010.

The situation in or in relation to Cote d'Ivoire, which has been addressed by the United Nations Security Council in Resolution 1572 of November 15, 2004, and subsequent resolutions, has resulted in the massacre of large numbers of civilians, widespread human rights abuses, significant political violence and unrest, and fatal attacks against international peacekeeping forces. In March 2007, the Ouagadougou Political Agreement was signed by the two primary protagonists in Cote d'Ivoire's conflict. Although considerable progress has been made in implementing this agreement, the situation in or in relation to Cote d'Ivoire poses a continuing unusual and extraordinary threat to the national security and foreign policy of the United States.

For these reasons, I have determined that it is necessary to continue the national emergency and related measures blocking the property of certain persons contributing to the conflict in Cote d'Ivoire.

BARACK OBAMA.

THE WHITE HOUSE, *February 2, 2010.*

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-4613. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13441 with respect to Lebanon; to the Committee on Banking, Housing, and Urban Affairs.

EC-4614. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Belarus Sanctions Regulations" (31 CFR Part 548), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4615. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Docket No. FEMA-2008-0020)), received in the Office of the President of the Senate on January 27, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4616. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67)(Docket No. FEMA-2008-0020)), received in the Office of the President of the Senate on January 28, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4617. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Community Disaster Loan" ((44 CFR Part 206)(Docket No. FEMA-2005-0051)), received in the Office of the President of the Senate on January 28, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4618. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Haiti Earthquake Occurring in January 2010 Designated as a Qualified Disaster Under Section 139 of the Internal Revenue Code" (Notice No 2010-16), received in the Office of the President of the Senate on January 28, 2010; to the Committee on Finance.

EC-4619. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates - February 2010" (Rev. Rul. 2010-6), received in the Office of the President of the Senate on January 28, 2010; to the Committee on Finance.

EC-4620. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Tier I Issue - Industry Director Directive on the Planning and Examination of Repairs vs. Capitalization Change in Accounting Method (CAM) No. 1" (LMSB-4-0110-001), received in the Office of the President of the Senate on January 28, 2010; to the Committee on Finance.

EC-4621. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Miscellaneous HEART Act Changes" (Notice No. 2010-15), received in the Office of the President of the Senate on January 28, 2010; to the Committee on Finance.

EC-4622. A communication from the Deputy Executive Secretary, U.S. Agency for International Development, transmitting, pursuant to law, the report of the confirmation of a nomination in the position of Administrator, received on January 29, 2010; to the Committee on Foreign Relations.

EC-4623. A communication from the Office Manager, Office of the National Coordinator for HIT, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Health Information Technology: Initial Set of Standards, Implementation Specifications, and Certification, Criteria for Electronic Health Record Technology" (RIN0991-AB58), received in the Office of the President of the Senate on January 15, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-4624. A communication from the Program Manager, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "National Practitioner Data Bank for Adverse Information on Physicians and Other Health Care Practitioners: Reporting on Adverse and Negative Actions" (RIN0906-AA57), received in the Office of the President of the Senate on January 28, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-4625. A communication from the Acting Director, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Part 4022), received in the Office of the President of the Senate on January 28, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-4626. A communication from the Director, Office of Labor-Management Standards, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Trust Annual Reports, Final Rule Extending Filing Due Date" (RIN1215-AB75), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-4627. A communication from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Worker Visibility" (RIN2125-AF28), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4628. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law,

the report of a rule entitled "Federal Motor Vehicle Safety Standard No. 121; Air Brake Systems" (RIN2127-AK44), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4629. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (113); Amdt. No. 3356" (RIN2120-AA65), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4630. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (10); Amdt. No. 3357" (RIN2120-AA65), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4631. A communication from the Legal Advisor, International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Report and Order, In the Matter of International Fixed Public Radiocommunication Services" (IB Docket No. 05-216), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4632. A communication from the Attorney, Office of the Secretary of Transportation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Employee Protection Program; Removal" (RIN2105-AD94), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4633. A communication from the Attorney, Office of the Secretary of Transportation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Procedures for Reimbursement of General Aviation Operators and Service Providers in the Washington, DC Area; Removal" (RIN2105-AD93), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4634. A communication from the Attorney, Office of the Secretary of Transportation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "OST Technical Corrections" (RIN2105-AD82), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4635. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class D and E Airspace and Modification of Class E Airspace; State College, PA" ((RIN2120-AA66)(Docket No. FAA-2009-0750)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4636. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class D and Class E Airspace, Modification of Class E Airspace; Ocala, FL" ((RIN2120-AA66)(Docket No. FAA-2009-0326)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4637. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Anniston, AL" ((RIN2120-AA66)(Docket No. FAA-2009-0653)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4638. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Saluda, SC" ((RIN2120-AA66)(Docket No. FAA-2009-0603)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4639. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Tompkinsville, KY" ((RIN2120-AA66)(Docket No. FAA-2009-0604)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4640. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Hertford, NC" ((RIN2120-AA66)(Docket No. FAA-2009-0705)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4641. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Clayton, GA" ((RIN2120-AA66)(Docket No. FAA-2009-0605)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4642. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Lewisport, KY" ((RIN2120-AA66)(Docket No. FAA-2009-0706)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4643. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 747-100B SUD, -200B, -300, -400, and -400D Series Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2009-0636)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4644. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747SR, and 747SP Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0865)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4645. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Thrush Aircraft, Inc. Model 600 S2D and S2R Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2007-27862)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4646. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law,

the report of a rule entitled "Airworthiness Directives; Agusta S.p.A. (Agusta) Model AB139 and AW139 Helicopters" ((RIN2120-AA64)(Docket No. FAA-2009-1125)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4647. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca Turmo IV A and IV C Turboshaft Engines" ((RIN2120-AA64)-(Docket No. FAA-2010-0009)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4648. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A318 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0713)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4649. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sicma Aero Seat 90xx Series Passenger Seats, Installed on, but not Limited to ATR - GIE Avions de Transport Regional Model ATR42 Airplanes and Model ATR72 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2007-27346)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4650. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; AVOX Systems and B/E Aerospace Oxygen Cylinder Assemblies, as Installed on Various Transport Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0029)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4651. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Engine Components, Inc. (ECi) Reciprocating Engine Cylinder Assemblies" ((RIN2120-AA64)(Docket No. FAA-2008-0052)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4652. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 737-600, -700, -700C, -800, -900, and -900ER Series Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2009-0657)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4653. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0610)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4654. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A340-200 and A340-300 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1251)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4655. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Services B.V. Model F.28 Mark 0070 and 0100 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0763)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4656. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; CFM International, S.A. CFM56-7B Series Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2009-0236)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4657. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca S.A. Model Arriel 1B, 1D, and 1D1 Turboshaft Engines" ((RIN2120-AA64)(Docket No. FAA-2009-0503)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4658. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-200, A330-300, A340-200, A340-300 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0309)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4659. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Drug and Alcohol Testing Program; Correction" ((RIN2120-AJ37)(Docket No. FAA-2008-0937)), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4660. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones: Fireworks Displays in the Captain of the Port, Portland Zone" ((RIN1625-AA00)(Docket No. USG-2008-1096)), received in the Office of the President of the Senate on January 28, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4661. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone and Regulated Navigation Area, Chicago Sanitary and Ship Canal, Romeoville, IL" ((RIN1625-AA00)-(Docket No. USG-2009-1080)), received in the Office of the President of the Senate on January 28, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4662. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety and Security Zone, Chicago Sanitary and Ship Canal, Romeoville, IL" ((RIN1625-AA00; RIN1625-AA87)(Docket No. USG-2009-1052)), received in the Office of the President of the Senate on January 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4663. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a

rule entitled "Amendment to the list of MARPOL Annex V Special Areas That Are Currently in Effect to Add the Gulfs and Mediterranean Sea Special Areas" ((RIN1625-AB41)(Docket No. USG-2009-0273)), received in the Office of the President of the Senate on January 28, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4664. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Consumer Price Index Adjustments of Oil Pollution Act of 1990 Limits of Liability - Vessels and Deepwater Ports" ((RIN1625-AB25)(Docket No. USG-2008-0007)), received in the Office of the President of the Senate on January 28, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4665. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation for Marine Events; Recurring Marine Events in the Fifth Coast Guard District" ((RIN1625-AA08)(Docket No. USG-2009-0430)), received in the Office of the President of the Senate on January 28, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4666. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Atlantic Intracoastal Waterway, Oak Island, NC" ((RIN1625-AA00)(Docket No. USG-2009-1067)), received in the Office of the President of the Senate on January 28, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4667. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulations: Harlem River, New York, NY" ((RIN1625-AA09)(Docket No. USG-2008-0456)), received in the Office of the President of the Senate on January 28, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4668. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; San Diego Parade of Lights Fireworks, San Diego Bay, CA" ((RIN1625-AA00)-(Docket No. USG-2009-0484)), received in the Office of the President of the Senate on January 28, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4669. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Bonfouca Bayou, Slidell, LA" ((RIN1625-AA09)(Docket No. USG-2009-0863)), received in the Office of the President of the Senate on January 27, 2010; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 1733. A bill to create clean energy jobs, promote energy independence, reduce global warming pollution, and transition to a clean energy economy (Rept. No. 111-121).

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 1524. A bill to strengthen the capacity, transparency, and accountability of United States foreign assistance programs to effectively adapt and respond to new challenges of the 21st century, and for other purposes (Rept. No. 111-122).

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 369, A bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market (Rept. No. 111-123).

By Mr. LEAHY, from the Committee on the Judiciary, with amendments:

S. 1749. A bill to amend title 18, United States Code, to prohibit the possession or use of cell phones and similar wireless devices by Federal prisoners.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. LUGAR (for himself and Mr. LEAHY):

S. 2974. A bill to establish the Return of Talent Program to allow aliens who are legally present in the United States to return temporarily to the country of citizenship of the alien if that country is engaged in post-conflict or natural disaster reconstruction, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHUMER (for himself, Mr. NELSON of Florida, Ms. KLOBUCHAR, Mr. DURBIN, Mrs. GILLIBRAND, Mr. BROWN, and Mr. FRANKEN):

S. 2975. A bill to prohibit the manufacture, sale, or distribution in commerce of children's jewelry containing cadmium, barium, or antimony, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LEVIN (for himself and Ms. STABENOW):

S. 2976. A bill to designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GRAHAM (for himself, Mr. LIEBERMAN, Mr. WEBB, Mr. MCCAIN, Mrs. LINCOLN, Mr. BENNETT, Mr. CHAMBLISS, Ms. COLLINS, Mr. MCCONNELL, Mr. CORNYN, Mr. SESSIONS, Mr. BARRASSO, Mr. CORKER, Mr. KYL, Mr. COBURN, Mr. GRASSLEY, Mr. VITTER, Mr. HATCH, Mr. JOHANNS, Mr. ROBERTS, Mr. ALEXANDER, Mr. PRYOR, and Mr. THUNE):

S. 2977. A bill to prohibit the use of Department of Justice funds for the prosecution in Article III courts of the United States of individuals involved in the September 11, 2001 terrorist attacks; to the Committee on the Judiciary.

By Mr. WYDEN (for himself and Mr. NELSON of Florida):

S. 2978. A bill to extend the Caribbean Basin Economic Recovery Act, to extend the trade preferences made available to Haiti under that Act, to encourage foreign investment in Haiti, and for other purposes; to the Committee on Finance.

By Mr. LEAHY (for himself and Mr. KAUFMAN):

S. 2979. A bill to amend title 18, United States Code, to provide accountability for the criminal acts of Federal contractors and employees outside the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. BENNETT (for himself, Mr. CORNYN, Mr. WICKER, Mr. VITTER, Mr. ENZI, Mr. BROWNBACK, Mr. INHOFE, Mr. ROBERTS, and Mr. HATCH):

S. 2980. A bill to protect the democratic process and the right of the people of the District of Columbia to define marriage; to the Committee on Homeland Security and Governmental Affairs.

By Ms. SNOWE (for herself and Mr. THUNE):

S. 2981. A bill to reevaluate and redirect the stimulus; to the Committee on Appropriations.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. KAUFMAN (for himself, Mr. BROWNBACK, Mr. CASEY, Mr. KYL,

Mr. FEINGOLD, Mr. WEBB, Mr. LIEBERMAN, Mr. SPECTER, Mr. MCCAIN, and Mr. CORNYN):

S. Res. 405. A resolution reaffirming the centrality of freedom of expression and press freedom as cornerstones of United States foreign policy and United States efforts to promote individual rights, and for other purposes; considered and agreed to.

By Mr. VITTER (for himself, Ms. LANDRIEU, Mr. BUNNING, Mr. CASEY, and Mr. JOHANNS):

S. Res. 406. A resolution recognizing the goals of Catholic Schools Week and honoring the valuable contributions of Catholic schools in the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 570

At the request of Mr. VITTER, the names of the Senator from Idaho [Mr. CRAPO] and the Senator from Kansas [Mr. BROWNBACK] were added as cosponsors of S. 570, a bill to stimulate the economy and create jobs at no cost to the taxpayers, and without borrowing money from foreign governments for which our children and grandchildren will be responsible, and for other purposes.

S. 753

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 753, a bill to prohibit the manufacture, sale, or distribution in commerce of children's food and beverage containers composed of bisphenol A, and for other purposes.

S. 827

At the request of Mr. ROCKEFELLER, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 827, a bill to establish a program to reunite bondholders with matured unredeemed United States savings bonds.

S. 841

At the request of Mr. KERRY, the name of the Senator from New Mexico [Mr. UDALL] was added as a cosponsor of S. 841, a bill to direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation.

S. 891

At the request of Mr. BROWNBACK, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 891, a bill to require annual disclosure to the Securities and Exchange Commission of activities involving columbite-tantalite, cassiterite, and wolframite from the Democratic Republic of Congo, and for other purposes.

S. 938

At the request of Ms. LANDRIEU, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 938, a bill to require the President to call a White House Conference on Children and Youth in 2010.

S. 1067

At the request of Mr. FEINGOLD, the names of the Senator from Arkansas [Mr. PRYOR], the Senator from Wyoming [Mr. BARRASSO], the Senator from Georgia [Mr. ISAKSON] and the Senator from Alabama [Mr. SESSIONS] were added as cosponsors of S. 1067, a bill to support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

S. 1147

At the request of Mr. KOHL, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 1147, a bill to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, and for other purposes.

S. 1153

At the request of Mr. SCHUMER, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 1153, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible designated beneficiaries of employees.

S. 1518

At the request of Mr. BURR, the names of the Senator from Mississippi [Mr. WICKER] and the Senator from Georgia [Mr. ISAKSON] were added as cosponsors of S. 1518, a bill to amend title 38, United States Code, to furnish hospital care, medical services, and nursing home care to veterans who were stationed at Camp Lejeune, North Carolina, while the water was contaminated at Camp Lejeune.

S. 1606

At the request of Mr. WHITEHOUSE, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 1606, a bill to require foreign manufacturers of products imported into the United States to establish registered agents in the United States who are authorized to accept service of process against such manufacturers, and for other purposes.

S. 1628

At the request of Mr. UDALL of Colorado, the names of the Senator from Indiana [Mr. BAYH] and the Senator from South Dakota [Mr. JOHNSON] were added as cosponsors of S. 1628, a bill to amend title VII of the Public Health Service Act to increase the number of physicians who practice in underserved rural communities.

S. 1682

At the request of Ms. CANTWELL, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 1682, a bill to provide the Commodity Futures Trading Commission with clear antimarket manipulation authority, and for other purposes.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 2801

At the request of Mr. FRANKEN, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 2801, a bill to provide children in foster care with school stability and equal access to educational opportunities.

S. 2913

At the request of Ms. COLLINS, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 2913, a bill to establish a national mercury monitoring program, and for other purposes.

S. 2924

At the request of Mr. LEAHY, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 2924, a bill to reauthorize the Boys & Girls Clubs of America, in the wake of its Centennial, and its programs and activities.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. HARKIN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on February 2, 2010, at 9 a.m.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on February 2, 2010, at 2:30 p.m., to conduct a hearing entitled "Prohibiting Certain High-Risk Investment Activities by Banks and Bank Holding Companies."

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on February 2, 2010, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works be authorized to meet during the session of the Senate on February 2, 2010.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on February 2, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "The President's Fiscal Year 2011 Budget."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on February 2, 2010, at 10:30 a.m.

The Committee on Foreign Relations be authorized to meet during the session of the Senate on February 2, 2010, at 2:30 p.m.

The Committee on Foreign Relations be authorized to meet during the session of the Senate on February 2, 2010, at 3:30 p.m.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "Hearing on the Nomination of Harold Craig Becker to be a Member of the National Labor Relations Board" on February 2, 2010. The hearing will commence at 4 p.m. in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration be authorized to meet during the session of the Senate on February 2, 2010, at 10 a.m., to conduct a hearing entitled "Corporate America vs. The Voter: Examining the Supreme Court's Decision to Allow Unlimited Corporate Spending in Elections."

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet, during the session of the Senate on February 2, 2010, at 2:30 p.m.

EXECUTIVE SESSION

Pursuant to the order of yesterday,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. CASEY,

The Senate resumed its legislative session.

REAFFIRMING THE CENTRALITY OF FREEDOM OF EXPRESSION AND PRESS FREEDOM AS CORNERSTONES OF UNITED STATES FOREIGN POLICY AND UNITED STATES EFFORTS TO PROMOTE INDIVIDUAL RIGHTS

On the request of Mr. CASEY,

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) laid before the Senate the resolution (S. Res. 405) reaffirming the centrality of freedom of expression and press freedom as cornerstones of United States foreign policy and United States efforts to promote individual rights, and for other purposes, submitted today by Mr. KAUFMAN (for himself, Mr. BROWNBACK, Mr. CASEY, Mr. KYL, Mr. FEINGOLD, Mr. WEBB, Mr. LIEBERMAN, Mr. SPECTER, Mr. MCCAIN, and Mr. CORNYN).

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE GOALS OF CATHOLIC SCHOOLS WEEK AND HONORING THE VALUABLE CONTRIBUTIONS OF CATHOLIC SCHOOLS IN THE UNITED STATES

On the request of Mr. CASEY,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 406) recognizing the goals of Catholic Schools Week and honoring the valuable contributions of Catholic schools in the United States, submitted today by Mr. VITTER (for himself, Ms. LANDRIEU, Mr. BUNNING, Mr. CASEY, and Mr. JOHANNS).

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 12 NOON ON THURSDAY, FEBRUARY 4, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. CASEY,

Ordered, That, when the Senate concludes its business on today, it adjourn until 12 noon on Thursday, February 4, 2010; that, on Thursday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then proceed to executive session to resume consideration of the nomination of M. Patricia Smith.

ADJOURNMENT

By unanimous consent, on the request of Mr. CASEY,

At 7:20 p.m.,

The Senate adjourned, under its order of today, until 12 noon on Thursday, February 4, 2010.

THURSDAY, FEBRUARY 4, 2010

Mrs. KAY R. HAGAN, from the State of North Carolina, called the Senate to order at 12 noon, the Chaplain offered a prayer, and Mrs. HAGAN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, February 4, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KAY R. HAGAN, a Senator from the State of North Carolina, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. HAGAN took the chair.

OBJECTION TO EXECUTIVE SESSION

Mr. REID asked unanimous consent that, notwithstanding Rule XXII of the Standing Rules of the Senate, the Senate proceed to executive session to consider the following nominations, en bloc:

Clifford Stanley to be Under Secretary of Defense for Personnel and Readiness;

Laura Kennedy to be U.S. Representative to the Conference on Disarmament;

Philip Goldberg to be Assistant Secretary of State for Intelligence and Research;

Caryn Wagner to be Under Secretary for Intelligence and Analysis, Department of Homeland Security.

Mr. REID further asked unanimous consent that the nominations be confirmed, en bloc;

that motions to reconsider be made and laid on the table; and that the President be immediately notified of the Senate's action.

Mr. MCCONNELL objected.

THE JOURNAL

Pursuant to the order of Tuesday, February 2, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Tuesday, February 2, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

EXECUTIVE SESSION

Pursuant to the order of Tuesday, February 2, 2010,

The Senate proceeded to executive session; and after the consideration of executive business (involving three roll call votes), during which the following occurred;

ORDERS FOR LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. LEAHY,

As in legislative session,

Ordered, That when the Senate resumes its legislative session, it then proceed to a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; and that Mr. KIRK be recognized to speak for 20 minutes therein.

LEGISLATIVE SESSION

The Senate was deemed to have resumed its legislative session.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of today,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 850. A bill to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks (Rept. No. 111-124).

S. 952. A bill to develop and promote a comprehensive plan for a national strategy to address harmful algal blooms and hypoxia through baseline research, forecasting and monitoring, and mitigation and control while helping communities detect, control, and mitigate coastal and Great Lakes harmful algal blooms and hypoxia events (Rept. No. 111-125).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. KERRY (for himself, Mrs. BOXER, Ms. SNOWE, and Ms. COLLINS):

S. 2982. A bill to combat international violence against women and girls; to the Committee on Foreign Relations.

By Mr. SCHUMER (for himself and Mr. HATCH):

S. 2983. A bill to amend the Internal Revenue Code of 1986 to provide an exemption from employer social security taxes with respect to previously unemployed individuals, and to provide a credit for the retention of such individuals for at least 1 year; to the Committee on Finance.

By Ms. LANDRIEU (for herself and Mr. VITTER):

S. 2984. A bill to direct the Secretary of Health and Human Services to revise regulations implementing the statutory reporting and auditing requirements for the Medicaid disproportionate share hospital ("DSH") payment program to be consistent with the scope of the statutory provisions and avoid substantive changes to preexisting DSH policy; to the Committee on Finance.

By Mr. PRYOR:

S. 2985. A bill to amend the Internal Revenue Code of 1986 to establish a new Small Business Startup Savings Account; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2986. A bill to authorize the Administrator of the Small Business Administration to waive interest for certain loans relating to damage caused by Hurricane Katrina, Hurricane Rita, Hurricane Gustav, or Hurricane Ike; to the Committee on Small Business and Entrepreneurship.

By Mr. ENSIGN:

S. 2987. A bill to amend title XVIII of the Social Security Act to extend the exceptions process for one year with respect to the caps on payments for therapy services under the Medicare program; to the Committee on Finance.

By Mr. ENSIGN:

S. 2988. A bill to amend title XVIII of the Social Security Act to extend the exceptions process for two years with respect to caps on payments for therapy services under the Medicare program; to the Committee on Finance.

By Ms. LANDRIEU (for herself and Ms. SNOWE):

S. 2989. A bill to improve the Small Business Act, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. DEMINT (for himself, Mr. GRAHAM, Mr. COBURN, Mr. MCCAIN, Mr. LEMIEUX, Mr. BURR, Mr. CRAPO, Mr. RISCH, Mr. CHAMBLISS, Mr. CORNYN, Mr. ENSIGN, Mr. JOHANNS, Mrs. MCCASKILL, Mr. KYL, Mr. GRASSLEY, and Mr. SESSIONS):

S. 2990. A bill to establish an earmark moratorium for fiscal years 2010 and 2011; to the Committee on Rules and Administration.

By Mrs. McCASKILL (for herself and Ms. COLLINS):

S. 2991. A bill to amend title 31, United States Code, to enhance the oversight authorities of the Comptroller General, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LAUTENBERG (for himself and Mr. MENENDEZ):

S. 2992. A bill to amend the Internal Revenue Code of 1986 to eliminate the drawback fee on the manufacture or production of certain distilled spirits used in nonbeverage products; to the Committee on Finance.

By Mr. SANDERS (for himself, Mr. WHITEHOUSE, Mr. CARDIN, Mrs. GILLIBRAND, Mr. MERKLEY, Mr. LAUTENBERG, Mr. LEAHY, Mrs. BOXER, Mr. MENENDEZ, and Mr. SPECTER):

S. 2993. A bill to increase the quantity of solar photovoltaic electricity by providing rebates for the purchase and installation of an additional 10,000,000 solar roofs and additional solar water heating systems with a cumulative capacity of 10,000,000 gallons by 2019; to the Committee on Energy and Natural Resources.

By Mrs. BOXER (for herself and Mr. WEBB):

S. 2994. A bill to amend the Internal Revenue Code of 1986 to impose an excise tax on excessive 2009 bonuses received from certain major recipients of Federal emergency economic assistance, to limit the deduction allowable for such bonuses, and for other purposes; to the Committee on Finance.

By Mr. CARPER (for himself, Mr. ALEXANDER, Ms. KLOBUCHAR, Ms. COLLINS, Mrs. FEINSTEIN, Mr.

GREGG, Mrs. SHAHEEN, Mr. GRAHAM, Mr. KAUFMAN, Mr. SCHUMER, Mr. LIEBERMAN, and Ms. SNOWE):

S. 2995. A bill to amend the Clean Air Act to establish a national uniform multiple air pollutant regulatory program for the electric generating sector; to the Committee on Environment and Public Works.

By Ms. COLLINS (for herself, Mr. PRYOR, Mr. VOINOVICH, and Ms. LANDRIEU):

S. 2996. A bill to extend the chemical facility security program of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WICKER:

S. 2997. A bill to amend title XVIII of the Social Security Act to provide for the update under the Medicare physician fee schedule for years beginning with 2010 and to sunset the application of the sustainable growth rate formula, and for other purposes; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself and Mr. MENENDEZ):

S. 2998. A bill to temporarily expand the V nonimmigrant visa category to include Haitians whose petition for a family-sponsored immigrant visa was approved on or before January 12, 2010; to the Committee on the Judiciary.

By Mr. UDALL of Colorado:

S. 2999. A bill to provide consistent enforcement authority to the Bureau of Land Management, the National Park Service, the United States Fish and Wildlife Service, and the Forest Service to respond to violations of regulations regarding the management, use, and protection of public lands under the jurisdiction of these agencies, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ROCKEFELLER (for himself, Mr. REID, Mr. KERRY, Mr. HARKIN, Mr. FRANKEN, Mr. BROWN, Mr. BEGICH, Mr. LEVIN, Mr. DURBIN, Mrs. GILLIBRAND, Mr. REED, Mr. DODD, Mr. WHITEHOUSE, Mr. LEAHY, Mr. KIRK, Ms. STABENOW, Mr. CASEY, Mr. AKAKA, Mr. BURRIS, Mrs. BOXER, Mr. SCHUMER, Mr. MENENDEZ, Mr. LAUTENBERG, Mr. JOHNSON, Ms. MIKULSKI, Mrs. MURRAY, Mr. KAUFMAN, Mr. WYDEN, Mr. BINGAMAN, Mr. SPECTER, Mr. CARDIN, Mr. MERKLEY, Ms. CANTWELL, and Mrs. SHAHEEN):

S. 3000. A bill to extend the increase in the FMAP provided in the American Recovery and Reinvestment Act of 2009 for an additional 6 months; to the Committee on Finance.

By Mr. WARNER:

S. 3001. A bill to require the Secretary of Commerce to establish a loan program to assist in the locating of information technology and manufacturing jobs in the United States, and for other purposes; to the Committee on Environment and Public Works.

By Mr. McCAIN (for himself and Mr. DORGAN):

S. 3002. A bill to amend the Federal Food, Drug, and Cosmetic Act to more effectively regulate dietary supplements that may pose safety risks unknown to consumers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DODD:

S. 3003. A bill to enhance Federal efforts focused on public awareness and education about the risks and dangers associated with Shaken Baby Syndrome; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN:

S. 3004. A bill to require notification to and prior approval by shareholders of certain political expenditures by publicly traded companies, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. REED:

S. 3005. A bill to create an independent research institute, to be known as the "National Institute of Finance", that will oversee the collection and standardization of data on financial entities and activities, and conduct monitoring and other research and analytical activities to support the work of the Federal financial regulatory agencies and the Congress; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DEMINT (for himself, Mr. GRAHAM, Mr. COBURN, Mr. MCCAIN, Mr. LEMIEUX, Mr. BURR, Mr. CRAPO, Mr. RISCH, Mr. CHAMBLISS, Mr. CORNYN, Mr. ENSIGN, Mr. VITTER, Mr. KYL, Mr. INHOFE, and Mr. SESSIONS):

S.J. Res. 27. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Ms. KLOBUCHAR:

S. Res. 407. A resolution congratulating the Concordia University-St. Paul volleyball team on winning their third consecutive NCAA Division II Women's Volleyball National Championship; to the Committee on the Judiciary.

By Ms. SNOWE (for herself, Mrs. MURRAY, Ms. MIKULSKI, and Mr. BINGAMAN):

S. Res. 408. A resolution designating February 3, 2010, as "National Women and Girls in Sports Day"; to the Committee on the Judiciary.

By Mr. FEINGOLD (for himself, Mr. COBURN, Mr. CARDIN, and Ms. COLLINS):

S. Res. 409. A resolution calling on members of the Parliament in Uganda to reject the proposed "Anti-Homosexuality Bill", and for other purposes; to the Committee on Foreign Relations.

By Mr. BAYH (for himself and Mr. LUGAR):

S. Res. 410. A resolution supporting and recognizing the goals and ideals of "RV Centennial Celebration Month" to commemorate 100 years of enjoyment of recreation vehicles in the United States; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 144

At the request of Mr. KERRY, the names of the Senator from Virginia [Mr. WEBB] and the Senator from New York [Mrs. GILLIBRAND] were added as cosponsors of S. 144, a bill to amend the Internal Revenue Code of 1986 to remove cell phones from listed property under section 280F.

S. 332

At the request of Mrs. FEINSTEIN, the names of the Senator from Illinois [Mr. BURRIS] and the Senator from Colorado [Mr. BENNET] were added as cosponsors of S. 332, a bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner.

S. 405

At the request of Mr. LEAHY, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 405, a bill to amend the Internal Revenue Code of 1986 to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor.

S. 448

At the request of Mr. SPECTER, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 448, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 538

At the request of Mrs. LINCOLN, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 538, a bill to increase the recruitment and retention of school counselors, school social workers, and school psychologists by low-income local educational agencies.

S. 557

At the request of Mr. KOHL, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 557, a bill to encourage, enhance, and integrate Silver Alert plans throughout the United States, to authorize grants for the assistance of organizations to find missing adults, and for other purposes.

S. 570

At the request of Mr. VITTER, the names of the Senator from South Dakota [Mr. THUNE] and the Senator from Mississippi [Mr. WICKER] were added as cosponsors of S. 570, a bill to stimulate the economy and create jobs at no cost to the taxpayers, and without borrowing money from foreign governments for which our children and grandchildren will be responsible, and for other purposes.

S. 593

At the request of Mrs. FEINSTEIN, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 593, a bill to ban the use of bisphenol A in food containers, and for other purposes.

S. 633

At the request of Mr. TESTER, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 633, a bill to establish a program for tribal colleges and universities within the Department of Health and Human Services and to amend the Native American Programs Act of 1974 to authorize the provision of grants and cooperative agreements to tribal colleges and universities, and for other purposes.

S. 727

At the request of Ms. LANDRIEU, the name of the Senator from Massachusetts [Mr. KIRK] was added as a cosponsor of S. 727, a bill to amend title 18, United States Code, to prohibit certain conduct relating to the use of horses for human consumption.

S. 841

At the request of Mr. KERRY, the names of the Senator from Colorado [Mr. BENNET] and the Senator from Idaho [Mr. CRAPO] were added as cosponsors of S. 841, a bill to direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation.

S. 985

At the request of Mrs. LINCOLN, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 985, a bill to establish and provide for the treatment of Individual Development Accounts, and for other purposes.

S. 1027

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 1027, a bill to amend title VII of the Tariff Act of 1930 to clarify that fundamental exchange-rate misalignment by any foreign nation is actionable under United States countervailing and antidumping duty laws, and for other purposes.

S. 1066

At the request of Mr. SCHUMER, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 1066, a bill to amend title XVIII of the Social Security Act to preserve access to ambulance services under the Medicare program.

S. 1173

At the request of Mr. FEINGOLD, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 1173, a bill to establish a demonstration project to train unemployed workers for employment as health care professionals, and for other purposes.

S. 1203

At the request of Mr. BAUCUS, the name of the Senator from Idaho [Mr. RISCH] was added as a cosponsor of S. 1203, a bill to amend the Internal Revenue Code of 1986 to extend the research credit through 2010 and to increase and make permanent the alternative simplified research credit, and for other purposes.

S. 1319

At the request of Mr. COBURN, the name of the Senator from Tennessee [Mr. CORKER] was added as a cosponsor of S. 1319, a bill to require Congress to specify the source of authority under the United States Constitution for the enactment of laws, and for other purposes.

S. 1345

At the request of Mr. REED, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 1345, a bill to aid and support pediatric involvement in reading and education.

S. 1441

At the request of Mr. WYDEN, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 1441, a bill to amend title 38, United States Code, to grant family of members of the uniformed services temporary annual leave during the deployment of such members.

S. 1458

At the request of Ms. LANDRIEU, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 1458, a bill to encourage the development and implementation of a comprehensive, global strategy for the preservation and reunification of families and the provision of permanent parental care for orphans.

S. 1553

At the request of Mr. GRASSLEY, the name of the Senator from Georgia [Mr. CHAMBLISS] was added as a cosponsor of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1589

At the request of Ms. CANTWELL, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 1589, a bill to amend the Internal Revenue Code of 1986 to modify the incentives for the production of biodiesel.

S. 1859

At the request of Mr. ROCKEFELLER, the names of the Senator from Rhode Island [Mr. REED] and the Senator from New York [Mr. SCHUMER] were added as cosponsors of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 1939

At the request of Mrs. GILLIBRAND, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 1939, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 2736

At the request of Mr. FRANKEN, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 2736, a bill to reduce the rape kit backlog and for other purposes.

S. 2747

At the request of Mr. BINGAMAN, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 2747, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 2750

At the request of Mr. SCHUMER, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 2750, a bill to amend the Public Health Service Act to authorize the Secretary of Health and Human Services to make grants to eligible States for the purpose of reducing the student-to-school nurse ratio in public secondary schools, elementary schools, and kindergarten.

S. 2772

At the request of Mr. WHITEHOUSE, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 2772, a bill to establish a criminal justice reinvestment grant program to help States and local jurisdictions reduce spending on corrections, control growth in the prison and jail populations, and increase public safety.

S. 2794

At the request of Mr. SCHUMER, the name of the Senator from Wyoming [Mr. ENZI] was added as a cosponsor of S. 2794, a bill to amend the Internal Revenue Code of 1986 to

provide tax incentives for the donation of wild game meat.

S. 2870

At the request of Mr. INOUYE, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 2870, a bill to establish uniform administrative and enforcement procedures and penalties for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes, and for other purposes.

S. 2909

At the request of Mr. SANDERS, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 2909, a bill to provide State programs to encourage employee ownership and participation in business decisionmaking throughout the United States, and for other purposes.

S. 2912

At the request of Mr. NELSON of Florida, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 2912, a bill to require lenders of loans with Federal guarantees or Federal insurance to consent to mandatory mediation.

S. 2924

At the request of Mr. LEAHY, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 2924, a bill to reauthorize the Boys & Girls Clubs of America, in the wake of its Centennial, and its programs and activities.

S. 2946

At the request of Ms. STABENOW, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 2946, a bill to direct the Secretary of the Army to take action with respect to the Chicago waterway system to prevent the migration of bighead and silver carps into Lake Michigan, and for other purposes.

S. 2959

At the request of Mr. FRANKEN, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 2959, A bill to amend the Federal Election Campaign Act of 1971 to protect Federal, State, and local elections from the influence of foreign nationals.

S. 2962

At the request of Mr. DODD, the names of the Senator from Maine [Ms. SNOWE] and the Senator from Idaho [Mr. CRAPO] were added as cosponsors of S. 2962, a bill to amend title II of the Social Security Act to apply an earnings test in determining the amount of monthly insurance benefits for individuals entitled to disability insurance benefits based on blindness.

S. 2977

At the request of Mr. GRAHAM, the names of the Senator from New Hampshire [Mr. GREGG], the Senator from Oklahoma [Mr. INHOFE] and the Senator from Georgia [Mr. ISAKSON] were added as cosponsors of S. 2977, a bill to prohibit the use of Department of Justice funds for the prosecution in Article III courts of the United States of individuals involved in the September 11, 2001 terrorist attacks.

SENATE RESOLUTION 316

At the request of Mr. MENENDEZ, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of Senate Resolution 316, a resolution calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes.

SENATE RESOLUTION 403

At the request of Mr. VITTER, the name of the Senator from Kansas [Mr. ROBERTS] was added as a cosponsor of Senate Resolution 403, a resolution expressing the sense of the Senate that Umar Farouk Abdulmutallab should be tried by a military tribunal rather than by a civilian court.

SENATE RESOLUTION 404

At the request of Mr. FEINGOLD, the names of the Senator from Minnesota [Ms. KLOBUCHAR] and the Senator from Pennsylvania [Mr. SPECTER] were added as cosponsors of Senate Resolution 404, a resolution supporting full implementation of the Comprehensive Peace Agreement and other efforts to promote peace and stability in Sudan, and for other purposes.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. LEAHY,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on February 4, 2010, at 10:30 a.m., to conduct a hearing entitled "Prohibiting Certain High-Risk Investment Activities by Banks and Bank Holding Companies."

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on February 4, 2010, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works be authorized to meet during the session of the Senate on February 4, 2010, in room S-216 of the Capitol.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on February 4, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "The President's Fiscal Year 2011 Budget."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on February 4, 2010, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

The Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on February 4, 2010, at 9:30 a.m., to conduct a hearing entitled "Keeping Foreign Corruption Out of the United States: Four Case Histories."

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on February 4, 2010, at 2:30 p.m.

SUBCOMMITTEE ON ANTITRUST, COMPETITION POLICY AND CONSUMER RIGHTS

The Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy, and Consumer Rights be authorized to meet during the session of the Senate on February 4, 2010, at 2:30 p.m., in SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "The Comcast/NBC Universal Merger: What Does the Future Hold for Competition and Consumers?"

SUBCOMMITTEE ON SUPERFUND, TOXICS, AND ENVIRONMENTAL HEALTH

The Subcommittee on Superfund, Toxics, and Environmental Health be authorized to meet during the session of the Senate on February 4, 2010, at 10 a.m. in room 406 of the Dirksen Senate Office Building.

INTERNATIONAL DEVELOPMENT AND FOREIGN ASSISTANCE

The Committee on Foreign Relations be authorized to meet during the session of the Senate on February 4, 2010, at 3 p.m., to hold an International Development and Foreign Assistance Subcommittee hearing entitled "Haiti Reconstruction: Smart Planning Moving Forward."

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 12:03 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests a concurrence of the Senate:

H.R. 2843. An act to provide for the joint appointment of the Architect of the Capitol

by the Speaker of the House of Representatives, the President pro tempore of the Senate, the majority and minority leaders of the House of Representatives and Senate, the chair and ranking minority member of the Committee on House Administration of the House of Representatives, the chair and ranking minority member of the Committee on Transportation and Infrastructure of the House of Representatives, the chair and ranking minority member of the Committee on Rules and Administration of the Senate, the chairs and ranking minority members of the Committees on Appropriations of the House of Representatives and Senate, and for other purposes.

H.R. 4495. An act to designate the facility of the United States Postal Service located at 100 North Taylor Lane in Patagonia, Arizona, as the "Jim Kolbe Post Office".

At 4:36 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agrees to the amendment of the Senate to the joint resolution (H.J. Res. 45) increasing the statutory limit on the public debt.

At 5:36 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill and joint resolution:

H.R. 730. An act to strengthen efforts in the Department of Homeland Security to develop nuclear forensics capabilities to permit attribution of the source of nuclear material, and for other purposes.

H.J. Res. 45. Joint resolution increasing the statutory limit on the public debt.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The bill and joint resolution were subsequently signed by the PRESIDENT pro tempore.

HOUSE BILLS REFERRED

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

H.R. 2843. To provide for the joint appointment of the Architect of the Capitol by the Speaker of the House of Representatives, the President pro tempore of the Senate, the majority and minority leaders of the House of Representatives and Senate, the chair and ranking minority member of the Committee on House Administration of the House of Representatives, the chair and ranking minority member of the Committee on Transportation and Infrastructure of the House of Representatives, the chair and ranking minority member of the Committee on Rules and Administration of the Senate, the chairs and ranking minority members of the Committees on Appropriations of the House of Representatives and Senate, and two other designated members of the Senate, and for other purposes; to the Committee on Rules and Administration.

H.R. 4495. An act to designate the facility of the United States Postal Service located at 100 North Taylor Lane in Patagonia, Arizona, as the "Jim Kolbe Post Office"; to the Committee on Homeland Security and Governmental Affairs.

CREDENTIALS OF SENATOR-ELECT FOR UNEXPIRED TERM

The VICE PRESIDENT laid before the Senate the credentials of Scott P. Brown, duly chosen a Senator by the qualified electors of the Commonwealth of Massachusetts on Tuesday, January 19, 2010, to fill the vacancy in the term ending January 3, 2013, caused by the death of Senator EDWARD M. KENNEDY, as follows; which was deemed read and ordered placed on file:

THE COMMONWEALTH OF MASSACHUSETTS
CERTIFICATE OF APPOINTMENT

To the President of the Senate of the United States:

This is to certify that on the nineteenth day of January, two thousand and ten Scott P. Brown was duly chosen by the qualified electors of the Commonwealth of Massachusetts a Senator for the unexpired term ending at noon on the third day of January, two thousand and thirteen, to fill the vacancy in the representation from said Commonwealth in the Senate of the United States caused by the death of Senator Edward M. Kennedy.

Witness: His Excellency, the Governor, Deval L. Patrick, and our seal hereto affixed at Boston, this fourth day of February in the year of our Lord two thousand and ten.

DEVAL L. PATRICK,
By His Excellency, Governor.
WILLIAM FRANCIS GALVIN,
Secretary of the Commonwealth.

[State Seal Affixed]

Mr. SCOTT BROWN appeared, and the oath of office prescribed by law having been administered by the VICE PRESIDENT, and subscribed by him, he took his seat in the Senate.

MOTION TO PROCEED TO EXECUTIVE SESSION

On motion by Mr. REID that the Senate proceed to executive session to consider the nomination of Craig Becker, of Illinois, to be a Member of the National Labor Relations Board.

The motion was agreed to; and

EXECUTIVE SESSION

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. REID,

Ordered, That the Senate resume its legislative session.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, FEBRUARY 8, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2 p.m. on Monday, February 8, 2010; that, on Monday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then proceed to executive session, as pursuant to the order of today.

AUTHORITY FOR ADJOURNMENT ON TODAY

By unanimous consent, on the request of Mr. REID,

Ordered, That the Senate adjourn, following remarks by Mr. DODD,

After debate,

ADJOURNMENT

Under the authority of the order of today,

At 6:54 p.m.,

The PRESIDING OFFICER declared the Senate adjourned, under its order of today, until 2 p.m. on Monday, February 8, 2010.

MONDAY, FEBRUARY 8, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, February 8, 2010.
To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of Thursday, February 4, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Thursday, February 4, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

MORNING BUSINESS

The following morning business occurred on today:

ADDITIONAL COSPONSORS
S. 1589

At the request of Ms. CANTWELL, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 1589, a bill to amend the Internal Revenue Code of 1986 to modify the incentives for the production of biodiesel.

ORDER FOR EXECUTIVE SESSION ON TOMORROW

By unanimous consent, on the request of Mr. REID,

As in executive session,

Ordered, That the order of Thursday, February 4, 2010, relative to executive session and actions therein to occur on today, be modified such that said executive session instead occur at 2 p.m. on tomorrow; and that provisions and limitations of the order of Thursday, February 4, 2010 remain in effect.

ORDERS FOR RECESS UNTIL 2 P.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it recess until 2 p.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the times for the recognition of the two leaders be reserved; and that the Senate then proceed to executive session, as pursuant to the order of Thursday, February 4, 2010, as modified today.

RECESS

By unanimous consent, on the request of Mr. REID,

At 2:05 p.m.,

The Senate recessed, under its order of today, until 2 p.m. on tomorrow.

TUESDAY, FEBRUARY 9, 2010
(Legislative day of Monday, February 8, 2010)

Mr. MARK BEGICH, from the State of Alaska, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. BEGICH led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, February 9, 2010.
To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK BEGICH, a Senator from the State of Alaska, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. BEGICH took the chair.

LEADER TIME RESERVED

Pursuant to the order of yesterday,

The times for the recognition of the two leaders being reserved.

EXECUTIVE SESSION

Pursuant to the order of yesterday,

The Senate proceeded to executive session; and after the consideration of executive business (involving two rollcall Votes).

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. ENZI,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

INTRODUCTION OF A BILL

The following bill was introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. SCHUMER:

S. 3006. A bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to allow multiemployer plans to amortize losses from certain fraudulent investment schemes over a 40-year period; to the Committee on Finance.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mrs. LINCOLN (for herself and Mr. CHAMBLISS):

S. Res. 411. A resolution recognizing the importance and sustainability of the United States hardwoods industry and urging that United States hardwoods and the products derived from United States hardwoods be given full consideration in any program to promote construction of environmentally preferable commercial, public, or private buildings; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. GILLIBRAND (for herself and Mr. VOINOVICH):

S. Res. 412. A resolution designating September 2010 as "National Childhood Obesity Awareness Month"; to the Committee on the Judiciary.

By Mr. REID (for himself, Mr. MCCONNELL, Mr. SPECTER, Mr. CASEY, Mr. AKAKA, Mr. ALEXANDER, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BEGICH, Mr. BENNET, Mr. BENNETT, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BURRIS, Mr. BYRD, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JOHANNS,

Mr. JOHNSON, Mr. KAUFMAN, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEMIEUX, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 413. A resolution relative to the death of Representative John P. Murtha, of Pennsylvania; considered and agreed to.

By Mr. KERRY:

S. Res. 414. A resolution expressing the sense of the Senate on the recovery, rehabilitation, and rebuilding of Haiti following the humanitarian crisis caused by the January 12, 2010, earthquake in Haiti; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 148

At the request of Mr. KOHL, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 148, a bill to restore the rule that agreements between manufacturers and retailers, distributors, or wholesalers to set the minimum price below which the manufacturer's product or service cannot be sold violates the Sherman Act.

S. 210

At the request of Mrs. BOXER, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 210, a bill to amend the Internal Revenue Code of 1986 to increase the credit for employers establishing workplace child care facilities, to increase the child care credit to encourage greater use of quality child care services, to provide incentives for students to earn child care-related degrees and to work in child care facilities, and to increase the exclusion for employer-provided dependent care assistance.

S. 332

At the request of Mrs. FEINSTEIN, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 332, a bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner.

S. 864

At the request of Mr. DORGAN, the name of the Senator from Nebraska [Mr. JOHANNS] was added as a cosponsor of S. 864, a bill to amend the Internal Revenue Code of 1986 to expand tax-free distributions from individual retirement accounts for charitable purposes.

S. 1400

At the request of Ms. STABENOW, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 1400, a bill to amend the Internal Revenue Code of 1986 to make permanent the depreciation classification of motorsports entertainment complexes.

S. 1500

At the request of Mrs. GILLIBRAND, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 1500, a bill to amend the Richard B. Russell National School Lunch Act to prohibit schools that participate in the Federal school meal programs from serving foods that contain trans fats derived from partially hydrogenated oils.

S. 1606

At the request of Mr. WHITEHOUSE, the names of the Senator from Delaware [Mr. KAUFMAN] and the Senator from Arkansas [Mr. PRYOR] were added as cosponsors of S. 1606, a bill to require foreign manufacturers of products imported into the United States to establish registered agents in the United States who are authorized to accept service of process against such manufacturers, and for other purposes.

S. 2749

At the request of Mrs. GILLIBRAND, the names of the Senator from Alaska [Mr. BEGICH], the Senator from Maine [Ms. SNOWE], the Senator from Maine [Ms. COLLINS] and the Senator from Vermont [Mr. SANDERS] were added as cosponsors of S. 2749, a bill to amend the Richard B. Russell National School Lunch Act to improve access to nutritious meals for young children in child care.

S. 2781

At the request of Ms. MIKULSKI, the names of the Senator from Indiana [Mr. BAYH], the Senator from Pennsylvania [Mr. CASEY] and the Senator from California [Mrs. BOXER] were added as cosponsors of S. 2781, a bill to change references in Federal law to mental retardation to references to an intellectual disability, and to change references to a mentally retarded individual to references to an individual with an intellectual disability.

S. 2816

At the request of Mr. BUNNING, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 2816, a bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs and to allow the adoption credit to be claimed in the year expenses are incurred, regardless of when the adoption becomes final.

S. 2900

At the request of Mrs. GILLIBRAND, the name of the Senator from Florida [Mr. NELSON] was added as a cosponsor of S. 2900, a bill to establish a research, development, and technology demonstration program to improve the efficiency of gas turbines used in combined cycle and simple cycle power generation systems.

S. 2904

At the request of Mr. FRANKEN, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 2904, a bill to amend title 10, United States Code, to require emergency contraception to be available at all military health care treatment facilities.

S. 2919

At the request of Mr. UDALL of Colorado, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 2919, a bill to amend the Federal Credit Union Act to advance the ability of credit unions to promote small business growth and economic development opportunities, and for other purposes.

S. 2977

At the request of Mr. GRAHAM, the names of the Senator from Nebraska [Mr. NELSON] and the Senator from Nevada [Mr. ENSIGN] were added as cosponsors of S. 2977, a bill to prohibit the use of Department of Justice funds for the prosecution in Article III courts of the United States of individuals involved in the September 11, 2001 terrorist attacks.

S. 2982

At the request of Mr. KERRY, the names of the Senator from Ohio [Mr. BROWN], the Senator from Illinois [Mr. BURRIS], the Senator from Maryland [Mr. CARDIN], the Senator from Pennsylvania [Mr. CASEY], the Senator from Connecticut [Mr. DODD], the Senator from Illinois [Mr. DURBIN], the Senator from Minnesota [Mr. FRANKEN], the Senator from New York [Mrs. GILLIBRAND], the Senator from Iowa [Mr. HARKIN], the Senator from South Dakota [Mr. JOHNSON], the Senator from Delaware [Mr. KAUFMAN], the Senator from Minnesota [Ms. KLOBUCHAR], the Senator from Louisiana [Ms. LANDRIEU], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from New Jersey [Mr. MENENDEZ], the Senator from Maryland [Ms. MIKULSKI], the Senator from Washington [Mrs. MURRAY], the Senator from New York [Mr. SCHUMER], the Senator from New Hampshire [Mrs. SHAHEEN], the Senator from Michigan [Ms. STABENOW], the Senator from New Mexico [Mr. UDALL] and the Senator from Rhode Island [Mr. WHITEHOUSE] were added as cosponsors of S. 2982, a bill to combat international violence against women and girls.

S. 2993

At the request of Mr. SANDERS, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 2993, a bill to increase the quantity of solar photovoltaic electricity by providing rebates for the purchase and installation of an additional 10,000,000 solar roofs and additional solar water heating systems with a cumulative capacity of 10,000,000 gallons by 2019.

S. 3000

At the request of Mr. ROCKEFELLER, the names of the Senator from North Carolina [Mrs. HAGAN] and the Senator from California [Mrs. FEINSTEIN] were added as cosponsors of S. 3000, a bill to extend the increase in the FMAP provided in the American Recovery and Reinvestment Act of 2009 for an additional 6 months.

SENATE RESOLUTION 396

At the request of Mr. UDALL of New Mexico, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of Senate Resolution 396, a resolution to enable each newly constituted Senate to carry out its responsibility to determine the Rules of its Proceedings at the beginning of each Congress.

SENATE RESOLUTION 400

At the request of Mr. KERRY, the names of the Senator from Pennsylvania [Mr. CASEY] and the Senator from New York [Mrs. GILLIBRAND] were added as cosponsors of Senate Resolution 400, a resolution urging the implementation of a comprehensive strategy to address instability in Yemen.

SENATE RESOLUTION 404

At the request of Mr. FEINGOLD, the names of the Senator from Washington [Ms. CANTWELL] and the Senator from New Jersey [Mr. LAUTENBERG] were added as cosponsors of Senate Resolution 404, a resolution supporting full implementation of the Comprehensive Peace Agreement and other efforts to promote peace and stability in Sudan, and for other purposes.

SENATE RESOLUTION 409

At the request of Mr. FEINGOLD, the names of the Senator from Oregon [Mr. MERKLEY], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Illinois [Mr. BURRIS], the Senator from Michigan [Mr. LEVIN] and the Senator from Minnesota [Mr. FRANKEN] were added as cosponsors of Senate Resolution 409, a resolution calling on members of the Parliament in Uganda to reject the proposed "Anti-Homosexuality Bill", and for other purposes.

AUTHORITY FOR COMMITTEE TO MEET

By unanimous consent, on the request of Mr. MENENDEZ,

Ordered, That the following committee be authorized to meet during the session of the Senate:

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works be authorized to meet during the session of the Senate on February 9, 2010, at 2:30 p.m. in room 406 of the Dirksen Senate Office Building.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 11:03 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4061. An act to advance cybersecurity research, development, and technical standards, and for other purposes.

H.R. 4532. An act to provide for permanent extension of the attorney fee withholding procedures under title II of the Social Security Act to title XVI of such act, and to provide for permanent extension of such procedures under titles II and XVI of such Act to qualified non-attorney representatives.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 235. Concurrent resolution providing for an adjournment or recess of the two Houses.

The message further announced that the House passed the act (S. 2950) to extend the pilot program for volunteer groups to obtain criminal history background checks, without amendment.

HOUSE BILL REFERRED

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

H.R. 4061. An act to advance cybersecurity research, development, and technical standards, and for other purposes; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate resumed its legislative session.

SMALL BUSINESS PENALTY FAIRNESS ACT

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on Finance be discharged from the further consideration of the bill (S. 2917) to amend the Internal Revenue Code of 1986 to modify the penalty for failure to disclose certain reportable transactions and the penalty for submitting a bad check to the Internal Revenue Service, to modify certain rules relating to Federal vendors, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RELATIVE TO THE DEATH OF LATE REPRESENTATIVE JOHN P. MURTHA, OF PENNSYLVANIA

On the request of Mr. REID,

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) laid before the Senate the resolution (S. Res. 413) relative to the death of Representative John P. Murtha, of Pennsylvania, submitted today by Mr. REID (for himself, Mr. MCCONNELL, Mr. SPECTER, Mr. CASEY, Mr. AKAKA, Mr. ALEXANDER, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BEGICH, Mr. BENNET, Mr. BENNETT, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. SCOTT BROWN, Mr. SHERROD BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BURRIS, Mr. BYRD, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON, Mr. KAUFMAN, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEMIEUX, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. BEN NELSON, Mr. BILL NELSON, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. MARK UDALL, Mr. TOM UDALL, Mr. VITTER, Mr. VOINOVICH, Mr.

WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN).

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 2:30 P.M. ON THURSDAY, FEBRUARY 11, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2:30 p.m. on Thursday, February 11, 2010; that, on Thursday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that there then be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 7:09 p.m.,

The Senate adjourned, under its order of today, and pursuant to the provisions of S. Res. 413, as a further mark of respect to the late Representative John P. Murtha, until 2:30 p.m. on Thursday, February 11, 2010.

THURSDAY, FEBRUARY 11, 2010

Mr. AL FRANKEN, from the State of Minnesota, called the Senate to order at 2:30 p.m., the Chaplain offered a prayer, and Mr. FRANKEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, February 11, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable AL FRANKEN, a Senator from the State of Minnesota, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. FRANKEN took the chair.

THE JOURNAL

Pursuant to the order of Tuesday, February 9, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Tuesday, February 9, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Tuesday, February 9, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by Mr. Thomas, one of his secretaries:

ECONOMIC REPORT OF THE PRESIDENT DATED FEBRUARY 2010 WITH THE ANNUAL REPORT OF THE COUNCIL OF ECONOMIC ADVISERS FOR 2010—PM 45

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Joint Economic Committee:

To the Congress of the United States:

As we begin a new year, the American people are still experiencing the effects of a recession as deep and painful as any we have known in generations. Traveling across this country, I have met countless men and women who have lost jobs these past two years. I have met small business owners struggling to pay for health care for their workers; seniors unable to afford prescriptions; parents worried about paying the bills and saving for their children's future and their own retirement. And the effects of this recession come in the aftermath of a decade of declining economic security for the middle class and those who aspire to it.

At the same time, over the past two years, we have also seen reason for hope: the resilience of the American people who have held fast—even in the face of hardship—to an unrelenting faith in the promise of our country.

It is that determination that has helped the American people overcome difficult periods in our Nation's history. And it is this perseverance that remains our great strength today. After all, our workers are as productive as ever. American businesses are still leaders in innovation. Our potential is still unrivaled. Our task as a Nation—and our mission as an Administration—is to harness that innovative spirit, that productive energy, and that potential in order to create jobs, raise incomes, and foster economic growth that is sustained and broadly shared. It's not enough to move the economy from recession to recovery. We must rebuild the economy on a new and stronger foundation.

I can report that over the past year, this work has begun. In the coming year, this work continues. But to understand where we must go in the next year and beyond, it is important to remember where we began one year ago.

Last January, years of irresponsible risk-taking and debt-fueled speculation—unchecked by sound oversight—led to the near-collapse of our financial system. We were losing an average of 700,000 jobs each month. Over the course of one year, $13 trillion of Americans' household wealth had evaporated as stocks, pensions, and home values plummeted. Our gross domestic product was falling at the fastest rate in a quarter century. The flow of credit, vital to the functioning of businesses large and small, had ground to a halt. The fear among economists, from across the political spectrum, was that we could sink into a second Great Depression.

Immediately, we took a series of difficult steps to prevent that catastrophe for American families and businesses. We acted to get lending flowing again so ordinary Americans could get financing to buy homes and cars, to go to college, and to start businesses of their own; and so businesses, large and small, could access loans to make payroll, buy equipment, hire workers, and expand. We enacted measures to stem the tide of foreclosures in our housing market, helping responsible homeowners stay in their homes and helping to stop the broader decline in home values.

To achieve this, and to prevent an economic collapse, we were forced to use authority enacted under the previous Administration to extend assistance to some of the very banks and financial institutions whose actions had helped precipitate the turmoil. We also took steps to prevent the collapse of the American auto industry, which faced a crisis partly of its own making, to prevent another round of widespread job losses in an already fragile time. These decisions were not popular, but they were necessary. Indeed, the decision to stabilize

the financial system helped to avert a larger catastrophe, and thanks to the efficient management of the rescue—with added transparency and accountability—we have recovered most of the money provided to banks.

In addition, even as we worked to address the crises in our banking sector, in our housing market, and in our auto industry, we also began attacking our economic crisis on a broader front. Less than one month after taking office, we enacted the most sweeping economic recovery package in history: the American Recovery and Reinvestment Act of 2009. The Recovery Act not only provided tax cuts to small businesses and 95 percent of working families and provided emergency relief to those out of work or without health insurance; it also began to lay a new foundation for long-term growth. With investments in health care, education, infrastructure, and clean energy, the Recovery Act has saved or created roughly two million jobs so far, and it has begun the hard work of transforming our economy to thrive in the modern, global era.

Because of these and other steps, we can safely say that we've avoided the depression many feared. Our economy is growing again, and the growth over the last three months was the strongest in six years. But while economic growth is important, it means nothing to somebody who has lost a job and can't find another. For Americans looking for work, a good job is the only good news that matters. And that's why our work is far from complete.

It is true that the steps we have taken have slowed the flood of job losses from 691,000 per month in the first quarter of 2009 to 69,000 in the last quarter. But stemming the tide of job loss isn't enough. More than 7 million jobs have been lost since the recession began two years ago. This represents not only a terrible human tragedy, but also a very deep hole from which we'll have to climb out. Until jobs are being created to replace those we've lost—until America is back at work—my Administration will not rest and this recovery will not be finished.

That's why I am continuing to call on the Congress to pass a jobs bill. I've proposed a package that includes tax relief for small businesses to spur hiring, that accelerates construction on roads, bridges, and waterways, and that creates incentives for homeowners to invest in energy efficiency, because this will create jobs, save families money, and reduce pollution that harms our environment.

It is also essential that as we promote private sector hiring, we continue to take steps to prevent layoffs of critical public servants like teachers, firefighters, and police officers, whose jobs are threatened by State and local budget shortfalls. To do otherwise would not only worsen unemployment and hamper our recovery; it would also undermine our communities. And we cannot forget the millions of people who have lost their jobs. The Recovery Act provided support for these families hardest hit by this recession, and that support must continue.

At the same time, long before this crisis hit, middle-class families were under growing strain. For decades, Washington failed to address fundamental weaknesses in the economy: rising health care costs, growing dependence on foreign oil, an education system unable to prepare all of our children for the jobs of the future. In recent years, spending bills and tax cuts for the very wealthiest were approved without paying for any of it, leaving behind a mountain of debt. And while Wall Street gambled without regard for the consequences, Washington looked the other way.

As a result, the economy may have been working for some at the very top, but it was not working for all American families. Year after year, folks were forced to work longer hours, spend more time away from their loved ones, all while their incomes flat-lined and their sense of economic security evaporated. Growth in our country was neither sustained nor broadly shared. Instead of a prosperity powered by smart ideas and sound investments, growth was fueled in large part by a rapid rise in consumer borrowing and consumer spending.

Beneath the statistics are the stories of hardship I've heard all across America—hardships that began long before this recession hit two years ago. For too many, there has long been a sense that the American dream—a chance to make your own way, to work hard and support your family, save for college and retirement, own a home—was slipping away. And this sense of anxiety has been combined with a deep frustration that Washington either didn't notice, or didn't care enough to act.

These weaknesses have not only made our economy more susceptible to the kind of crisis we have been through. They have also meant that even in good times the economy did not produce nearly enough gains for middle-class families. Typical American families saw their standards of living stagnate, rather than rise as they had for generations. That is why, in the aftermath of this crisis, and after years of inaction, what is clear is that we cannot go back to business as usual.

That is why, as we strive to meet the crisis of the moment, we are continuing to lay a new foundation for prosperity: a foundation on which the middle class can prosper and grow, where if you are willing to work hard, you can find a good job, afford a home, send your children to world-class schools, afford high-quality health care, and enjoy retirement security in your later years. This is the heart of the American Dream, and it is at the core of our efforts to not only rebuild this economy—but to rebuild it stronger than before. And this work has already begun.

Already, we have made historic strides to reform and improve our education system. We have launched a Race to the Top in which schools are competing to create the most innovative programs, especially in math and science. We have already made college more affordable, even as we seek to increase student aid by ending a wasteful subsidy that serves only to line the pockets of lenders with tens of billions of taxpayer dollars. And I've proposed a new American Graduation Initiative and set this goal: by 2020, America will once again have the highest proportion of college graduates in the world. For we know that in this new century, growth will be powered not by what consumers can borrow and spend, but what talented, skilled workers can create and export.

Already, we have made historic strides to improve our health care system, essential to our economic prosperity. The burdens this system places on workers, businesses, and governments is simply unsustainable. And beyond the economic cost—which is vast—there is also a terrible human toll. That's why we've extended health insurance to millions more children; invested in health information technology through the Recovery Act to improve care and reduce costly errors; and provided the largest boost to medical research in our history. And I continue to fight to pass real, meaningful health insurance reforms that will get costs under control for families, businesses, and governments, protect people from the worst practices of insurance companies, and make coverage more affordable and secure for people with insurance, as well as those without it.

Already, we have begun to build a new clean energy economy. The Recovery Act included the largest investment in clean energy in history, investments that are today creating jobs across America in the industries that will power our future: developing wind energy, solar technology, and clean energy vehicles. But this work has only just begun. Other countries around the world understand that the nation that leads the clean energy economy will be the nation that leads the global economy. I want America to be that nation. That is why we are working toward legislation that will create new incentives to finally make renewable energy the profitable kind of energy in America. It's not only essential for our planet and our security, it's essential for our economy.

But this is not all we must do. For growth to be truly sustainable—for our prosperity to be truly shared and our living standards to actually rise—we need to move beyond an economy that is fueled by budget deficits and consumer demand. In other words, in order to create jobs and raise incomes for the middle

class over the long run, we need to export more and borrow less from around the world, and we need to save more money and take on less debt here at home. As we rebuild, we must also rebalance. In order to achieve this, we'll need to grow this economy by growing our capacity to innovate in burgeoning industries, while putting a stop to irresponsible budget policies and financial dealings that have led us into such a deep fiscal and economic hole.

That begins with policies that will promote innovation throughout our economy. To spur the discoveries that will power new jobs, new businesses—and perhaps new industries—I have challenged both the public sector and the private sector to devote more resources to research and development. And to achieve this, my budget puts us on a path to double investment in key research agencies and makes the research and experimentation tax credit permanent. We are also pursuing policies that will help us export more of our goods around the world, especially by small businesses and farmers. And by harnessing the growth potential of international trade—while ensuring that other countries play by the rules and that all Americans share in the benefits—we will support millions of good, high-paying jobs.

But hand in hand with increasing our reliance on the Nation's ingenuity is decreasing our reliance on the Nation's credit card, as well as reining in the excess and abuse in our financial sector that led large firms to take on extraordinary risks and extraordinary liabilities.

When my Administration took office, the surpluses our Nation had enjoyed at the start of the last decade had disappeared as a result of the failure to pay for two large tax cuts, two wars, and a new entitlement program. And decades of neglect of rising health care costs had put our budget on an unsustainable path.

In the long term, we cannot have sustainable and durable economic growth without getting our fiscal house in order. That is why even as we increased our short-term deficit to rescue the economy, we have refused to go along with business as usual, taking responsibility for every dollar we spend. Last year, we combed the budget, cutting waste and excess wherever we could, a process that will continue in the coming years. We are pursuing health insurance reforms that are essential to reining in deficits. I've called for a fee to be paid by the largest financial firms so that the American people are fully repaid for bailing out the financial sector. And I've proposed a freeze on nonsecurity discretionary spending for three years, a bipartisan commission to address the long-term structural imbalance between expenditures and revenues, and the enactment of "pay-go" rules so that Congress has to account for every dollar it spends.

In addition, I've proposed a set of common sense reforms to prevent future financial crises. For while the financial system is far stronger today than it was one year ago, it is still operating under the same rules that led to its near-collapse. These are rules that allowed firms to act contrary to the interests of customers; to hide their exposure to debt through complex financial dealings that few understood; to benefit from taxpayer-insured deposits while making speculative investments to increase their own profits; and to take on risks so vast that they posed a threat to the entire economy and the jobs of tens of millions of Americans.

That is why we are seeking reforms to empower consumers with the benefit of a new consumer watchdog charged with making sure that financial information is clear and transparent; to close loopholes that allowed big financial firms to trade risky financial products like credit defaults swaps and other derivatives without any oversight; to identify system-wide risks that could cause a financial meltdown; to strengthen capital and liquidity requirements to make the system more stable; and to ensure that the failure of any large firm does not take the economy down with it. Never again will the American taxpayer be held hostage by a bank that is "too big to fail."

Through these reforms, we seek not to undermine our markets but to make them stronger: to promote a vibrant, fair, and transparent financial system that is far more resistant to the reckless, irresponsible activities that might lead to another meltdown. And these kinds of reforms are in the shared interest of firms on Wall Street and families on Main Street.

These have been a very tough two years. American families and businesses have paid a heavy price for failures of responsibility from Wall Street to Washington. Our task now is to move beyond these failures, to take responsibility for our future once more. That is how we will create new jobs in new industries, harnessing the incredible generative and creative capacity of our people. That is how we'll achieve greater economic security and opportunity for middle-class families in this country. That is how in this new century we will rebuild our economy stronger than ever before.

BARACK OBAMA,
THE WHITE HOUSE, *February 11, 2010.*

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. BROWN of Ohio:

S. 3007. A bill to amend the Internal Revenue Code of 1986 to impose a 50 percent tax on bonuses paid by TARP recipients, and for other purposes; to the Committee on Finance.

By Mr. CORNYN (for himself and Mr. BROWNBACK):

S. 3008. A bill to establish a program to support a transition to a freely elected, open democracy in Iran; to the Committee on Foreign Relations.

By Mr. SPECTER (for himself and Mr. CASEY):

S. 3009. A bill to require the Secretary of the Treasury to mint coins in recognition of and to commemorate the 1863 Invasion of Pennsylvania, the Battle of Gettysburg, and President Abraham Lincoln's Gettysburg Address; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. GILLIBRAND:

S. 3010. A bill to require the Federal Aviation Administration to implement the recommendations issued by the National Transportation Safety Board following the Board's investigation of the loss of control of Colgan Air Flight 3407 on February 12, 2009, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. GILLIBRAND:

S. 3011. A bill to address HIV/AIDS in the African-American community, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. CASEY (for himself, Mr. MCCAIN, Mr. LIEBERMAN, Mr. KAUFMAN, Mr. LEVIN, and Mr. KERRY):

S. Res. 415. A resolution calling for a renewed focus on the Government of the Islamic Republic of Iran's violations of internationally-recognized human rights as found in the Universal Declaration of Human Rights; considered and agreed to.

By Mr. HARKIN (for himself, Mrs. SHAHEEN, and Mr. DURBIN):

S. Res. 416. A resolution amending the Standing Rules of the Senate to provide for cloture to be invoked with less than a three-fifths majority after additional debate; to the Committee on Rules and Administration.

By Mr. KAUFMAN (for himself, Ms. COLLINS, Mr. BINGAMAN, and Mrs. GILLIBRAND):

S. Res. 417. A resolution supporting the goals and ideals of National Engineers Week, and for other purposes; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 841

At the request of Mr. KERRY, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 841, a bill to direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation.

S. 1217

At the request of Ms. STABENOW, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 1217, a bill to amend title XIX of the Social Security Act to improve and protect rehabilitative services and case management services provided under Medicaid to improve the health and welfare of the nation's most vulnerable seniors and children.

S. 1359

At the request of Mr. BOND, his name was added as a cosponsor of S. 1359, a bill to provide United States citizenship for children adopted from outside the United States, and for other purposes.

S. 2786

At the request of Mr. LEAHY, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 2786, a bill to amend titles 18 and 28 of the United States Code to provide incentives for the prompt payments of debts owed to the United States and the victims of crime by imposing late fees on unpaid judgments owed to the United States and to the victims of crime, to provide for offsets on amounts collected by the Department of Justice for Federal agencies, to increase the amount of special assessments imposed upon convicted persons, to establish an Enhanced Financial Recovery Fund to enhance, supplement, and improve the debt collection activities of the Department of Justice, to amend title 5, United States Code, to provide to assistant United States attorneys the same retirement benefits as are afforded to Federal law enforcement officers, and for other purposes.

S. 2971

At the request of Mr. KERRY, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 2971, a bill to authorize certain authorities by the Department of State, and for other purposes.

S. 2979

At the request of Mr. LEAHY, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 2979, a bill to amend title 18, United States Code, to provide accountability for the criminal acts of Federal contractors and employees outside the United States, and for other purposes.

SENATE RESOLUTION 414

At the request of Mr. KERRY, the names of the Senator from New Jersey [Mr. MENENDEZ], the Senator from Florida [Mr. NELSON], the Senator from New York [Mrs. GILLIBRAND] and the Senator from Pennsylvania [Mr. CASEY] were added as cosponsors of Senate Resolution 414, a resolution expressing the sense of the Senate on the recovery, rehabilitation, and rebuilding of Haiti following the humanitarian crisis caused by the January 12, 2010, earthquake in Haiti.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs be authorized to meet during the session of the Senate on February 11, 2010, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on February 11, 2010, at 2:15 p.m., in S-120 of the Capitol, to conduct an executive business meeting.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on February 11, 2010, at 2:30 p.m.

OBJECTION TO CONSIDERATION OF BILL H.R. 3961

Mr. REID asked unanimous consent that the Senate proceed to consider the bill (H.R. 3961) to amend title XVIII of the Social Security Act to reform the Medicare SGR payment system for physicians and to reinstitute and update the Pay-As-You-Go requirement of budget neutrality on new tax and mandatory spending legislation, enforced by the threat of annual, automatic sequestration; that an amendment be proposed, and agreed to; that the bill, as amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. MCCONNELL objected.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 2847

On the request of Mr. REID,

The ACTING PRESIDENT pro tempore laid before the Senate the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes.

On motion by Mr. REID that the Senate concur in the amendment of the House of Representatives to the amendment of the Senate to the bill, with an amendment (Numbered 3310, in the nature of a substitute).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

On motion by Mr. REID to amend the amendment contained in the pending motion to concur, at the end thereof, by adding certain words (being amendment No. 3311).

Mr. REID presented a motion to bring to a close debate on the pending motion to concur; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the amendment of the House to the amendment of the Senate to bill H.R. 2847 with an amendment:

HARRY REID, PATRICK J. LEAHY, BARBARA BOXER, CHARLES SCHUMER, MARK R. WARNER, TOM HARKIN, KAY R. HAGAN, D.K. INOUYE, BILL NELSON, AL FRANKEN, MAX BAUCUS, JAY ROCKEFELLER, ROBERT MENENDEZ, AMY KLOBUCHAR, DANIEL K. AKAKA, FRANK R. LAUTENBERG, BYRON L. DORGAN, DICK DURBIN.

By unanimous consent, on the request of Mr. REID,

Ordered, That the Senate vote on the question of agreeing to the motion to bring to a close debate at 5:30 p.m. on Monday, February 22, 2010; and that the quorum under the rule be waived.

On motion by Mr. REID to refer the House amendment to the Committee on Appropriations with instructions to report back forthwith an amendment (No. 3312).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

On motion by Mr. REID to amend the instructions (designated No. 3312) contained in the pending motion to refer, at the end thereof, by adding certain words (being amendment No. 3313).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

On motion by Mr. REID to amend the pending amendment, at the end thereof, by adding certain words (being amendment No. 3314)

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate resumed its legislative session.

CALLING FOR A RENEWED FOCUS ON IRAN'S VIOLATIONS OF INTERNATIONALLY-RECOGNIZED HUMAN RIGHTS

On the request of Mr. REID,

The ACTING PRESIDENT pro tempore laid before the Senate the resolution (S. Res. 415) calling for a renewed focus on the Government of the Islamic Republic of Iran's violations of internationally-recognized human rights as found in the Universal Declaration of Human Rights, submitted today by Mr. CASEY (for himself, Mr. MCCAIN, Mr. LIEBERMAN, Mr. KAUFMAN, Mr. LEVIN, and Mr. KERRY); and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

On the request of Mr. REID,

The ACTING PRESIDENT pro tempore laid before the Senate the concurrent resolution (H. Con. Res. 235) providing for an adjournment or recess of the two Houses, received from the House of Representatives for concurrence on Tuesday, February 9, 2010, and remaining undisposed of.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORIZING APPOINTMENTS DURING ADJOURNMENT OF SENATE

By unanimous consent, on the request of Mr. REID,

Ordered, That, notwithstanding the recess or adjournment of the Senate, the President of the Senate, the PRESIDENT pro tempore, and the majority and minority leaders be authorized to make appointment to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, concurrent action of the two Houses, or by order of the Senate.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, FEBRUARY 22, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2 p.m. on Monday, February 22, 2010; that on Monday, February 22, 2010, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that Mr. BURRIS be recognized to deliver Washington's Farewell Address; and that, upon conclusion of the reading, the Senate resume consideration of the House message on bill H.R. 2847, as pursuant to the order of today.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 6:47 p.m.,

The Senate adjourned, under its order of today, and pursuant to the provisions of concurrent resolution H. Con. Res. 235, until 2 p.m. on Monday, February 22, 2010.

MONDAY, FEBRUARY 22, 2010

Mr. ROLAND W. BURRIS, from the State of Illinois, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. BURRIS led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, February 22, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of Thursday, February 11, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Thursday, February 11, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

READING OF WASHINGTON'S FAREWELL ADDRESS

Pursuant to the order of Thursday, February 11, 2010,

The ACTING PRESIDENT pro tempore announced that, pursuant to the order of January 24, 1901, Washington's Farewell Address would be read by the Senator heretofore designated for that purpose;

Whereupon,

The address was read by Mr. BURRIS, from the State of Illinois.

Upon conclusion of the address,

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 2847

Pursuant to the order of Thursday, February 11, 2010,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; and

The Senate resumed consideration of the House amendment.

The question being on agreeing to amendment No. 3314, proposed by Mr. REID, to amendment No. 3313, proposed by Mr. REID, to the instructions (designated amendment No. 3312) contained in the motion to refer the House amendment to the Committee on Appropriations.

By unanimous consent, on the request of Mr. DORGAN,

Ordered, That the time from 5 until 5:30 p.m. be equally divided and controlled for

debate between the two leaders, or their designees; and that the majority leader control the final half.

Pending debate,

Pursuant to the order of Thursday, February 11, 2010, as modified,

The PRESIDING OFFICER (Mr. KAUFMAN in the chair) laid before the Senate the motion, presented by Mr. REID on Thursday, February 11, 2010, to bring to a close debate on the motion to concur, with amendment, in the House amendment to the Senate amendment to bill H.R. 2847.

Pursuant to the order of Thursday, February 11, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the affirmative---
yeas... 62, nays... 30

[Rollcall Vote No. 23 Leg.]

YEAS --- 62

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS --- 30

Alexander, Barrasso, Bunning, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Graham, Grassley, Gregg, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Shelby, Thune, Vitter, Wicker.

So the motion was agreed to; three-fifths of Senators duly chosen and sworn having voted in the affirmative.

The foregoing motion having been agreed to,

The motion to refer the House amendment to the Committee on Appropriations with instructions to report back forthwith with an amendment (Numbered 3312), and amendments Numbered 3313 and 3314 thereto, being inconsistent with cloture, fell.

The question being on agreeing to amendment No. 3311 to the amendment (No. 3310, in the nature of a substitute) contained in the pending motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

Pending debate,

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 6, 2009, the Secretary of the Senate, on February 16, 2010, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

S. 2950. An act to extend the pilot program for volunteer groups to obtain criminal history background checks.

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 2009, the enrolled bill was signed on February 17, 2010, during the adjournment of the Senate, by the PRESIDENT pro tempore.

ENROLLED BILL PRESENTED DURING ADJOURNMENT

The Secretary of the Senate reported that on Wednesday, February 17, 2010, she had presented to the President of the United States the following enrolled bill:

S. 2950. A bill to extend the pilot program for volunteer groups to obtain criminal history background checks.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-4670. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Spiromesifen; Pesticide Tolerances" (FRL No. 8436-9), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4671. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Hexythiazox; Pesticide Tolerances for Emergency Exemptions" (FRL No. 8808-4), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4672. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Dithianon; Pesticide Tolerances" (FRL No. 8808-8), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4673. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Chlorantraniliprole; Pesticide Tolerances" (FRL No. 8809-3), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4674. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flumioxazin; Pesticide Tolerances" (FRL No. 8810-3), received during adjournment of the Senate in the Office of the President of the Senate on February 17, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4675. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acetamiprid; Pesticide Tolerances" (FRL No. 8809-9), received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4676. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Exemption from the Requirement of a Tolerance; Technical Amendment" (FRL No. 8809-4), received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4677. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Inert Ingredients; Extension of Effective Date of Revocation of Certain Tolerance Exemptions with Insufficient Data for Reassessment" (FRL

No. 8812-3), received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4678. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Poly(oxy-1,2-ethanediyl), @-hydro-w-hydroxy-, polymer with 1, 1'- methylene-bis-[4-isocyanatocyclohexane]; Tolerance Exemption " (FRL No. 8807-8), received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4679. A communication from the Chief of Research and Analysis, Food and Nutrition Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Vendor Cost Containment; Approval of Information Collection Request" (RIN0584-AD71), received in the Office of the President of the Senate on February 2, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4680. A communication from the Chief of Research and Analysis, Food and Nutrition Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Revisions in the WIC Food Packages Rule to Increase Case Value Vouchers for Women" (RIN0584-AD77), received in the Office of the President of the Senate on February 2, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4681. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, a report relative to the Administration's 2010 compensation program adjustments; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4682. A communication from the Management and Program Analyst, Forest Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Sale and Disposal of National Forest System Timber; Special Forest Products and Forest Botanical Products" (RIN0596-AB81), received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4683. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Notice of Availability of Class Deviation; Disputes Resolution Procedures Related to Clean Water and Drinking Water State Revolving Fund (CWSRF and DWSRF, respectively) Reallocation Under the American Reinvestment and Recovery Act of 2009 (ARRA)" (FRL No. 9115-1), received during adjournment of the Senate in the Office of the President of the Senate on February 17, 2010; to the Committee on Environment and Public Works.

EC-4684. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Georgia: Update to Materials Incorporated by Reference" (FRL No. 9097-5), received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Environment and Public Works.

EC-4685. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Baton Rouge 1-Hour Ozone Nonattainment Area; Determination of Attainment of the 1-Hour Ozone Standard" (FRL No. 9113-5), received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Environment and Public Works.

EC-4686. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of Carbon Monoxide Emissions from Basic Oxygen Furnaces" (FRL No. 9111-7), received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Environment and Public Works.

EC-4687. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Removal of NOx SIP Call Rules" (FRL No. 9111-5), received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Environment and Public Works.

EC-4688. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Albuquerque/Bernalillo County" (FRL No. 9112-1), received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Environment and Public Works.

EC-4689. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Delegation of National Emission Standards for Hazardous Air Pollutants for Source Categories; State of Arizona, Maricopa County Air Quality Department; State of Nevada, Nevada Division of Environmental Protection, Washoe County District Health Department" (FRL No. 9111-2), received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Environment and Public Works.

EC-4690. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Limitation on Procurements on Behalf of the Department of Defense" (DFARS Case 2008-D005), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Armed Services.

EC-4691. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Additional Requirements Applicable to Multiyear Contracts" (DFARS Case 2008-D023), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Armed Services.

EC-4692. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Acquisition Strategies to Ensure Competition throughout the Life Cycle of Major Defense Acquisition Programs" (DFARS Case 2009-D014), received in the Office of the President of the Senate on February 9, 2010; to the Committee on Armed Services.

EC-4693. A communication from the Assistant Secretary of Defense (Homeland Defense), transmitting, pursuant to law, a

report on Department of Defense assistance provided for essential security and safety for civilian sporting events during calendar year 2009; to the Committee on Armed Services.

EC-4694. A communication from the Assistant Secretary of Defense (Legislative Affairs), Department of Defense, transmitting, pursuant to law, a report relative to the current and future military strategy of Iran; to the Committee on Armed Services.

EC-4695. A communication from the Assistant Secretary of the Navy (Research, Development and Acquisition), transmitting, pursuant to law, a report relative to overseas ship repairs; to the Committee on Armed Services.

EC-4696. A communication from the Assistant Secretary of the Army (Acquisition, Logistics and Technology), transmitting, pursuant to law, an annual report relative to the Department's Chemical Demilitarization Program; to the Committee on Armed Services.

EC-4697. A communication from the Assistant Secretary of Defense (Global Strategic Affairs), Department of Defense, transmitting, pursuant to law, a report relative to Cooperative Threat Reduction Programs; to the Committee on Armed Services.

EC-4698. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within the Department of the Army and was assigned case number 07-01; to the Committee on Armed Services.

EC-4699. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a quarterly report entitled, "Acceptance of Contributions for Defense Programs, Projects, and Activities; Defense Cooperation Account"; to the Committee on Armed Services.

EC-4700. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of the Air Force (Manpower and Reserve Affairs), received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Armed Services.

EC-4701. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel of the Department of the Air Force, received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Armed Services.

EC-4702. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of the Air Force (Acquisition), received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Armed Services.

EC-4703. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of the Army (Installations and Environment), received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Armed Services.

EC-4704. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Iran as declared in Executive Order 12957; to the Committee on Banking, Housing, and Urban Affairs.

EC-4705. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to persons undermining democratic processes or institutions in Zimbabwe declared in Executive Order 13288; to the Committee on Banking, Housing, and Urban Affairs.

EC-4706. A communication from the Senior Vice President and Chief Financial Officer of the Export-Import Bank, transmitting, pursuant to law, the Bank's 2009 Annual Report; to the Committee on Banking, Housing, and Urban Affairs.

EC-4707. A communication from the Secretary of the Commission, Division of Privacy and Identity Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Fair Credit Reporting Risk-Based Pricing Regulations" (RIN3084-AA94), received in the Office of the President of the Senate on February 2, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4708. A communication from the Legal Information Assistant, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance: Regulatory Capital; Impact of Modifications to Generally Accepted Accounting Principles; Consolidation of Asset-Backed Commercial Paper Programs and Other Related Issues" (RIN1550-AC36), received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4709. A communication from the Deputy to the Chairman for External Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance: Regulatory Capital; Impact of Modifications to Generally Accepted Accounting Principles; Consolidation of Asset-Backed Commercial Paper Programs and Other Related Issues; Final Rule" (RIN3064-AD54), received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4710. A communication from the Deputy to the Chairman for External Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Community Reinvestment Act Regulations" (RIN3064-AD54), received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4711. A communication from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Amendment to the Bank Secrecy Act Regulations--Expansion of Special Information Sharing Procedures to Deter Money Laundering and Terrorist Activity" (RIN1506-AB04), received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4712. A communication from the Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Special Regulation: Areas of the National Park System, National Capital Region; Correction" (RIN1024-AD71), received during adjournment of the Senate in the Office of the President of the Senate on February 17, 2010; to the Committee on Energy and Natural Resources.

EC-4713. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Department's Alternative Fuel Vehicle program for fiscal year 2009; to the Committee on Energy and Natural Resources.

EC-4714. A communication from the Chairman, Federal Energy Regulatory Commission, transmitting, pursuant to law, the Commission's Fiscal Year 2011 Congressional Performance Budget Request; to the Committee on Energy and Natural Resources.

EC-4715. A communication from the Assistant Secretary of Energy (Energy Efficiency and Renewable Energy), transmitting, pursuant to law, a report relative to the implementation of Energy Conservation Standards Activities; to the Committee on Energy and Natural Resources.

EC-4716. A communication from the Secretary of the Department of Energy, transmitting, pursuant to law, a report relative to the decision to authorize a noncompetitive extension of up to five years for the management and operation of the Oak Ridge National Laboratory; to the Committee on Energy and Natural Resources.

EC-4717. A communication from the Secretary of the Department of Energy, transmitting, pursuant to law, a report relative to an annual plan for the Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Resources Research and Development Program; to the Committee on Energy and Natural Resources.

EC-4718. A communication from the Deputy Associate Commissioner, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Transfer of Accumulated Benefit Payments" (RIN0960-AH08), received during adjournment of the Senate in the Office of the President of the Senate on February 17, 2010; to the Committee on Finance.

EC-4719. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Interim Final Rules Under the Mental Health Parity and Addiction Equity Act of 2008" (RIN1545-BJ05), received in the Office of the President of the Senate on February 2, 2010; to the Committee on Finance.

EC-4720. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance Under Internal Revenue Code Section 2511(c)" (Notice No. 2010-19), received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Finance.

EC-4721. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice No. 2010-20), received during adjournment of the Senate in the Office of the President of the Senate on February 17, 2010; to the Committee on Finance.

EC-4722. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 911(d)(4) - 2009 Update" (Notice No. 2010-17), received during adjournment of the Senate in the Office of the President of the Senate on February 17, 2010; to the Committee on Finance.

EC-4723. A communication from the Inspector General, Railroad Retirement Board, transmitting, pursuant to law, the Inspector General's Budget Justification for Fiscal Year 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-4724. A communication from the Members of the Railroad Retirement Board, transmitting, pursuant to law, the Board's Congressional Justification of Budget Estimates for Fiscal Year 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-4725. A communication from the Assistant General Counsel of the Division of Regulatory Services, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Final Regulation - Student Assistance General Provisions; Teacher Education Assistance for College and Higher Education (TEACH) Grant Program; Federal Pell Grant Program; Academic Competitiveness Grant Program and National Science and Mathematics Access to Retain Talent Grant Program" (RIN1840-AC96), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-4726. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Interim Final Rules under the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008" (RIN1210-AB30), received in the Office of the President of the Senate on February 2, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-4727. A communication from the Acting Director of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting, pursuant to law, the report of a rule entitled "Age Discrimination in Employment Act; Retiree Health Benefits" (RIN3046-AA72), received in the Office of the President of the Senate on January 28, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-4728. A communication from General Counsel, Corporation for National and Community Service, transmitting, pursuant to law, the report of a rule entitled "Serve America Act Amendments to the National and Community Service Act of 1990 and the Domestic Volunteer Service Act of 1973" (RIN3045-AA50), received during adjournment of the Senate in the Office of the President of the Senate on February 12, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-4729. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2009-0015 - 2009-0028); to the Committee on Foreign Relations.

EC-4730. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the proposed transfer of major defense equipment from the Government of Pakistan to Turkish Aerospace Industries with an original acquisition cost of $14,000,000 (Transmittal No. RSAT-09-1973); to the Committee on Foreign Relations.

EC-4731. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to U.S. contributions to the United Nations and its affiliated agencies during fiscal year 2008; to the Committee on Foreign Relations.

EC-4732. A communication from the Director, Defense Security Cooperation Agency, transmitting, pursuant to law, a report relative to Section 25(a)(6) of the Arms Export Control Act; to the Committee on Foreign Relations.

EC-4733. A communication from the Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting, pursuant to law, the quarterly report on unobligated and unexpended appropriated funds; to the Committee on Foreign Relations.

EC-4734. A communication from the Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting, pursuant to law, a report relative to Fiscal Year 2009 Competitive Sourcing efforts; to the Committee on Foreign Relations.

EC-4735. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-286, "Heights on Georgia Avenue Tax Exemption Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-4736. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-287, "WMATA Compact Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-4737. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-288, "State Board of Education License Plate Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-4738. A communication from the Chairman of the Council of the District of

Columbia, transmitting, pursuant to law, a report on D.C. Act 18-289, "51st State Commission Establishment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-4739. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-290, "Park Place at Petworth, Highland Park, and Highland Park Phase II Economic Development Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-4740. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-291, "Affordable Housing Opportunities Residential Rental Project Property Tax Exemption and Equitable Real Property Tax Relief Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-4741. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-292, "Advisory Neighborhood Commission Vacancy Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-4742. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-293, "District of Columbia Housing Authority Board of Commissioners Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-4743. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-295, "High Technology Commercial Real Estate Database and Service Providers Tax Abatement Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-4744. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-296, "Hospital and Medical Services Corporation Regulatory Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-4745. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-297, "Agreements Between the District of Columbia and Boys and Girls Club of Greater Washington Temporary Approval Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-4746. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-298, "Prevention of Child Abuse and Neglect Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-4747. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-299, "Abe Pollin City Title Championship and Title Trophy Designation Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-4748. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-300, "Executive Grant-Making Authority Limitation Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-4749. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-301, "Unauthorized Contract Stop Payment Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-4750. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-302, "Anacostia River Clean Up and Protection Clarification Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-4751. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Rewrite of Part 512, Acquisition of Commercial Items" (RIN3090-AI61), received in the Office of the President of the Senate on February 4, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-4752. A communication from the Secretary of the Department of Education, transmitting, pursuant to law, the Department's Performance and Accountability Report for Fiscal Year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-4753. A communication from the Associate Director for Human Resources, Court Services and Offender Supervision Agency for the District of Columbia, transmitting, pursuant to law, a report relative to the Agency's use of the Category Rating system during the period ending July 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-4754. A communication from the Chairman, Merit System Protection Board, transmitting, pursuant to law, the Board's Strategic Plan for Fiscal Years 2010-2015; to the Committee on Homeland Security and Governmental Affairs.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mrs. GILLIBRAND (for herself and Mr. SCHUMER):

S. 3012. A bill to designate the facility of the United States Postal Service located at 2-116th Street in North Troy, New York, as the Martin G. "Marty" Mahar Post Office; to the Committee on Homeland Security and Governmental Affairs.

By Mr. REID (for Mr. LAUTENBERG (for himself and Mr. MENENDEZ)):

S. 3013. A bill to designate the facility of the United States Postal Service located at 216 Westwood Avenue in Westwood, New Jersey, as the "Sergeant Christopher R. Hrbek Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Ms. STABENOW (for herself, Mr. HATCH, Mr. SCHUMER, Ms. SNOWE, and Mr. BROWN of Ohio):

S. 3014. A bill to amend the Internal Revenue Code of 1986 to allow companies to utilize existing alternative minimum tax credits to create and maintain United States jobs, and for other purposes; to the Committee on Finance.

By Mr. DODD (for himself, Mr. MENENDEZ, Ms. MIKULSKI, and Mr. CARDIN):

S. 3015. A bill to amend chapter 53 of title 49, United States Code, to establish a public transportation safety program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BENNETT (for himself and Mr. HATCH):

S. 3016. A bill to prohibit the further extension or establishment of national monuments in Utah except by express authorization of Congress; to the Committee on Energy and Natural Resources.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. CASEY:

S. Res. 418. A resolution commemorating the life of the late Cynthia DeLores Tucker; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 182

At the request of Mr. DODD, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 182, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of

discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 213

At the request of Mrs. BOXER, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 213, a bill to amend title 49, United States Code, to ensure air passengers have access to necessary services while on a grounded air carrier, and for other purposes.

S. 471

At the request of Ms. SNOWE, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 471, a bill to amend the Education Sciences Reform Act of 2002 to require the Statistics Commissioner to collect information from coeducational secondary schools on such schools' athletic programs, and for other purposes.

S. 504

At the request of Mr. ROBERTS, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 504, a bill to redesignate the Department of the Navy as the Department of the Navy and Marine Corps.

S. 571

At the request of Mr. MENENDEZ, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 571, a bill to strengthen the Nation's research efforts to identify the causes and cure of psoriasis and psoriatic arthritis, expand psoriasis and psoriatic arthritis data collection, and study access to and quality of care for people with psoriasis and psoriatic arthritis, and for other purposes.

S. 656

At the request of Mr. REED, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 656, a bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residents.

S. 678

At the request of Mr. LEAHY, the names of the Senator from Oregon [Mr. MERKLEY] and the Senator from Illinois [Mr. BURRIS] were added as cosponsors of S. 678, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 796

At the request of Mr. BINGAMAN, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 796, a bill to modify the requirements applicable to locatable minerals on public domain land, and for other purposes.

S. 841

At the request of Mr. KERRY, the names of the Senator from Connecticut [Mr. LIEBERMAN] and the Senator from New Mexico [Mr. BINGAMAN] were added as cosponsors of S. 841, a bill to direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation.

S. 854

At the request of Mr. VOINOVICH, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 854, a bill to amend the Federal Water Pollution Control Act to update a program to provide assistance for the planning, design, and construction of treatment works to intercept, transport, control, or treat municipal combined sewer overflows and sanitary sewer overflows, and to require the Administrator of the Environmental Protection Agency to update certain guidance used to develop and determine the financial capability of communities to implement clean water infrastructure programs.

S. 938

At the request of Ms. LANDRIEU, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 938, a bill to require the President to call a White House Conference on Children and Youth in 2010.

S. 987

At the request of Mr. DURBIN, the name of the Senator from Colorado [Mr. UDALL] was added as a cosponsor of S. 987, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 1039

At the request of Mr. KERRY, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 1039, a bill to provide grants for the renovation, modernization or construction of law enforcement facilities.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from Colorado [Mr. UDALL] was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1066

At the request of Mr. SCHUMER, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 1066, a bill to amend title XVIII of the Social Security Act to preserve access to ambulance services under the Medicare program.

S. 1067

At the request of Mr. FEINGOLD, the names of the Senator from West Virginia [Mr. ROCKEFELLER] and the Senator from Arkansas [Mrs. LINCOLN] were added as cosponsors of S. 1067, a bill to support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

S. 1173

At the request of Mr. FEINGOLD, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 1173, a bill to establish a demonstration project to train unemployed workers for employment as health care professionals, and for other purposes.

S. 1203

At the request of Mr. BAUCUS, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 1203, a bill to amend the Internal Revenue Code of 1986 to extend the research credit through 2010 and to increase and make permanent the alternative simplified research credit, and for other purposes.

S. 1237

At the request of Mrs. MURRAY, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of S. 1237, a bill to amend title 38, United States Code, to expand the grant program for homeless veterans with special needs to include male homeless veterans with minor dependents and to establish a grant program for reintegration of homeless women veterans and homeless veterans with children, and for other purposes.

S. 1244

At the request of Mr. MERKLEY, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 1244, a bill to amend the Civil Rights Act of 1964 to protect breastfeeding by new mothers, to provide for a performance standard for breast pumps, and to provide tax incentives to encourage breastfeeding.

S. 1400

At the request of Ms. STABENOW, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 1400, a bill to amend the Internal Revenue Code of 1986 to make permanent the depreciation classification of motorsports entertainment complexes.

S. 1414

At the request of Mr. BOND, his name was added as a cosponsor of S. 1414, a bill to confer upon the United States Court of Federal Claims jurisdiction to hear, determine, and render final judgment on any legal or equitable claim against the United States to receive just compensation for the taking of certain lands in the State of Missouri, and for other purposes.

S. 1480

At the request of Mr. KOHL, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 1480, a bill to amend the Child Nutrition Act of 1966 to establish a program to improve the health and

education of children through grants to expand school breakfast programs, and for other purposes.

S. 1547

At the request of Mr. REED, the names of the Senator from West Virginia [Mr. BYRD] and the Senator from Arkansas [Mrs. LINCOLN] were added as cosponsors of S. 1547, a bill to amend title 38, United States Code, and the United States Housing Act of 1937 to enhance and expand the assistance provided by the Department of Veterans Affairs and the Department of Housing and Urban Development to homeless veterans and veterans at risk of homelessness, and for other purposes.

S. 1589

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 1589, a bill to amend the Internal Revenue Code of 1986 to modify the incentives for the production of biodiesel.

At the request of Ms. CANTWELL, the name of the Senator from Nebraska [Mr. NELSON] was added as a cosponsor of S. 1589, supra.

S. 1610

At the request of Ms. CANTWELL, the name of the Senator from Delaware [Mr. CARPER] was added as a cosponsor of S. 1610, a bill to amend the Internal Revenue Code of 1986 to repeal the shipping investment withdrawal rules in section 955 and to provide an incentive to reinvest foreign shipping earnings in the United States.

S. 1611

At the request of Mr. GREGG, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 1611, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 1646

At the request of Mr. REED, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 1646, a bill to keep Americans working by strengthening and expanding short-time compensation programs that provide employers with an alternative to layoffs.

S. 1681

At the request of Mrs. GILLIBRAND, her name was added as a cosponsor of S. 1681, a bill to ensure that health insurance issuers and medical malpractice insurance issuers cannot engage in price fixing, bid rigging, or market allocations to the detriment of competition and consumers.

S. 1743

At the request of Mrs. LINCOLN, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 1743, a bill to amend the Internal Revenue Code of 1986 to expand the rehabilitation credit, and for other purposes.

S. 1756

At the request of Mr. HARKIN, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 1756, a bill to amend the Age Discrimination in Employment Act of 1967 to clarify the appropriate standard of proof.

S. 1791

At the request of Mr. BROWN of Ohio, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 1791, a bill to establish the Honorable Stephanie Tubbs Jones Fire Suppression Demonstration Incentive Program within the Department of Education to promote installation of fire sprinkler systems, or other fire suppression or prevention technologies, in qualified student housing and dormitories, and for other purposes.

S. 1799

At the request of Mr. DODD, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 1799, a bill to amend the Truth in Lending Act, to establish fair and transparent practices related to the marketing and provision of overdraft coverage programs at depository institutions, and for other purposes.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 2052

At the request of Mr. UDALL of Colorado, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 2052, a bill to amend the Energy Policy Act of 2005 to require the Secretary of Energy to carry out a research and development and demonstration program to reduce manufacturing and construction costs relating to nuclear reactors, and for other purposes.

S. 2128

At the request of Mr. LEMIEUX, the name of the Senator from Ohio [Mr. VOINOVICH] was added as a cosponsor of S. 2128, a bill to provide for the establishment of the Office of Deputy Secretary for Health Care Fraud Prevention.

S. 2736

At the request of Mr. FRANKEN, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 2736, a bill to reduce the rape kit backlog and for other purposes.

S. 2747

At the request of Mr. BINGAMAN, the names of the Senator from Oregon [Mr. MERKLEY] and the Senator from New Hampshire [Mrs. SHAHEEN] were added as cosponsors of S. 2747, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 2869

At the request of Ms. LANDRIEU, the names of the Senator from Arkansas [Mrs. LINCOLN], the Senator from Washington [Mrs. MURRAY] and the Senator from Nebraska [Mr. JOHANNS] were added as cosponsors of S. 2869, a bill to increase loan limits for small business concerns, to provide for low interest refinancing for small business concerns, and for other purposes.

S. 2904

At the request of Mr. FRANKEN, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 2904, a bill to amend title 10, United States Code, to require emergency contraception to be available at all military health care treatment facilities.

S. 2924

At the request of Mr. LEAHY, the names of the Senator from Maine [Ms. COLLINS], the Senator from Montana [Mr. BAUCUS] and the Senator from Hawaii [Mr. INOUYE] were added as cosponsors of S. 2924, a bill to reauthorize the Boys & Girls Clubs of America, in the wake of its Centennial, and its programs and activities.

S. 2946

At the request of Ms. STABENOW, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 2946, a bill to direct the Secretary of the Army to take action with respect to the Chicago waterway system to prevent the migration of bighead and silver carps into Lake Michigan, and for other purposes.

S. 2961

At the request of Mr. DODD, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 2961, a bill to provide debt relief to Haiti, and for other purposes.

S. 2977

At the request of Mrs. HUTCHISON, her name was added as a cosponsor of S. 2977, a bill to prohibit the use of Department of Justice funds for the prosecution in Article III courts of the United States of individuals involved in the September 11, 2001 terrorist attacks.

S. 2983

At the request of Mr. SCHUMER, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 2983, a bill to amend the Internal Revenue Code of 1986 to provide an exemption from employer social security taxes with respect to previously unemployed individuals, and to provide a credit for the retention of such individuals for at least 1 year.

S. 2989

At the request of Ms. LANDRIEU, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of

S. 2989, a bill to improve the Small Business Act, and for other purposes.

S. 2990

At the request of Mr. DEMINT, the name of the Senator from Georgia [Mr. ISAKSON] was added as a cosponsor of S. 2990, a bill to establish an earmark moratorium for fiscal years 2010 and 2011.

S. 2998

At the request of Mrs. GILLIBRAND, the names of the Senator from New Jersey [Mr. LAUTENBERG] and the Senator from Illinois [Mr. BURRIS] were added as cosponsors of S. 2998, a bill to temporarily expand the V nonimmigrant visa category to include Haitians whose petition for a family-sponsored immigrant visa was approved on or before January 12, 2010.

S. 3003

At the request of Mr. DODD, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 3003, a bill to enhance Federal efforts focused on public awareness and education about the risks and dangers associated with Shaken Baby Syndrome.

SENATE JOINT RESOLUTION 27

At the request of Mr. DEMINT, the name of the Senator from Georgia [Mr. ISAKSON] was added as a cosponsor of Senate Joint Resolution 27, a joint resolution proposing a balanced budget amendment to the Constitution of the United States.

SENATE RESOLUTION 400

At the request of Mr. KERRY, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of Senate Resolution 400, a resolution urging the implementation of a comprehensive strategy to address instability in Yemen.

SENATE RESOLUTION 404

At the request of Mr. FEINGOLD, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of Senate Resolution 404, a resolution supporting full implementation of the Comprehensive Peace Agreement and other efforts to promote peace and stability in Sudan, and for other purposes.

SENATE RESOLUTION 409

At the request of Mr. FEINGOLD, the names of the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Alaska [Mr. BEGICH], the Senator from Florida [Mr. NELSON], the Senator from Pennsylvania [Mr. CASEY] and the Senator from Colorado [Mr. UDALL] were added as cosponsors of Senate Resolution 409, a resolution calling on members of the Parliament in Uganda to reject the proposed "Anti-Homosexuality Bill", and for other purposes.

SENATE RESOLUTION 416

At the request of Mr. HARKIN, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of Senate Resolution 416, a resolution amending the Standing Rules of the Senate to provide for cloture to be invoked with less than a three-fifths majority after additional debate.

AUTHORITY FOR A COMMITTEE TO MEET

By unanimous consent, on the request of Mrs. BOXER,

Ordered, That the following committee be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on February 22, 2010, at 2:30 p.m.

SOCIAL SECURITY DISABILITY APPLICANTS ACCESS TO PROFESSIONAL REPRESENTATION ACT

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 4532) to provide for permanent extension of the attorney fee withholding procedures under title II of the Social Security Act to title XVI of such Act, and to provide for permanent extension of such procedures under titles II and XVI of such Act to qualified non-attorney representatives, received from the House of Representatives for concurrence on Tuesday, February 9, 2010, and remaining undisposed of; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DEPLORING HUMAN RIGHTS VIOLATIONS IN GUINEA ON SEPTEMBER 28, 2009

By unanimous consent, on the request of Mr. SHERROD BROWN,

The Senate proceeded to consider the resolution (S. Res. 345) deploring the rape and assault of women in Guinea and the killing of political protesters.

The question being on agreeing to the resolution.

On motion by Mr. SHERROD BROWN for Mrs. BOXER (for herself, and Mr. FEINGOLD) to amend the resolving clause by striking certain words and inserting other words (being amendment No. 3321).

The amendment was agreed to.

The question being on agreeing to the resolution, as amended.

Resolved, That the Senate agree thereto.

The question being on agreeing to the accompanying preamble.

On motion by Mr. SHERROD BROWN for Mrs. BOXER (for herself, and Mr. FEINGOLD) to amend the preamble by striking certain clauses and inserting certain words (being amendment No. 3322).

The amendment was agreed to.

The question being on agreeing to the preamble, as amended.

The preamble, as amended, was agreed to.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The title was amended, on motion by Mr. SHERROD BROWN for Mrs. BOXER (for herself, and Mr. FEINGOLD), so as to read: ”A resolution deploring the rape and assault of women in Guinea and the killing of political protesters on September 28, 2009”.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period of one hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; that the minority control the first half therein, and the majority control the second half therein; that, following morning business, the Senate resume consideration of the House message on bill H.R. 2847; and that time during morning business, recess, or adjournment be counted against the time for debate pursuant to rule XXII of the Standing Rules of the Senate.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 2:15 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mr. SHERROD BROWN,

At 6:48 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

TUESDAY, FEBRUARY 23, 2010

Mrs. JEANNE SHAHEEN, from the State of New Hampshire, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mrs. SHAHEEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, February 23, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. SHAHEEN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by Mrs. Neiman, one of his secretaries:

CONTINUATION OF THE NATIONAL EMERGENCY DECLARED WITH RESPECT TO THE GOVERNMENT OF CUBA'S DESTRUCTION OF TWO UNARMED U.S.-REGISTERED CIVILIAN AIRCRAFT—PM 46

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the national emergency declared with respect to the Government of Cuba's destruction of two unarmed U.S.-registered civilian aircraft in international airspace north of Cuba on February 24, 1996, as amended and expanded on February 26, 2004, is to continue in effect beyond March 1, 2010.

BARACK OBAMA.

THE WHITE HOUSE, *February 23, 2010.*

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-4755. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, notification of the Department's intent to close the Defense commissary store at Naval Air Station Barbers Point; to the Committee on Armed Services.

EC-4756. A communication from the Secretary of the Navy, transmitting, pursuant to law, notification that the Program Acquisition Unit Cost metrics for the DDG 1000 Program have exceeded the critical cost growth threshold; to the Committee on Armed Services.

EC-4757. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Docket No. FEMA-2008-0020)), received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4758. A communication from the Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Commission Guidance Regarding Disclosure Related to Climate Change" (17 CFR Parts 211, 231 and 241), received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4759. A communication from the Associate General Counsel for Legislation and Regulations, Office of the General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Refinement of Income and Rent Determination Requirements in Public and Assisted Housing Programs: Implementation of the Enterprise Income Verification System; Withdrawal of Rescinded Regulatory Amendments" (RIN2501-AD48), received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4760. A communication from the Administrator, Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled "Emissions of Greenhouse Gases in the United States 2008"; to the Committee on Energy and Natural Resources.

EC-4761. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Indiana; Correction" (FRL No. 9108-7), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Environment and Public Works.

EC-4762. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Albuquerque-Bernalillo County, New Mexico; Excess Emissions" (FRL No. 9110-2), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Environment and Public Works.

EC-4763. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, an annual report on civil works activities for fiscal year 2007; to the Committee on Environment and Public Works.

EC-4764. A communication from the Program Manager, National Institutes of Health, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Grants for Research Projects" (RIN0925-AA42), received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-4765. A communication from the Director, Office of Communications and Legislative Affairs, Equal Employment

Opportunity Commission, transmitting, pursuant to law, the Commission's Annual Sunshine Act Report for 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-4766. A communication from the Chairman, Merit System Protection Board, transmitting, pursuant to law, a report entitled "Fair and Equitable Treatment: Progress Made and Challenges Remaining"; to the Committee on Homeland Security and Governmental Affairs.

EC-4767. A communication from the Deputy Assistant Administrator of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Classification of Three Steroids as Schedule III Anabolic Steroids Under the Controlled Substances Act" (Docket Number DEA-285F), received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on the Judiciary.

EC-4768. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, an annual report on crime victims' rights; to the Committee on the Judiciary.

EC-4769. A communication from the Staff Director, U.S. Sentencing Commission, transmitting, pursuant to law, a report relative to the compliance of federal district courts with documentation submission requirements; to the Committee on the Judiciary.

EC-4770. A communication from the Chairman, Federal Election Commission, transmitting, pursuant to law, a report relative to its budget request for fiscal year 2011; to the Committee on Rules and Administration.

EC-4771. A communication from the Director of Regulations Management, Center for Veterans Enterprise, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "VA-Veteran-Owned Small Business Verification Guidelines" (RIN2900-AM78), received during adjournment of the Senate in the Office of the President of the Senate on February 16, 2010; to the Committee on Veterans' Affairs.

EC-4772. A communication from the Acting Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Initial Implementation of the Western and Central Pacific Fisheries Convention" (RIN0648-AV63), received in the Office of the President of the Senate on February 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4773. A communication from the Acting Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries in the Western Pacific; Pelagic Fisheries; Vessel Identification Requirements" (RIN0648-AX38), received in the Office of the President of the Senate on February 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4774. A communication from the Acting Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary, received in the Office of the President of the Senate on February 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4775. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off the Exclusive Economic Zone Off Alaska, Steller Sea Lions; Correction" (RIN0648-AY39), received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4776. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Specifications and Management Measures" (RIN0648-AY13), received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4777. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Western Pacific Fisheries; Regulatory Restructuring" (RIN0648-AU71), received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4778. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Bering Sea and Aleutian Islands" (RIN0648-XT42), received in the Office of the President of the Senate on February 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4779. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Limited Access General Category Scallop Fishery to Individual Fishing Quota Scallop Vessels" (RIN0648-XT87), received in the Office of the President of the Senate on February 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4780. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel Lottery in Areas 542 and 543" (RIN0648-XT86), received in the Office of the President of the Senate on February 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4781. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure" (RIN0648-XU01), received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4782. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer" (RIN0648-XT61), received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4783. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Chiniak Gully Research Area for Vessels Using Trawl Gear" (RIN0648-XT71), received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4784. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service,

Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Participating in the Amendment 80 Limited Access Fishery in Bering Sea and Aleutian Islands Management Area" (RIN0648-XT95), received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4785. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XT97), received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4786. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Spiny Dogfish Fishery; Commercial Period 2 Quota Harvested" (RIN0648-XT98), received during adjournment of the Senate in the Office of the President of the Senate on February 3, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4787. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Commercial Shark Management Measures" (RIN0648-AX95), received in the Office of the President of the Senate on January 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4788. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Policies to Promote Rural Radio Service and to Streamline Allotment and Assignment Procedures" (MB Docket No. 09-52), received in the Office of the President of the Senate on February 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4789. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Review of the Commission's Program Access Rules and Examination of Programming Tying Arrangements" (MB Docket No. 07-198), received in the Office of the President of the Senate on February 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4790. A communication from the Senior Legal Advisor and Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "MariTEL, Inc. and Mobex Network Services, LLC - Petitions for Rule Making to Amend the Commission's Rules to Provide Additional Flexibility for AMTS and VHF Public Coast Station Licensees" (FCC 10-6), received in the Office of the President of the Senate on February 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4791. A communication from the Assistant Bureau Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Revisions to Rules Authorizing the Operation of Low Power Auxiliary Station in 698-806 MHz Band; Public Interest Spectrum Coalition, Petition for Rulemaking Regarding Low Power Auxiliary Stations, Including Wireless Microphones, and the Digital Television Transition; Amendment of Parts 15, 74 and 90" (DA 10-92, WT Docket Nos. 08-166 and 167), received in the Office of the President of the Senate on February 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4792. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Lower Mississippi River, USACE Revetment, Mile 869 to 303" ((RIN1625-AA00)(Docket No. USG-2009-0561)), received in the Office of the President of the Senate on February 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4793. A communication from the Secretary of the Commission, Bureau of Competition, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Notice Announcing 2010 Adjusted Thresholds for Clayton Act 7A" received in the Office of the President of the Senate on February 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4794. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition of Certain Persons to the Entity List: Addition of Persons Acting Contrary to the National Security or Foreign Policy Interests of the United States" (RIN0694-AE84), received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4795. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Amendments to the Select Agents Controls in Export Control Classification Number (ECCN) 1C360 on the Commerce Control List (CCL); Correction to ECCN 1E998" (RIN0694-AE67), received during adjournment of the Senate in the Office of the President of the Senate on February 18, 2010; to the Committee on Commerce, Science, and Transportation.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1224. A bill to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, and for other purposes (Rept. No. 111-126).

S. 2768. A bill to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2011 and 2012, and for other purposes (Rept. No. 111-127).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. SPECTER (for himself, Mr. KAUFMAN, Mr. SCHUMER, and Ms. KLOBUCHAR):

S. 3017. A bill to protect State and local witnesses from tampering and retaliation, and for other purposes; to the Committee on the Judiciary

By Mr. WYDEN (for himself and Mr. GREGG):

S. 3018. A bill to amend the Internal Revenue Code of 1986 to make the Federal income tax system simpler, fairer, and more fiscally responsible, and for other purposes; to the Committee on Finance.

By Mr. LIEBERMAN (for himself, Mr. SCHUMER, Mr. MERKLEY, and Mrs. GILLIBRAND):

S. 3019. A bill to authorize funding for, and increase accessibility to, the National Missing and Unidentified Persons System, to facilitate data sharing between such system and the National Crime Information Center database of the Federal Bureau of Investigation, to provide incentive grants to help facilitate reporting to such systems, and for other purposes; to the Committee on the Judiciary.

By Ms. SNOWE (for herself, Ms. LANDRIEU, Mr. BOND, and Mr. MERKLEY):

S. 3020. A bill to direct the Administrator of the Small Business Administration to reform and improve the HUBZone program for small business concerns, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. FEINGOLD (for himself and Mr. ENSIGN):

S. 3021. A bill to amend the Public Utility Regulatory Policies Act of 1978 to authorize the Secretary of Energy to promulgate regulations to allow electric utilities to use renewable energy to comply with any Federal renewable electricity standard, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. McCAIN (for himself, Mr. LIEBERMAN, Mr. KYL, Mr. DURBIN, Mr. BAYH, Mr. GRAHAM, Mrs. GILLIBRAND, Mr. THUNE, Mr. CASEY, Mr. CORNYN, Ms. COLLINS, Mr. KAUFMAN, Mr. VITTER, Mr. BROWNBACK, and Mr. LEVIN):

S. 3022. A bill to impose sanctions on persons who are complicit in human rights abuses committed against citizens of Iran or their family members after the June 12, 2009, elections in Iran, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SANDERS:

S. 3023. A bill to phase out the use of private military contractors; to the Committee on Armed Services.

By Ms. SNOWE (for herself and Mr. PRYOR):

S. 3024. A bill to ensure that the creation of jobs by small businesses is considered during the Federal legislative and rulemaking process, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MERKLEY:

S. 3025. A bill to amend the Federal Water Pollution Control Act to provide assistance for programs and activities to protect and restore the water quality of the Columbia River Basin, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BAYH (for himself and Mr. MCCAIN):

S. 3026. A bill to provide fiscal discipline through a freeze on spending and budget process reforms; to the Committee on the Budget.

By Ms. KLOBUCHAR (for herself and Mr. THUNE):

S. 3027. A bill to prevent the inadvertent disclosure of information on a computer through certain "peer-to-peer" file sharing programs without first providing notice and obtaining consent from an owner or authorized user of the computer; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Ms. LANDRIEU (for herself, Mrs. LINCOLN, Mr. CHAMBLISS, Mrs. SHAHEEN, Ms. MURKOWSKI, Mr. BARRASSO, Mr. BYRD, and Mr. BENNETT):

S. Res. 419. A resolution supporting the goals and ideals of "National Guard Youth Challenge Day"; to the Committee on the Judiciary.

By Mr. INHOFE (for himself and Mr. COBURN):

S. Res. 420. A resolution honoring the members of the Army National Guard and Air National Guard of the State of Oklahoma for their service and sacrifice on behalf of the United States since September 11, 2001; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 553

At the request of Ms. KLOBUCHAR, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 553, a bill to revise the authorized route of the North Country National Scenic Trail in northeastern Minnesota to include existing hiking trails along Lake Superior's north shore and in Superior National Forest and Chippewa National Forest, and for other purposes.

S. 686

At the request of Ms. MIKULSKI, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 686, a bill to establish the Social Work Reinvestment Commission to advise Congress and the Secretary of Health and Human Services on policy issues associated with the profession of social work, to authorize the Secretary to make grants to support recruitment for, and retention, research, and reinvestment in, the profession, and for other purposes.

S. 729

At the request of Mr. DURBIN, the name of the Senator from Rhode Island [Mr. REED] was added as a cosponsor of S. 729, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

S. 749

At the request of Mr. COCHRAN, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 749, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 841

At the request of Mr. KERRY, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 841, a bill to direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation.

S. 870

At the request of Mrs. LINCOLN, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 870, a bill to amend the Internal Revenue Code of 1986 to expand the credit for renewable electricity production to include electricity produced from biomass for on-site use and to modify the credit period for certain facilities producing electricity from open-loop biomass.

S. 910

At the request of Mr. WARNER, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of S. 910, a bill to amend the Emergency Economic Stabilization Act of 2008, to provide for additional monitoring and accountability of the Troubled Asset Relief Program.

S. 941

At the request of Mr. CRAPO, the name of the Senator from Texas [Mr. CORNYN] was added as a cosponsor of S. 941, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearm laws and regulations, protect the community from criminals, and for other purposes.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1183

At the request of Mr. DURBIN, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 1183, a bill to authorize the Secretary of Agriculture to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, and for other purposes.

S. 1269

At the request of Ms. KLOBUCHAR, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 1269, a bill to provide for enhanced foodborne illness surveillance and food safety capacity, to establish regional food safety centers of excellence, and for other purposes.

S. 1350

At the request of Mr. PRYOR, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 1350, a bill to encourage increased production of natural gas and liquified petroleum gas vehicles and to provide tax incentives for natural gas and liquefied petroleum gas vehicle infrastructure, and for other purposes.

S. 1492

At the request of Ms. MIKULSKI, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 1492, a bill to amend the Public Health Service Act to fund breakthroughs in Alzheimer's disease research while providing more help to caregivers and increasing public education about prevention.

S. 1553

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1652

At the request of Mr. HARKIN, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 1652, a bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

S. 1733

At the request of Mrs. BOXER, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 1733, a bill to create clean energy jobs, promote energy independence, reduce global warming pollution, and transition to a clean energy economy.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 1931

At the request of Mr. AKAKA, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of S. 1931, a bill to enhance the ability of Congress to oversee matters pertaining to nuclear nonproliferation identified in the findings and recommendations of the December 2008 Report of the Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism, and for other purposes.

S. 2734

At the request of Mr. FRANKEN, the name of the Senator from Indiana [Mr. BAYH] was added as a cosponsor of S. 2734, a bill to amend the Public Health Service Act with respect to the prevention of diabetes, and for other purposes.

S. 2736

At the request of Mr. FRANKEN, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 2736, a bill to reduce the rape kit backlog and for other purposes.

S. 2750

At the request of Mr. SCHUMER, the names of the Senator from North Carolina [Mrs. HAGAN] and the Senator from Louisiana [Mr. VITTER] were added as cosponsors of S. 2750, a bill to amend the Public Health Service Act to authorize the Secretary of Health and Human Services to make grants to eligible States for the purpose of reducing the student-to-school nurse ratio in public secondary schools, elementary schools, and kindergarten.

S. 2755

At the request of Mr. MENENDEZ, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 2755, a bill to amend the Internal Revenue Code of 1986 to provide an investment credit for equipment used to fabricate solar energy property, and for other purposes.

S. 2781

At the request of Ms. MIKULSKI, the name of the Senator from Alaska [Ms. MURKOWSKI] was added as a cosponsor of S. 2781, a bill to change references in Federal law to mental retardation to references to an intellectual disability, and to change references to a mentally retarded individual to references to an individual with an intellectual disability.

S. 2796

At the request of Mr. ENZI, the name of the Senator from Utah [Mr. BENNETT] was added as a cosponsor of S. 2796, a bill to extend the authority of the Secretary of Education to purchase guaranteed student loans for an additional year, and for other purposes.

S. 2803

At the request of Mr. CASEY, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 2803, a bill to direct the Secretary of Health and Human Services to encourage research and carry out an educational campaign with respect to pulmonary hypertension, and for other purposes.

S. 2816

At the request of Mr. BUNNING, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 2816, a bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs and to allow the adoption credit to be claimed in the year expenses are incurred, regardless of when the adoption becomes final.

S. 2904

At the request of Mr. FRANKEN, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 2904, a bill to amend title 10, United States Code, to require emergency contraception to be available at all military health care treatment facilities.

S. 2925

At the request of Mr. WYDEN, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 2925, a bill to establish a grant program to benefit victims of sex trafficking, and for other purposes.

SENATE RESOLUTION 412

At the request of Mrs. GILLIBRAND, the name of the Senator from Colorado [Mr. UDALL] was added as a cosponsor of Senate Resolution 412, a resolution designating September 2010 as "National Childhood Obesity Awareness Month".

SENATE RESOLUTION 414

At the request of Mr. KERRY, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of Senate Resolution 414, a resolution expressing the sense of the Senate on the recovery, rehabilitation, and rebuilding of Haiti following the humanitarian crisis caused by the January 12, 2010, earthquake in Haiti.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. CARDIN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on February 23, 2010, at 9:30 a.m.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on February 23, 2010, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works be authorized to meet during the session of the Senate on February 23, 2010, at 10 a.m. in room 406 of the Dirksen Office Building.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on February 23, 2010, at 10 a.m., in room 215 of

the Dirksen Office Building, to conduct a hearing entitled "Trade and Tax Issues Relating to Small Business Job Creation."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on February 23, 2010, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Are Foreign Libel Lawsuits Chilling Americans' First Amendment Rights?"

AFRICAN AFFAIRS SUBCOMMITTEE

The Committee on Foreign Relations be authorized to meet during the session of the Senate on February 23, 2010, at 10:15 a.m., to hold a African Affairs subcommittee hearing entitled "Exploring the Nigeria-U.S. Bilateral Relationship."

SELECT COMMITTEE ON INTELLIGENCE

The Committee on Intelligence be authorized to meet during the session of the Senate on February 23, 2010, at 2:30 p.m.

SUBCOMMITTEE ON COMMUNICATIONS, TECHNOLOGY, AND THE INTERNET

The Committee on Communications, Technology, and the Internet of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on February 23, 2010, at 10 a.m., in room 253 of the Russell Office Building.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10:03 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4238. An act to designate the facility of the United States Postal Service located at 930 39th Avenue in Greeley, Colorado, as the "W.D. Farr Post Office Building".

H.R. 4425. An act to designate the facility of the United States Postal Service located at 2-116th Street in North Troy, New York, as the "Martin G. 'Marty' Mahar Post Office".

At 11:09 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following resolution:

H. Res. 1084. A resolution relative to the death of the Honorable John P. Murtha, a Representative from the Commonwealth of Pennsylvania.

HOUSE BILLS REFERRED

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

H.R. 4238. An act to designate the facility of the United States Postal Service located at 930 39th Avenue in Greeley, Colorado, as the "W.D. Farr Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4425. An act to designate the facility of the United States Postal Service located at 2-116th Street in North Troy, New York, as the "Martin G. 'Marty' Mahar Post Office"; to the Committee on Homeland Security and Governmental Affairs.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 2847

Pursuant to the order of yesterday,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) laid before the Senate its pending business, viz, the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; and

The Senate resumed consideration of the House amendment.

The question being on agreeing to amendment No. 3311, proposed by Mr. REID, to the amendment (No. 3310, in the nature of a substitute), contained in the motion, by Mr. REID, that the Senate concur, with amendment, in the House amendment to the Senate amendment to the bill.

Pending debate,

Mr. VITTER asked unanimous consent that it be in order for him to propose amendment No. 3318.

Mr. SHERROD BROWN objected.

The question being on agreeing to amendment No. 3311 to the amendment (No. 3310, in the nature of a substitute) contained in the pending motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

Pending debate,

RECESS

Pursuant to the order of yesterday, as modified,

At 12:25 p.m.,

The PRESIDING OFFICER declared the Senate recessed until 2:15 p.m.

AT 2:15 P.M.

The PRESIDING OFFICER (Mr. BEGICH in the chair) called the Senate to order.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 2847

The Senate resumed consideration of the amendment (in the nature of a substitute) of the House to the amendment (in the nature of a substitute) of the Senate to bill H.R. 2847.

The question being on agreeing to amendment No. 3311 to the amendment (No. 3310, in the nature of a substitute) contained in the pending motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

Mr. GREGG raised a point of order, viz, that the pending amendment No. 3310 contained in the motion to concur in the amendment House amendment to the amendment with an amendment violates section 201(a) of concurrent resolution S. Con. Res. 21 (110th Congress), and therefore is not in order.

On motion by Mr. CARDIN, under section 904(b) of the Congressional Budget Act, to waive provisions of the Act and budget resolutions for consideration of the pending motion to concur with an amendment.

On motion by Mr. GREGG,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

Pending debate,

Mr. ENSIGN asked unanimous consent that it be in order for him to propose an amendment.

Mr. MARK UDALL objected.

The question being on agreeing to the motion to waive the Congressional Budget Act and budget resolutions for consideration of the pending motion to concur with an amendment.

By unanimous consent, on the request of Mr. REID,

Ordered, That the time from when the Senate convenes until 9:55 a.m. on tomorrow be for debate; that, at 9:55 a.m., time for debate, pursuant to rule XXII of the Standing Rules of the Senate, be concluded; that the Senate then vote on the question of agreeing to the motion, by Mr. CARDIN, to waive provisions of the Budget Act and budget resolutions for consideration of the motion to concur, with amendment; that, if the motion is agreed to, amendment No. 3311 be withdrawn, without further intervening action; that no further amendment be in order to be proposed; that the Senate then vote on the question of agreeing to the motion to concur, with amendment, in the House amendment to the Senate amendment to bill H.R. 2847; and that, upon disposition of the House amendment, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

TRUTH IN CALLER ID ACT

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (S. 30) to amend the Communications Act of 1934 to prohibit manipulation of caller identification information.

The question being on passage of the bill.

On motion by Mr. REID (for Mr. ROCKEFELLER) to amend the bill on various pages and lines, by striking certain words and figures, and inserting other words and figures (being amendment No. 3325).

The amendment was agreed to.

The question being on the passage of the bill, as amended.

The bill, as amended, was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXPRESSING SUPPORT FOR THE DESIGNATION OF AN EARLY DETECTION MONTH FOR BREAST CANCER AND ALL FORMS OF CANCER

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on Health, Education, Labor, and Pensions be discharged from the further consideration of the concurrent resolution (H. Con. Res. 158) expressing support for the designation of an Early Detection Month for breast cancer and all forms of cancer.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE CONTRIBUTIONS OF THE AMERICAN KENNEL CLUB

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 393) recognizing the contributions of the American Kennel Club.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL ENGINEERS WEEK

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on Commerce, Science, and Transportation be discharged from the further consideration of the resolution (S. Res. 417) supporting the goals and ideals of National Engineers Week, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that the Senate then resume consideration of the House message on bill H.R. 2847; and that that the time until 9:55 a.m. be equally divided and controlled for debate between the two leaders, or their designees, as pursuant to the order of today.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 7:18 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

WEDNESDAY, FEBRUARY 24, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE

PRESIDENT PRO TEMPORE,

Washington, DC, February 24, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,

PRESIDENT pro tempore.

Mr. TOM UDALL took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 2847

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; and

The Senate resumed consideration of the House amendment.

The question being on agreeing to the motion, by Mr. CARDIN, under section 904 of the Congressional Budget Act, to waive provisions of the Act and budget resolutions for consideration of the motion, by Mr. REID, that the Senate concur, with an amendment (No. 3310), in the House amendment to the Senate amendment to the bill to concur with an amendment.

After debate,

The question being taken.

It was determined in the affirmative---

yeas... 62, nays... 34

[Rollcall Vote No. 24 Leg.]

YEAS --- 62

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inhofe, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Leahy, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS --- 34

Alexander, Barrasso, Bennett, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Isakson, Johanns, Kyl, LeMieux, Lugar, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Thune, Vitter, Wicker.

So the motion was agreed to; three-fifths of the Senators, duly chosen and sworn having voted in the affirmative.

The foregoing motion having been agreed to.

Pursuant to the order of yesterday,

The amendment No. 3311 was withdrawn.

The question recurring on agreeing to the motion to concur, with an amendment (No. 3310), in the House amendment to the Senate amendment to the bill.

On motion by Mr. DURBIN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to concur with an amendment.

The question being taken.

It was determined in the affirmative--- yeas... 70, nays... 28

[Rollcall Vote No. 25 Leg.]

YEAS --- 70

Akaka, Alexander, Baucus, Bayh, Begich, Bennet, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Burr, Burris, Byrd, Cantwell, Cardin, Carper, Casey, Cochran, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Hatch, Inhofe, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Leahy, LeMieux, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wicker, Wyden.

NAYS --- 28

Barrasso, Bennett, Brownback, Bunning, Chambliss, Coburn, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Isakson, Johanns, Kyl, Lugar, McCain, McConnell, Nelson (NE), Risch, Roberts, Sessions, Shelby, Thune, Vitter.

So the motion was agreed to.

On motion by Mr. KAUFMAN to reconsider the vote agreeing to the motion.

On motion by Mr. KAUFMAN,

The motion to reconsider was laid on the table.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 1299

On the request of Mr. REID,

The PRESIDING OFFICER (Mrs. HAGAN in the chair) laid before the Senate the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 1299) to make technical corrections to the laws affecting certain administrative authorities of the United States Capitol Police, and for other purposes.

On motion by Mr. REID that the Senate concur in the amendment of the House of Representatives to the amendment of the Senate to the bill.

Mr. REID presented a motion to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to bill H.R. 1299; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to bill H.R. 1299:

HARRY REID, BYRON L. DORGAN, RUSSELL D. FEINGOLD, PAT LEAHY, D. K. INOUYE, KAY HAGAN, JEFF BINGAMAN, ROBERT MENENDEZ, DICK DURBIN, JACK REED, MARK BEGICH, PATTY MURRAY, BERNARD SANDERS, ROBERT P. CASEY, JR., BARBARA BOXER, JON TESTER, JAY ROCKEFELLER.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

On motion by Mr. REID that the Senate concur in the amendment of the House of Representatives to the amendment of the Senate to the bill, with an amendment (Numbered 3326).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

On motion by Mr. REID to amend the amendment (No. 3326) contained in the pending motion to concur, by striking "5" and inserting in lieu thereof "4" (being amendment No. 3327).

On motion by Mr. REID to refer the pending House amendment to the Committee on Rules and Administration with instructions to report back forthwith with an amendment (Numbered 3328).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

On motion by Mr. REID to amend the instructions (designated No. 3328) contained in the pending motion to refer, at the end thereof, by adding certain words (being amendment No. 3329).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

On motion by Mr. REID to amend the pending amendment, at the end thereof, by adding certain words (being amendment No. 3330).

OBJECTION TO CONSIDERATION OF BILL H.R. 1586

Mr. REID asked unanimous consent that the Senate proceed to consider the bill (H.R. 1586) to impose an additional tax on bonuses received from certain TARP recipients; that an amendment (in the nature of a substitute) be proposed on behalf of Mr. REID, and considered read; that the minority leader, or his designee, be recognized to propose an amendment (in the nature of a substitute) thereto; that there be 60 minutes, equally divided and controlled, for debate thereon between the two leaders, or their designees; that, upon conclusion of debate, if a point of order is raised under the Budget Act against the amendment, a motion to waive for consideration of the amendment be considered made; that the Senate then vote on the question of agreeing to the motion to waive; that, if the motion is agreed to, the amendment (in the nature of a substitute) to be proposed by the minority leader, or his designee, be agreed to; and that the amendment (in the nature of a substitute) to be proposed by Mr. REID, as thus amended, be agreed to.

Mr. REID further asked unanimous consent that, if the motion to waive is not agreed to, the amendment to be proposed by the minority leader, or his designee, be withdrawn; that there be 30 minutes, equally divided and controlled, for debate between the leaders, or their designees, on the amendment to be proposed by Mr. REID; that, upon conclusion of debate, if a point of order is raised under the Budget Act against the amendment, a motion to waive for consideration of the amendment be considered made; that the Senate then vote on the question of agreeing to the motion to waive; that, if the motion is agreed to, the Senate vote on the question of agreeing to the amendment to be proposed by Mr. REID; that no further amendment be in order; that, upon disposition of the amendment to be proposed by Mr. REID, the bill, as amended, be read the

third time; that the statement of the chairman of the Committee on the Budget on the budgetary effects of PAYGO, as pursuant to section 4(a)(3) of Public Law 111-139, be read; that, upon conclusion of said reading, the Senate vote on passage of the bill, as amended; and that an amendment to the title be proposed and agreed to.

Mr. BUNNING objected.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL H.R. 1586

Mr. BUNNING asked unanimous consent that the Senate proceed to consider the bill (H.R. 1586) to impose an additional tax on bonuses received from certain TARP recipients; that an amendment (in the nature of a substitute), containing an offset, be proposed, and agreed to; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. REID objected.

MEDICARE PHYSICIAN PAYMENT REFORM ACT

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (H.R. 3961) to amend title XVIII of the Social Security Act to reform the Medicare SGR payment system for physicians.

The question being on the passage of the bill.

On motion by Mr. REID to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 3331, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

On motion by Mr. REID to reconsider the vote on passage of the bill.

On motion by Mr. REID,

The motion to reconsider was laid on the table.

The title was amended, on motion by Mr. REID, so as to read: "A bill to extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and Intelligence Reform and Terrorism Prevention Act of 2004 until February 28, 2011."

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-4796. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Laminarin; Exemption from the Requirement of a Tolerance" (FRL No. 8812-1), received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4797. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Trichoderma gamsii strain ICC 080; Exemption from the Requirement of a Tolerance" (FRL No. 8799-4), received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4798. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Nicosulfuron; Pesticide Tolerances for Emergency Exemptions" (FRL No. 8812-5), received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4799. A communication from the Administrator of the National Organic Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Organic Program; Access to Pasture (Livestock)" ((Docket No. AMS-TM-06-0198)(RIN0581-AC57)), received in the Office of the President of the Senate on February 23, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4800. A communication from the Administrator of the Research and Promotion Branch, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Processed Raspberry Promotion, Research, and Information Order; Referendum Procedures" ((Docket Nos. AMS-FV-07-0077; FV-07-705-FR)(RIN0581-AC79)), received in the Office of the President of the Senate on February 23, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4801. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Grapes Grown in a Designated Area of Southeastern California and Imported Table Grapes; Change in Regulatory Periods" (Docket Nos. AMS-FV-06-0184; FV03-925-1 FIR), received in the Office of the President of the Senate on February 23, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4802. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Child Welfare Outcomes 2003-2006: Report to Congress"; to the Committee on Finance.

EC-4803. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Ruling: 2010 Prevailing State Assumed Interest Rates" (Rev. Rul. 2010-7), received in the Office of the President of the Senate on February 23, 2010; to the Committee on Finance.

EC-4804. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates - March 2010" (Rev. Rul. 2010-8), received in the Office of the President of the Senate on February 23, 2010; to the Committee on Finance.

EC-4805. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Correction to Composite Loss Discount Factor for Nonproportional Assumed Property Reinsurance in Revenue Procedure 2009-55" (Ann. 2010-11), received in the Office of the President of the Senate on February 23, 2010; to the Committee on Finance.

EC-4806. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Notice: Qualified Zone Academy Bond Allocations for 2010" (Notice 2010-22), received in the Office of the President of the Senate on February 23, 2010; to the Committee on Finance.

EC-4807. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Whistleblower Protections for Contractor Employees" (DFARS Case 2008-D012), received in the Office of the President

of the Senate on February 22, 2010; to the Committee on Armed Services.

EC-4808. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Emerson N. Gardner, Jr., United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-4809. A communication from the Deputy Secretary of Defense, Department of Defense, transmitting, pursuant to law, a report relative to Taiwan's Air Defense Force; to the Committee on Armed Services.

EC-4810. A communication from the Secretary of Energy, transmitting, pursuant to law, the Department of Energy's Fiscal Year 2009 Competitive Sourcing Activity Report; to the Committee on Energy and Natural Resources.

EC-4811. A communication from the Executive Director, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Annual Update of Filing Fees" (RIN1902-AD90), received in the Office of the President of the Senate on February 22, 2010; to the Committee on Energy and Natural Resources.

EC-4812. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance: Regulatory Capital; Impact of Modifications to Generally Accepted Accounting Principles; Consolidation of Asset-Backed Commercial Paper Programs; and Other Related Issues" (RIN1557-AD26), received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4813. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, a report entitled "Final Clarification for Chemical Identification Describing Activated Phosphors for TSCA Inventory Purposes"; to the Committee on Environment and Public Works.

EC-4814. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Indiana; Volatile Organic Compound Emission Control Measures for Lake and Porter Counties in Indiana" (FRL No. 9107-2), received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2010; to the Committee on Environment and Public Works.

EC-4815. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Virginia Revisions to the Definition of Volatile Organic Compound and Other Terms" (FRL No. 9116-1), received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2010; to the Committee on Environment and Public Works.

EC-4816. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Virginia; Opacity Source Surveillance Methods" (FRL No. 9115-9), received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2010; to the Committee on Environment and Public Works.

EC-4817. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines" (FRL No. 9115-7), received during adjournment of the Senate in the Office of the President of the Senate on February 19, 2010; to the Committee on Environment and Public Works.

EC-4818. A communication from the Administrator of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, a report entitled "National Airspace System Capital Investment Plan FY 2011 through 2015"; to the Committee on Commerce, Science, and Transportation.

EC-4819. A communication from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Guidelines and Requirements for Mandatory Recall Notices" (16 CFR Part 1115), received during adjournment of the Senate in the Office of the President of the Senate on February 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4820. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-306, "Department of Small and Local Business Development Amendment Act of 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-4821. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-307, "Pre-k Acceleration and Clarification Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-4822. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-308, "Old Morgan School Place, N.W. Renaming Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-4823. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Commissioner, U.S. Customs and Border Protection, received in the Office of the President of the Senate on February 2, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-4824. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Administrator, Federal Emergency Management Agency, received in the Office of the President of the Senate on February 2, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-4825. A communication from the Secretary of the Department of the Interior, transmitting, a report relative to the management of individual Indian trust accounts; to the Committee on Indian Affairs.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. KERRY, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 404. A resolution supporting full implementation of the Comprehensive Peace Agreement and other efforts to promote peace and stability in Sudan, and for other purposes.

S. Res. 414. A resolution expressing the sense of the Senate on the recovery, rehabilitation, and rebuilding of Haiti following the humanitarian crisis caused by the January 12, 2010, earthquake in Haiti.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and, by

unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. KERRY (for himself and Ms. SNOWE):

S. 3028. A bill to amend title XVIII of the Social Security Act to eliminate the 190-day lifetime limit on inpatient psychiatric hospital services under the Medicare program; to the Committee on Finance.

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

S. 3029. A bill to establish an employment-based immigrant visa for alien entrepreneurs who have received significant capital from investors to establish a business in the United States; to the Committee on the Judiciary.

By Mrs. GILLIBRAND:

S. 3030. A bill to amend the Public Works and Economic Development Act of 1965 to eliminate cost-sharing requirements in connection with economic adjustment grants made to assist communities that have suffered economic injury as a result of military base closures and realignments, defense contactor reductions in force, and Department of Energy defense-related funding reductions; to the Committee on Environment and Public Works.

By Mr. LEAHY (for himself and Mr. GRASSLEY):

S. 3031. A bill to authorize Drug Free Communities enhancement grants to address major emerging drug issues or local drug crises; to the Committee on the Judiciary.

By Mr. BARRASSO:

S. 3032. A bill to prohibit the enforcement of a climate change interpretive guidance issued by the Securities and Exchange Commission, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DURBIN (for himself, Mr. BROWN of Ohio, Mr. HARKIN, and Mr. FRANKEN):

S. 3033. A bill to amend title 11, United States Code, to improve protections for employees and retirees in business bankruptcies; to the Committee on the Judiciary.

By Mr. SCHUMER (for himself, Mr. MENENDEZ, Mr. LAUTENBERG, and Mr. WARNER):

S. 3034. A bill to require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BAUCUS (for himself and Mr. TESTER):

S. 3035. A bill to require a report on the establishment of a Polytrauma Rehabilitation Center or Polytrauma Network Site of the Department of Veterans Affairs in the northern Rockies or Dakotas, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BAYH (for himself, Ms. COLLINS, and Mr. LEMIEUX):

S. 3036. A bill to establish the Office of the National Alzheimer's Project; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. McCASKILL (for herself, Mr. FEINGOLD, and Mr. LEAHY):

S. 3037. A bill to increase oversight of private security contractors and establish the proper ratio of United States Government security personnel to private security contractors at United States missions where the armed forces are engaged in combat operations; to the Committee on Foreign Relations.

By Mr. DODD (for himself and Mr. UDALL of New Mexico):

S.J. Res. 28. A joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections; to the Committee on the Judiciary.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Ms. LANDRIEU (for herself, Mrs. LINCOLN, Mr. CHAMBLISS, Mrs. SHAHEEN, Ms. MURKOWSKI, Mr. BARRASSO, Mr. BYRD, Mr. ISAKSON, and Mr. BENNETT):

S. Res. 421. A resolution supporting the goals and ideals of "National Guard Youth Challenge Day"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 315

At the request of Mr. FEINGOLD, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 315, a bill to amend title 38, United States Code, to improve the outreach activities of the Department of Veterans Affairs, and for other purposes.

S. 369

At the request of Mr. KOHL, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 369, a bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market.

S. 408

At the request of Mr. INOUYE, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 408, a bill to amend the Public Health Service Act to provide a means for continued improvement in emergency medical services for children.

S. 422

At the request of Ms. STABENOW, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 422, a bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 493

At the request of Mr. CASEY, the names of the Senator from Florida [Mr. LEMIEUX] and the Senator from Louisiana [Ms. LANDRIEU] were added as cosponsors of S. 493, a bill to amend the Internal Revenue Code of 1986 to provide for the establishment of ABLE accounts for the care of family members with disabilities, and for other purposes.

S. 504

At the request of Mr. ROBERTS, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 504, a bill to redesignate the Department of the Navy as the Department of the Navy and Marine Corps.

S. 678

At the request of Mr. LEAHY, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 678, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 700

At the request of Mr. BINGAMAN, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 700, a bill to amend title II of the Social Security Act to phase out the 24-month waiting period for disabled individuals to become eligible for Medicare benefits, to eliminate the waiting period for individuals with life-threatening conditions, and for other purposes.

S. 753

At the request of Mr. SCHUMER, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 753, a bill to prohibit the manufacture, sale, or distribution in commerce of children's food and beverage containers composed of bisphenol A, and for other purposes.

S. 886

At the request of Mr. NELSON of Florida, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 886, a bill to establish a program to provide guarantees for debt issued by State catastrophe insurance programs to assist in the financial recovery from natural catastrophes.

S. 1221

At the request of Mr. SPECTER, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 1221, a bill to amend title XVIII of the Social Security Act

to ensure more appropriate payment amounts for drugs and biologicals under part B of the Medicare Program by excluding customary prompt pay discounts extended to wholesalers from the manufacturer's average sales price.

S. 1321

At the request of Mr. UDALL of Colorado, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 1321, a bill to amend the Internal Revenue Code of 1986 to provide a credit for property labeled under the Environmental Protection Agency Water Sense program.

S. 1504

At the request of Mr. SPECTER, the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of S. 1504, a bill to provide that Federal courts shall not dismiss complaints under rule 12(b)(6) or (e) of the Federal Rules of Civil Procedure, except under the standards set forth by the Supreme Court of the United States in Conley v. Gibson, 355 U.S. 41 (1957).

S. 1603

At the request of Mr. BROWN of Ohio, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 1603, a bill to amend section 484B of the Higher Education Act of 1965 to provide for tuition reimbursement and loan forgiveness to students who withdraw from an institution of higher education to serve in the uniformed services, and for other purposes.

S. 1668

At the request of Mr. BENNET, the name of the Senator from Nebraska [Mr. JOHANNS] was added as a cosponsor of S. 1668, a bill to amend title 38, United States Code, to provide for the inclusion of certain active duty service in the reserve components as qualifying service for purposes of Post-9/11 Educational Assistance Program, and for other purposes.

S. 2760

At the request of Mr. UDALL of New Mexico, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 2760, a bill to amend title 38, United States Code, to provide for an increase in the annual amount authorized to be appropriated to the Secretary of Veterans Affairs to carry out comprehensive service programs for homeless veterans.

S. 2776

At the request of Mr. ALEXANDER, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of S. 2776, a bill to amend the Energy Policy Act of 2005 to create the right business environment for doubling production of clean nuclear energy and other clean energy and to create mini-Manhattan projects for clean energy research and development.

S. 2796

At the request of Mr. ENZI, the name of the Senator from South Dakota [Mr. THUNE] was added as a cosponsor of S. 2796, a bill to extend the authority of the Secretary of Education to purchase guaranteed student loans for an additional year, and for other purposes.

S. 2919

At the request of Mr. UDALL of Colorado, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 2919, a bill to amend the Federal Credit Union Act to advance the ability of credit unions to promote small business growth and economic development opportunities, and for other purposes.

S. 2986

At the request of Ms. LANDRIEU, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 2986, a bill to authorize the Administrator of the Small Business Administration to waive interest for certain loans relating to damage caused by Hurricane Katrina, Hurricane Rita, Hurricane Gustav, or Hurricane Ike.

S. 2995

At the request of Mr. CARPER, the names of the Senator from New York [Mrs. GILLIBRAND] and the Senator from Connecticut [Mr. DODD] were added as cosponsors of S. 2995, a bill to amend the Clean Air Act to establish a national uniform multiple air pollutant regulatory program for the electric generating sector.

SENATE RESOLUTION 414

At the request of Mr. KERRY, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of Senate Resolution 414, a resolution expressing the sense of the Senate on the recovery, rehabilitation, and rebuilding of Haiti following the humanitarian crisis caused by the January 12, 2010, earthquake in Haiti.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. REID,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on February 24, 2010, at 9:30 a.m.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on February 24, 2010, at 2:30 p.m.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on February 24, 2010, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS AND THE SUBCOMMITTEE ON WATER AND WILDLIFE

The Committee on Environment and Public Works and the Subcommittee on Water and Wildlife be authorized to meet during the session of the Senate on February 24, 2010, at 9:30 a.m., in room 406 of the Dirksen Senate Office Building.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "A Stronger Workforce Investment System for a Stronger Economy" on February 24, 2010. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on February 24, 2010, at 10:30 a.m. to conduct to hearing entitled "The Homeland Security Department's Budget Submission for Fiscal Year 2011."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on February 24, 2010, at 2 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on February 24, 2010, at 2:30 p.m., to hold a hearing entitled "Foreign Policy Priorities in the FY11 International Affairs Budget."

SUBCOMMITTEE ON HUMAN RIGHTS AND THE LAW

The Committee on the Judiciary, Subcommittee on Human Rights and the Law, be authorized to meet during the session of the Senate, on February 24, 2010, at 9 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "In Our Own Backyard: Child Prostitution and Sex Trafficking in the United States."

SUBCOMMITTEE ON SCIENCE AND SPACE

The Subcommittee on Science and Space of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on February 24, 2010, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 9:37 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3695. An act to authorize funding for, and increase accessibility to, the National Missing and Unidentified Persons System, to facilitate data sharing between such system and the National Crime Information Center database of the Federal Bureau of Investigation, to provide incentive grants to help facilitate reporting to such systems, and for other purposes.

At 12:51 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2314. An act to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity.

At 2:35 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 4532. An act to provide for permanent extension of the attorney fee withholding procedures under title II of the Social Security Act to title XVI of such Act, and to provide for permanent extension of such procedures under titles II and XVI of such Act to qualified non-attorney representatives.

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the PRESIDENT pro tempore.

NATIONAL GUARD YOUTH CHALLENGE DAY

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 421) supporting the goals and ideals of "National Guard Youth Challenge Day", submitted today by Ms. LANDRIEU (for herself, Mrs. LINCOLN, Mr. CHAMBLISS, Mrs. SHAHEEN, Ms. MURKOWSKI, Mr. BARRASSO, Mr. BYRD, Mr. ISAKSON, and Mr. BENNETT), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

APPOINTMENT BY THE MAJORITY LEADER

NATIONAL COMMISSION ON FISCAL RESPONSIBILITY AND REFORM

The PRESIDING OFFICER announced that the majority leader, pursuant to Executive Order No. 13531, had appointed Mr. DURBIN, Mr. BAUCUS, and Mr. CONRAD to the National Commission On Fiscal Responsibility and Reform.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of the House amendment to the Senate amendment to bill H.R. 1299.

ADJOURNMENT

By unanimous consent, on the request of Mr. DURBIN,

At 7:19 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

THURSDAY, FEBRUARY 25, 2010

Mrs. KIRSTEN E. GILLIBRAND, from the State of New York, called the Senate to order at 10 a.m., the Reverend Benny Tate, Senior Pastor of Rock Springs Church, in Milner, Georgia, offered a prayer, and Mrs. GILLIBRAND led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, February 25, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. GILLIBRAND took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 1299

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 1299) to make technical corrections to the laws affecting certain administrative authorities of the United States Capitol Police, and for other purposes; and

The Senate resumed consideration of the House amendment.

The question being on agreeing to amendment No. 3330, proposed by Mr. REID, to amendment No. 3329, proposed by Mr. REID, to the instructions (designated amendment No. 3328) contained in the motion, by Mr. REID, to refer the House amendment to the Committee on Rules and Administration.

Pending debate,

ORDER FOR RECESS

By unanimous consent, on the request of Mr. TOM UDALL,

Ordered, That the Senate recess from 12:30 p.m. until 2 p.m., on today.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 1299

The Senate resumed consideration of the amendment received from the House (in the nature of a substitute) to the amendment of the Senate (in the nature of a substitute) to bill H.R. 1299.

The question being on agreeing to amendment No. 3330 to amendment No. 3329 to the instructions (designated amendment No. 3328) contained in the motion to refer the House amendment to the Committee on Rules and Administration.

ORDER FOR RECESS

By unanimous consent, on the request of Mr. SPECTER,

Ordered, That notwithstanding the order of today, the Senate recess at 12:45 p.m.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 1299

The Senate resumed consideration of the amendment received from the House (in the nature of a substitute) to the amendment of the Senate (in the nature of a substitute) to bill H.R. 1299.

The question being on agreeing to amendment No. 3330 to amendment No. 3329 to the instructions (designated amendment No. 3328) contained in the motion to refer the House amendment to the Committee on Rules and Administration.

Pending debate,

RECESS

Pursuant to the order of today, as modified,

At 12:42 p.m.,

The PRESIDING OFFICER (Mrs. HAGAN in the chair) declared the Senate recessed until 2 p.m.

AT 2 P.M.

The PRESIDING OFFICER (Mr. BURRIS in the chair) called the Senate to order.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 1299

The Senate resumed consideration of the amendment received from the House (in the nature of a substitute) to the amendment of the Senate (in the nature of a substitute) to bill H.R. 1299.

The question being on agreeing to amendment No. 3330 to amendment No. 3329 to the instructions (designated amendment No. 3328) contained in the motion to refer the House amendment to the Committee on Rules and Administration.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL H.R. 4691

Mr. REID asked unanimous consent that the chair lay before the Senate the bill (H.R. 4691) to provide a temporary extension of certain programs, and for other purposes, received from the House of Representatives for concurrence on today, and at the desk; that the bill be read twice, considered, read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. BUNNING objected.

Mr. REID asked unanimous consent that the chair lay before the Senate bill H.R. 4691, received from the House of Representatives for concurrence on today, and at the desk; that the bill be read twice; that the Senate proceed to consider the bill; that an amendment (in the nature of a substitute) be proposed on behalf of Mr. REID, and considered read; that the minority leader, or his designee, be recognized to propose an amendment (in the nature of a substitute) thereto; that there be 60 minutes, equally divided and controlled, for debate thereon between the two leaders, or their designees; that, upon conclusion of debate, if a point of order is raised under the Budget Act or budget resolution against the amendment, a motion to waive for consideration of the amendment be considered made; that the Senate then vote on the question of agreeing to the motion to waive; that, if the motion is agreed to, the amendment (in the nature of a substitute) to be proposed by the minority leader, or his designee, be agreed to; and that the amendment (in the nature of a substitute) to be proposed by Mr. REID, as thus amended, be agreed to.

Mr. REID further asked unanimous consent that, if the motion to waive is not agreed to, the amendment to be proposed by the minority leader, or his designee, be withdrawn; that there be 30 minutes, equally divided and controlled, for debate between the leaders, or their designees, on the amendment to be proposed by Mr. REID; that, upon conclusion of debate, if a point of order is raised under the Budget Act against the amendment, a motion to waive for consideration of the amendment be considered made; that the Senate then vote on the question of agreeing to the motion to waive; that, if the motion is agreed to, the Senate vote on the question of agreeing to the amendment to be proposed by Mr. REID; that no further amendment, motion, or debate be in order; that, upon disposition of the amendment to be proposed by Mr. REID, the bill, as amended, be read the third time; that the clerk read the statement of the chairman of the Committee on the Budget on the budgetary effects of PAYGO with respect to the bill, as pursuant to section 4(a)(3) of Public Law 111-139; that, upon conclusion of said reading, the Senate vote on passage of the bill, as amended; and that an amendment to the title be proposed and agreed to.

Mr. BUNNING objected.

Pending debate,

Mr. BUNNING asked unanimous consent that the chair lay before the Senate bill H.R. 4691, received from the House of Representatives for concurrence on today, and at the desk; that the bill be read twice; that the Senate proceed to consider the bill; that an amendment (in the nature of a substitute), containing an offset be proposed by him, and agreed to; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. REID objected.

ORDER RELATIVE TO BILL H.R. 1299

By unanimous consent, on the request of Mr. REID,

Ordered, That, at 7:50 p.m. today, notwithstanding the provisions of rule XXII of the Standing Rules of the Senate, the Senate vote on the question of agreeing to the motion to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to bill H.R. 1299; that, if said motion is agreed to, time for debate, pursuant to rule XXII of the Standing Rules of the Senate, be concluded; that Mr. DEMINT then be recognized to move to suspend the rules to propose an amendment; that he be recognized to speak for 10 minutes thereon; that, upon conclusion of debate, the Senate vote on the question of agreeing to said motion; that, if said motion is agreed to, an amendment be proposed by him, and agreed to; that the motion to concur, with an amendment, then be agreed to; that, if the motion by Mr. DEMINT is not agreed to, no other motion or debate be in order; that the motion to concur with amendment be withdrawn; and that the Senate then vote on the question of agreeing to the motion to concur in the House amendment to the Senate amendment to the bill.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 1299

The Senate resumed consideration of the House amendment to the Senate amendment to bill H.R. 1299.

The question being on agreeing to amendment No. 3330 to amendment No. 3329 to the instructions (designated amendment No. 3328) contained in the motion to refer the House amendment to the Committee on Rules and Administration.

Pursuant to the order of today,

The PRESIDING OFFICER (Mr. BURRIS in the chair) laid before the Senate the motion, presented by Mr. REID on yesterday, to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to bill H.R. 1299.

Pursuant to the order of yesterday,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the affirmative---
yeas... 76, nays... 20

[Rollcall Vote No. 26 Leg.]

YEAS --- 76

Akaka, Alexander, Baucus, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper,

Casey, Chambliss, Cochran, Collins, Conrad, Dodd, Dorgan, Durbin, Ensign, Feingold, Feinstein, Franken, Gillibrand, Graham, Hagan, Harkin, Hatch, Inouye, Isakson, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Leahy, LeMieux, Levin, Lieberman, Lincoln, Lugar, McCaskill, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Webb, Whitehouse, Wicker, Wyden.

NAYS --- 20

Barrasso, Brown (MA), Brownback, Bunning, Burr, Coburn, Corker, Cornyn, Crapo, DeMint, Enzi, Grassley, Gregg, Kyl, McCain, McConnell, Risch, Roberts, Sessions, Shelby.

So the motion was agreed to; three-fifths of Senators duly chosen and sworn having voted in the affirmative.

The motion having been agreed to,

The motion to refer the House amendment to the Committee on Rules and Administration with instructions to report back forthwith with an amendment (Numbered 3328), and amendments Numbered 3329 and 3330 thereto, being inconsistent with cloture, fell.

The question being on agreeing to the motion to concur, with an amendment, in the House amendment to the Senate amendment to the bill.

By unanimous consent, on the request of Mr. REID,

Ordered, That the remaining two votes each be 10 minutes in duration.

Pursuant to the order of today,

On motion by Mr. DEMINT to suspend provisions of rule XXII of the Standing Rules of the Senate, including germaneness, for consideration of amendment No. 3334.

On motion by Mr. DEMINT,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the negative---
yeas... 38, nays... 58

[Rollcall Vote No. 27 Leg.]

YEAS --- 38

Barrasso, Baucus, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Hatch, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Tester, Thune, Vitter, Voinovich, Wicker.

NAYS --- 58

Akaka, Alexander, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Gregg, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Udall (CO), Udall (NM), Webb, Whitehouse, Wyden.

So the motion was not agreed to.

The motion not having been agreed to,

Pursuant to the order of today,

The motion to concur with amendment No. 3326, and amendment No. 3327 thereto, was withdrawn.

The question being on agreeing to the motion to concur in the House amendment to the Senate amendment to the bill.

On motion by Mr. MENENDEZ,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 78, nays... 18

[Rollcall Vote No. 28 Leg.]

YEAS --- 78

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Chambliss, Cochran, Collins, Conrad, Dodd, Dorgan, Durbin, Ensign, Enzi, Feingold, Feinstein, Franken, Gillibrand, Graham, Hagan, Harkin, Hatch, Inouye, Isakson, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Leahy, LeMieux, Levin, Lieberman, Lincoln, Lugar, McCaskill, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Webb, Whitehouse, Wicker, Wyden.

NAYS --- 18

Brown (MA), Brownback, Bunning, Burr, Coburn, Corker, Cornyn, Crapo, DeMint, Grassley, Gregg, Kyl, McCain, McConnell, Risch, Roberts, Sessions, Shelby.

So it was

Resolved, The Senate concur in the House amendment to the Senate amendment to the bill.

ORDER FOR CONSIDERATION OF BILL H.R. 4213

By unanimous consent, on the request of Mr. REID,

Ordered, That, at 3 p.m. on Monday, March 1, 2010, the Committee on Finance be discharged from further consideration of the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; that the Senate proceed to consider the bill; that Mr. BAUCUS, or his designee, then be recognized to propose an amendment (in the nature of a substitute); and that the amendment be considered read.

OBJECTION TO CONSIDERATION OF BILL H.R. 4691

Mr. DURBIN asked unanimous consent that the chair lay before the Senate bill H.R. 4691, received from the House of Representatives for concurrence on today, and at the desk; that the bill be read twice, considered, read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. BUNNING objected.

Pending debate,

Mr. DURBIN asked unanimous consent that the chair lay before the Senate bill H.R. 4691, received from the House of Representatives for concurrence on today, and at the desk; that the bill be read twice, considered, read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. BUNNING objected.

Pending debate,

Mr. DURBIN asked unanimous consent that the chair lay before the Senate bill H.R. 4691, received from the House of Representatives for concurrence on today, and at the desk; that the bill be read twice, considered, read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. BUNNING objected.

Pending debate,

Mr. DURBIN asked unanimous consent that the chair lay before the Senate bill H.R. 4691, received from the House of Representatives for concurrence on today, and at the desk; that the bill be read twice, considered, read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. BUNNING objected.

Pending debate,

Mr. DURBIN asked unanimous consent that the chair lay before the Senate bill H.R. 4691, received from the House of Representatives for concurrence on today, and at the desk; that the bill be read twice, considered, read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. BUNNING objected.

Pending debate,

MORNING BUSINESS

The following morning business occurred on today:

REPORT OF A COMMITTEE

The following report of committee was submitted:

By Mr. KERRY, from the Committee on Foreign Relations, with amendments:

S. 2961. A bill to provide debt relief to Haiti, and for other purposes (Rept. No. 111-128).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second

times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. INHOFE (for himself, Mr. CRAPO, Mr. RISCH, Mr. BARRASSO, and Mr. VITTER):

S. 3038. A bill to amend the Safe Drinking Water Act to prevent the enforcement of certain national primary drinking water regulations unless sufficient funding is available; to the Committee on Environment and Public Works.

By Mr. UDALL of New Mexico (for himself and Mr. CORKER):

S. 3039. A bill to prevent drunk driving injuries and fatalities, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LUGAR (for himself, Mr. LEAHY, Mr. CASEY, and Mr. COCHRAN):

S. 3040. A bill to amend the Richard B. Russell National School Lunch Act to provide children from rural areas with better access to meals served through the summer food service program for children and certain child care programs; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ENSIGN:

S. 3041. A bill to prohibit the further extension or establishment of national monuments in Nevada except by express authorization of Congress; to the Committee on Energy and Natural Resources.

By Ms. SNOWE (for herself and Mr. KAUFMAN):

S. 3042. A bill to provide for a study by the National Academy of Sciences on the technical policy decisions and technical personnel at the Federal Communications Commission; to the Committee on Commerce, Science, and Transportation.

By Mrs. GILLIBRAND (for herself, Mr. KAUFMAN, Ms. SNOWE, Ms. CANTWELL, Ms. KLOBUCHAR, and Mrs. MURRAY):

S. 3043. A bill to award planning grants and implementation grants to State educational agencies to enable the State educational agencies to complete comprehensive planning to carry out activities designed to integrate engineering education into K-12 instruction and curriculum and to provide evaluation grants to measure efficacy of K-12 engineering education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BAYH:

S. 3044. A bill to amend the Internal Revenue Code of 1986 to extend the deduction for qualified motor vehicle taxes for motor homes; to the Committee on Finance.

By Mr. NELSON of Florida:

S. 3045. A bill to direct the Secretary of Commerce to study the Gulf of Mexico red snapper fishery and to limit the authority of the Secretary to promulgate any interim rules for the fishery and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. NELSON of Florida:

S. 3046. A bill to direct the Secretary of Commerce to study the South Atlantic red snapper fishery and to limit the authority of the Secretary to promulgate any interim rules for the fishery and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. ISAKSON (for himself, Mr. CHAMBLISS, Mr. GRAHAM, Mr. BROWNBACK, Mrs. HUTCHISON, and Mr. CRAPO):

S. 3047. A bill to terminate the Internal Revenue Code of 1986, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent and Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

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

S. Res. 422. A resolution recognizing the important progress made by the people of Ukraine in the establishment of democratic institutions following the presidential run-off election on February 7, 2010; to the Committee on Foreign Relations.

By Mr. VITTER (for himself and Ms. LANDRIEU):

S. Res. 423. A resolution commending the New Orleans Saints for winning Super Bowl XLIV and the entire "Who Dat Nation" for their support; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. Res. 424. A resolution congratulating the BMW ORACLE Racing team for winning the thirty-third America's Cup; to the Committee on the Judiciary.

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

S. Res. 425. A resolution celebrating Volunteers in Service to America on its 45th anniversary and recognizing its contribution to the fight against poverty; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for himself, Mr. BURRIS, Mrs. BOXER, and Mrs. FEINSTEIN):

S. Con. Res. 50. A concurrent resolution recognizing the historic founding of the Black Stuntmen's Association and the Coalition of Black Stuntmen and Women; to the Committee on the Judiciary.

By Mr. DODD (for himself, Mr. REID, Mr. LEVIN, Ms. MIKULSKI, Mr. SCHUMER, Mrs. BOXER, Mrs. GILLIBRAND, Mrs. SHAHEEN, Mr. BURRIS, Mr. LAUTENBERG, Mr. HARKIN, Ms. LANDRIEU, Mr. CARDIN, Mrs. HAGAN, Mr. WHITEHOUSE, and Mr. BINGAMAN):

S. Con. Res. 51. A concurrent resolution honoring and praising the National Association for the Advancement of Colored People on the occasion of its 101st anniversary; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 456

At the request of Mr. DODD, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 456, a bill to direct the Secretary of Health and Human Services, in consultation with the Secretary of Education, to develop guidelines to be used on a voluntary basis to develop plans to manage the risk of food allergy and anaphylaxis in schools and early childhood education programs, to establish school-based food allergy management grants, and for other purposes.

S. 593

At the request of Mrs. FEINSTEIN, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 593, a bill to ban the use of bisphenol A in food containers, and for other purposes.

S. 738

At the request of Ms. LANDRIEU, the name of the Senator from Mississippi [Mr. WICKER] was added as a cosponsor of S. 738, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes.

S. 941

At the request of Mr. CRAPO, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 941, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearm laws and regulations, protect the community from criminals, and for other purposes.

S. 1203

At the request of Mr. BAUCUS, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 1203, a bill to amend the Internal Revenue Code of 1986 to extend the research credit through 2010 and to increase and make permanent the alternative simplified research credit, and for other purposes.

S. 1345

At the request of Mr. REED, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 1345, a bill to aid and support pediatric involvement in reading and education.

S. 1606

At the request of Mr. WHITEHOUSE, the name of the Senator from California [Mrs.

FEINSTEIN] was added as a cosponsor of S. 1606, a bill to require foreign manufacturers of products imported into the United States to establish registered agents in the United States who are authorized to accept service of process against such manufacturers, and for other purposes.

S. 1834

At the request of Mr. AKAKA, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 1834, a bill to amend the Animal Welfare Act to ensure that all dogs and cats used by research facilities are obtained legally.

S. 2734

At the request of Mr. FRANKEN, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 2734, a bill to amend the Public Health Service Act with respect to the prevention of diabetes, and for other purposes.

S. 2758

At the request of Ms. STABENOW, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 2758, a bill to amend the Agricultural Research, Extension, and Education Reform Act of 1998 to establish a national food safety training, education, extension, outreach, and technical assistance program for agricultural producers, and for other purposes.

S. 2760

At the request of Mr. UDALL of New Mexico, the names of the Senator from Massachusetts [Mr. KERRY] and the Senator from Washington [Ms. CANTWELL] were added as cosponsors of S. 2760, a bill to amend title 38, United States Code, to provide for an increase in the annual amount authorized to be appropriated to the Secretary of Veterans Affairs to carry out comprehensive service programs for homeless veterans.

S. 2858

At the request of Mrs. BOXER, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 2858, a bill to amend the Public Health Service Act to establish an Office of Mitochondrial Disease at the National Institutes of Health, and for other purposes.

S. 2871

At the request of Mr. INOUYE, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 2871, a bill to make technical corrections to the Western and Central Pacific Fisheries Convention Implementation Act, and for other purposes.

S. 2919

At the request of Mr. UDALL of Colorado, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 2919, a bill to amend the Federal Credit Union Act to advance the ability of credit unions to promote small business growth and economic development opportunities, and for other purposes.

S. 2946

At the request of Ms. STABENOW, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 2946, a bill to direct the Secretary of the Army to take action with respect to the Chicago waterway system to prevent the migration of bighead and silver carps into Lake Michigan, and for other purposes.

S. 3008

At the request of Mr. CORNYN, the names of the Senator from South Carolina [Mr. DEMINT], the Senator from Nevada [Mr. ENSIGN], the Senator from Louisiana [Mr. VITTER], the Senator from Missouri [Mr. BOND], the Senator from Oklahoma [Mr. COBURN], the Senator from Nebraska [Mr. JOHANNS], the Senator from Alabama [Mr. SESSIONS], the Senator from North Carolina [Mr. BURR], the Senator from Wyoming [Mr. BARRASSO], the Senator from Oklahoma [Mr. INHOFE], the Senator from Idaho [Mr. CRAPO], the Senator from Georgia [Mr. CHAMBLISS], the Senator from Utah [Mr. BENNETT], the Senator from Florida [Mr. LEMIEUX], the Senator from Massachusetts [Mr. BROWN], the Senator from Mississippi [Mr. WICKER], the Senator from Georgia [Mr. ISAKSON], the Senator from Ohio [Mr. VOINOVICH], the Senator from Kansas [Mr. ROBERTS] and the Senator from Idaho [Mr. RISCH] were added as cosponsors of S. 3008, a bill to establish a program to support a transition to a freely elected, open democracy in Iran.

S. 3036

At the request of Mr. BAYH, the names of the Senator from Montana [Mr. TESTER] and the Senator from Rhode Island [Mr. WHITEHOUSE] were added as cosponsors of S. 3036, a bill to establish the Office of the National Alzheimer's Project.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on February 25, 2010, at 9:30 a.m.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS.

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on February 25, 2010, at 9 a.m., to conduct a hearing entitled "The Semiannual Monetary Policy Report to Congress."

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs be authorized to meet during the session of the Senate on February 25, 2010, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on February 25, 2010, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on February 25, 2010, at 10 a.m.

AD HOC SUBCOMMITTEE ON CONTRACTING OVERSIGHT

The Committee on Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on February 25, 2010, at 2:30 p.m. to conduct a hearing entitled "Interagency Contracts (Part I): Overview and Recommendations for Reform."

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on February 25, 2010, at 2:30 p.m.

SUBCOMMITTEE ON AVIATION OPERATIONS, SAFETY, AND SECURITY

The Subcommittee on Aviation Operations, Safety, and Security of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on February 25, 2010, at 9:30 a.m. in room 253 of the Russell Senate Office Building.

SUBCOMMITTEE ON WATER AND POWER

The Subcommittee on Water and Power be authorized to meet during the session of the Senate on February 25, 2010, at 10:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10:21 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4626. An act to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers.

At 5:57 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4691. An act to provide a temporary extension of certain programs, and for other purposes.

At 7:40 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agrees to the amendments of the Senate to the bill (H.R. 3691) to amend title XVIII of the Social Security Act to reform the Medicare SGR payment system for physicians and to reinstitute and update the Pay-As-You-Go requirement of budget neutrality on new tax and mandatory spending legislation, enforced by the threat of annual, automatic sequestration.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that there then be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

AUTHORITY FOR ADJOURNMENT ON TODAY

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Senate adjourn, following remarks by him, remarks by Mr. CORKER, and a unanimous consent request by him, and only remarks by Mr. BUNNING.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL H.R. 4691

Mr. CORKER asked unanimous consent that the chair lay before the Senate bill H.R. 4691, received from the House of Representatives for concurrence on today, and at the desk; that the bill be read twice; that the Senate proceed to consider the bill; that an amendment (in the nature of a substitute), containing an offset be proposed by him, and agreed to; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. DURBIN objected.

After debate,

ADJOURNMENT

Under the authority of the order of today,

At 11:52 p.m.,

The PRESIDING OFFICER (Mr. BEGICH in the chair) declared the Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

FRIDAY, FEBRUARY 26, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, February 26, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the order of the Senate of January 6, 2009, the Secretary of the Senate, on today, February 26, 2010, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

H.R. 3961. An act to extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and Intelligence Reform and Terrorism Prevention Act of 2004 until February 28, 2011.

ENROLLED BILL SIGNED

The bill was subsequently signed by the PRESIDENT pro tempore on today.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. DEMINT:

S. 3048. A bill to improve air safety by authorizing the limited use by air carriers of information collected through cockpit voice recorders and flight data recorders, to prohibit tampering with such devices, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MENENDEZ:

S. 3049. A bill to give shareholders a vote on executive pay, to hold executives accountable for failure or fraud, to structure executive pay to encourage the long-term viability of companies, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. WHITEHOUSE (for himself, Mr. COCHRAN, Mr. LAUTENBERG, Mrs. LINCOLN, Mr. BEGICH, Mr. MENENDEZ, and Mr. FEINGOLD):

S. Res. 426. A resolution designating the week of February 28 through March 7, 2010, as "School Social Work Week"; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 243

At the request of Mr. CARDIN, the name of the Senator from Nebraska [Mr. JOHANNS] was added as a cosponsor of S. 243, a bill to amend the Internal Revenue Code of 1986 to allow the Secretary of the Treasury to establish the standard mileage rate for use of a passenger automobile for purposes of the charitable contributions deduction and to exclude charitable mileage reimbursements for gross income.

S. 493

At the request of Mr. CASEY, the name of the Senator from Maine [Ms. COLLINS] was

added as a cosponsor of S. 493, a bill to amend the Internal Revenue Code of 1986 to provide for the establishment of ABLE accounts for the care of family members with disabilities, and for other purposes.

S. 694

At the request of Mr. DODD, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 694, a bill to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

S. 1450

At the request of Mr. ENSIGN, the name of the Senator from Texas [Mr. CORNYN] was added as a cosponsor of S. 1450, a bill to enable State homes to furnish nursing home care to parents any of whose children died while serving in the Armed Forces.

S. 1611

At the request of Mr. GREGG, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 1611, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 1674

At the request of Mr. WYDEN, the name of the Senator from Alaska [Ms. MURKOWSKI] was added as a cosponsor of S. 1674, a bill to provide for an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 2607

At the request of Mr. REID, the names of the Senator from California [Mrs. BOXER] and the Senator from Utah [Mr. HATCH] were added as cosponsors of S. 2607, a bill to amend the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010 to repeal a provision of that Act relating to geothermal energy receipts.

S. 2869

At the request of Ms. LANDRIEU, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 2869, a bill to increase loan limits for small business concerns, to provide for low interest refinancing for small business concerns, and for other purposes.

S. 2962

At the request of Mr. DODD, the names of the Senator from Illinois [Mr. BURRIS] and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of S. 2962, a bill to amend title II of the Social Security Act to apply an earnings test in determining the amount of monthly insurance benefits for individuals entitled to disability insurance benefits based on blindness.

SENATE RESOLUTION 409

At the request of Mr. FEINGOLD, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of Senate Resolution 409, a resolution calling on members of the Parliament in Uganda to reject the proposed "Anti-Homosexuality Bill", and for other purposes.

OBJECTION TO CONSIDERATION OF BILL H.R. 4691

Mr. DURBIN asked unanimous consent that the chair lay before the Senate the bill (H.R. 4691) to provide a temporary extension of certain programs, and for other purposes, received from the House of Representatives for concurrence on today, and at the desk; that the bill be read twice, considered, read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. BUNNING objected.

Pending debate,

Mr. BUNNING asked unanimous consent that the chair lay before the Senate bill H.R. 4691, received from the House of Representatives for concurrence on today, and at the desk; that the bill be read twice; that the Senate proceed to consider the bill; that an amendment (in the nature of a substitute), containing an offset be proposed by him, and agreed to; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. DURBIN objected.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate resumed its legislative session.

ORDER FOR EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

As in executive session,

Ordered, That, following a period of morning business on Tuesday, March 2, 2010, the Senate proceed to executive session to resume consideration of the nomination of Barbara Milano Keenan, of Virginia, to be United States Circuit Judge for the Fourth Circuit; that the time until 12:15 p.m. be equally divided and controlled for debate between the Mr. LEAHY and Mr. SESSIONS, or their designees; that, at 12:15 p.m., the Senate vote on the question of agreeing to the motion to bring to a close debate on the nomination; and that the quorum under the rule be waived.

HOUSE BILL READ THE FIRST TIME

On the request of Mr. MARK UDALL,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 4626) to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers, received from the House of Representatives for concurrence on yesterday, and remaining undisposed of; which was read the first time.

Mr. MARK UDALL asked unanimous consent that the bill be read the second time.

Mr. MARK UDALL objected.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

HOUSE BILL READ THE FIRST TIME

On the request of Mr. MARK UDALL,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 4691) to provide a temporary extension of certain programs, and for other purposes, received from the House of Representatives for concurrence on yesterday, and remaining undisposed of; which was read the first time.

Mr. MARK UDALL asked unanimous consent that the bill be read the second time.

Mr. MARK UDALL objected.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, MARCH 1, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. MARK UDALL,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2 p.m. on Monday, March 1, 2010; that, on Monday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 3 p.m., with Senators permitted to speak for 10 minutes each therein; and that, following morning business, the Senate proceed to consider bill H.R. 4213, as pursuant to the order of yesterday.

Ordered further, That the Record remain open until 12:30 p.m. on today for submission of legislation, statements, and cosponsors.

ADJOURNMENT

By unanimous consent, on the request of Mr. MARK UDALL,

At 11:40 a.m.,

The Senate adjourned, under its order of today, until 2 p.m. on Monday, March 1, 2010.

MONDAY, MARCH 1, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE

PRESIDENT PRO TEMPORE,

Washington, DC, March 1, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,

PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of Friday, February 26, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Friday, February 26, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Friday, February 26, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 6, 2009, the Secretary of the Senate, on February 26, 2010, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

H.R. 3961. An act to extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and Intelligence Reform and Terrorism Prevention Act of 2004 until February 28, 2011.

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 2009, the enrolled bill was signed on that day during the adjournment of the Senate, by the PRESIDENT pro tempore.

MESSAGES FROM THE PRESIDENT

The following messages from the President of the United States were transmitted to the Senate by Mr. Pate, one of his secretaries:

PROPOSED CONSTITUTION FOR THE VIRGIN ISLANDS—PM 47

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

To the Congress of the United States:

In accordance with the requirements of Public Law 94-584 (the "Act"), I hereby transmit to the Congress a proposed constitution for the United States Virgin Islands (USVI). The constitution, drafted by the Fifth Constitutional Convention of the United States Virgin Islands, was submitted to me on December 31, 2009, by Governor John P. deJongh, United States Virgin Islands. In submitting the proposed constitution, Governor deJongh expressed his concerns about several provisions of the proposed constitution, but he also expressed his hope that the people of the United States Virgin Islands continue to "move ahead towards [their] goal of increased local governmental autonomy."

The Act requires that I submit this proposed constitution to the Congress, along with my comments. The Congress then has 60 days to amend, modify, or approve the proposed constitution. If approved, or approved with modification, the constitution will be submitted for a referendum in the Virgin Islands for acceptance or rejection by the people.

In carrying out my responsibilities pursuant to the Act, I asked the Department of Justice, in consultation with the Department of the Interior, to provide its views of the proposed constitution. The Department of Justice concluded that several features of the proposed constitution warrant analysis and comment, including: (1) the absence of an express recognition of United States sovereignty and the supremacy of Federal law; (2) provisions for a special election on the USVI's territorial status; (3) provisions conferring legal advantages on certain groups defined by place and timing of birth, timing of residency, or ancestry; (4) residence requirements for certain offices; (5) provisions guaranteeing legislative representation of certain geographic areas; (6) provisions addressing territorial waters and marine resources; (7) imprecise language in certain provisions of the proposed constitution's bill of rights; (8) the possible need to repeal certain Federal laws if the proposed USVI constitution is adopted; and (9) the effect of congressional action or inaction on the proposed constitution.

To assist the Congress in its deliberations about this important matter, I attach the analysis of the Department of Justice, with which the Department of the Interior concurs. I believe that the analysis provided by the Department of Justice warrants careful attention.

I commend the electorate of the Virgin Islands and its governmental representatives in their continuing commitment to increasing self-government and the rule of law.

BARACK OBAMA.

THE WHITE HOUSE, *February 26, 2010.*

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO ZIMBABWE—PM 48

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to

the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions is to continue in effect beyond March 6, 2010.

The crisis constituted by the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions has not been resolved. These actions and policies continue to pose an unusual and extraordinary threat to the foreign policy of the United States. For these reasons, I have determined that it is necessary to continue this national emergency and to maintain in force the sanctions to respond to this threat.

BARACK OBAMA.

THE WHITE HOUSE, *February 26, 2010.*

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. NELSON of Florida (for himself and Mr. LEMIEUX):

S. 3050. A bill to direct the Secretary of Agriculture to convey to Miami-Dade County certain federally owned land in Florida, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. VITTER:

S. 3051. A bill to suspend flood insurance rate map updates in geographic areas in which certain levees are being repaired; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MENENDEZ:

S. 3052. A bill to address the establishment and maintenance of the Systemic Resolution Fund of the Federal Deposit Insurance Corporation, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SPECTER:

S. 3053. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to permit the Abandoned Mine Reclamation Fund to be used for transportation and use of dredged materials for abandoned mine reclamation, and for other purposes; to the Committee on Energy and Natural Resources

By Mr. MENENDEZ:

S. 3054. A bill to amend the Energy Policy and Conservation Act to establish efficiency standards for bottle-type water dispensers, commercial hot food holding cabinets, and portable electric spas; to the Committee on Energy and Natural Resources.

By Mr. CASEY:

S. 3055. A bill to require the Secretary of Commerce to award grants to municipalities to carry out community greening initiatives, and for other purposes; to the Committee on Environment and Public Works.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. BAUCUS (for himself, Mr. TESTER, Mr. DURBIN, Mr. ISAKSON, Mrs. MURRAY, Mr. REID, Mrs. BOXER, Mrs. FEINSTEIN, and Mr. LEAHY):

S. Res. 427. A resolution designating the first week of April 2010 as "National Asbestos Awareness Week"; to the Committee on the Judiciary.

By Mr. LEMIEUX (for himself and Mr. COBURN):

S. Res. 428. A resolution expressing concern about violations of civil liberties taking place in Venezuela and commending the people of Venezuela for their steadfast support of democracy; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 384

At the request of Mr. LUGAR, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 384, a bill to authorize appropriations for fiscal years 2010 through 2014 to provide assistance to foreign countries to promote food security, to stimulate rural economies, and to improve emergency response to food crises, to amend the Foreign Assistance Act of 1961, and for other purposes.

S. 405

At the request of Mr. LEAHY, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 405, a bill to amend the Internal Revenue Code of 1986 to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor.

S. 428

At the request of Mr. DORGAN, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 428, a bill to allow travel between the United States and Cuba.

S. 535

At the request of Mr. NELSON of Florida, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 535, a bill to amend title 10, United States Code, to repeal requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 621

At the request of Mr. DURBIN, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 621, a bill to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

S. 738

At the request of Ms. LANDRIEU, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 738, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes.

S. 749

At the request of Mr. COCHRAN, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 749, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 841

At the request of Mr. KERRY, the names of the Senator from North Dakota [Mr. CONRAD] and the Senator from Arkansas [Mrs. LINCOLN] were added as cosponsors of S. 841, a bill to direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation.

S. 902

At the request of Mr. KERRY, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 902, a bill to provide grants to establish veteran's treatment courts.

S. 941

At the request of Mr. CRAPO, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of S. 941, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearm laws and regulations, protect the community from criminals, and for other purposes.

S. 1067

At the request of Mr. FEINGOLD, the name of the Senator from Montana [Mr. BAUCUS] was added as a cosponsor of S. 1067, a bill to support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

S. 1204

At the request of Mrs. MURRAY, the name of the Senator from Iowa [Mr. GRASSLEY] was added as a cosponsor of S. 1204, a bill to amend the Department of Veterans Affairs

Health Care Programs Enhancement Act of 2001 to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers, and for other purposes.

S. 1643

At the request of Ms. SNOWE, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 1643, a bill to amend the Internal Revenue Code of 1986 to allow a credit for the conversion of heating using oil fuel to using natural gas or biomass feedstocks, and for other purposes.

S. 1744

At the request of Mr. SCHUMER, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 1744, a bill to require the Administrator of the Federal Aviation Administration to prescribe regulations to ensure that all crewmembers on air carriers have proper qualifications and experience, and for other purposes.

S. 1966

At the request of Mr. DODD, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 1966, a bill to provide assistance to improve the health of newborns, children, and mothers in developing countries, and for other purposes.

S. 2760

At the request of Mr. UDALL of New Mexico, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 2760, a bill to amend title 38, United States Code, to provide for an increase in the annual amount authorized to be appropriated to the Secretary of Veterans Affairs to carry out comprehensive service programs for homeless veterans.

S. 2794

At the request of Mr. SCHUMER, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of S. 2794, a bill to amend the Internal Revenue Code of 1986 to provide tax incentives for the donation of wild game meat.

S. 2796

At the request of Mr. ENZI, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of S. 2796, a bill to extend the authority of the Secretary of Education to purchase guaranteed student loans for an additional year, and for other purposes.

S. 2919

At the request of Mr. UDALL of Colorado, the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of S. 2919, a bill to amend the Federal Credit Union Act to advance the ability of credit unions to promote small business growth and economic development opportunities, and for other purposes.

S. 2961

At the request of Mr. LAUTENBERG, his name was added as a cosponsor of S. 2961, a bill to provide debt relief to Haiti, and for other purposes.

S. 2998

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 2998, a bill to temporarily expand the V nonimmigrant visa category to include Haitians whose petition for a family-sponsored immigrant visa was approved on or before January 12, 2010.

S. 3021

At the request of Mr. FEINGOLD, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 3021, a bill to amend the Public Utility Regulatory Policies Act of 1978 to authorize the Secretary of Energy to promulgate regulations to allow electric utilities to use renewable energy to comply with any Federal renewable electricity standard, and for other purposes.

S. 3036

At the request of Mr. BAYH, the names of the Senator from Louisiana [Ms. LANDRIEU] and the Senator from Wisconsin [Mr. FEINGOLD] were added as cosponsors of S. 3036, a bill to establish the Office of the National Alzheimer's Project.

S. 3043

At the request of Mrs. GILLIBRAND, the names of the Senator from Ohio [Mr. BROWN], the Senator from Illinois [Mr. BURRIS] and the Senator from New York [Mr. SCHUMER] were added as cosponsors of S. 3043, a bill to award planning grants and implementation grants to State educational agencies to enable the State educational agencies to complete comprehensive planning to carry out activities designed to integrate engineering education into K-12 instruction and curriculum and to provide evaluation grants to measure efficacy of K-12 engineering education.

SENATE RESOLUTION 372

At the request of Mr. LEVIN, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of Senate Resolution 372, a resolution designating March 2010 as "National Autoimmune Diseases Awareness Month" and supporting efforts to increase awareness of autoimmune diseases and increase funding for autoimmune disease research.

SENATE RESOLUTION 409

At the request of Mr. FEINGOLD, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of Senate Resolution 409, a resolution calling on members of the Parliament in Uganda to reject the proposed "Anti-Homosexuality Bill", and for other purposes.

SENATE RESOLUTION 414

At the request of Mr. KERRY, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of Senate Resolution 414, a resolution expressing the sense of the Senate on the recovery, rehabilitation, and rebuilding of Haiti following the humanitarian crisis caused by the January 12, 2010, earthquake in Haiti.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives, as indicated:

At 2:04 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 227. Concurrent resolution supporting the goals and ideals of National Urban Crimes Awareness Week.

H. Con. Res. 238. Concurrent resolution recognizing the difficult challenges Black veterans faced when returning home after serving in the Armed Forces, their heroic military sacrifices, and their patriotism in fighting for equal rights and for the dignity of a people and a Nation.

HOUSE CONCURRENT RESOLUTIONS REFERRED

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 227. Concurrent resolution supporting the goals and ideals of National Urban Crimes Awareness Week; to the Committee on the Judiciary.

H. Con. Res. 238. Concurrent resolution recognizing the difficult challenges Black veterans faced when returning home after serving in the Armed Forces, their heroic military sacrifices, and their patriotism in fighting for equal rights and for the dignity of a people and a Nation; to the Committee on Veterans' Affairs.

HOUSE BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 4626) to restore the application of the Federal antitrust laws to the business of health insurance to protect competition and consumers, received from the House of Representatives for concurrence on Thursday, February 25, 2010, and read the first time on Friday, February 26, 2010; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

HOUSE BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 4691) to provide a temporary extension of certain programs, and for other purposes, received from the House of Representatives for concurrence on Thursday, February 25, 2010, and read the first time on Friday, February 26, 2010; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

OBJECTION TO CONSIDERATION OF BILL H.R. 4691

Mr. REID asked unanimous consent that the Senate proceed to consider bill H.R. 4691; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. BUNNING objected.

Pending debate,

Mr. BUNNING asked unanimous consent that the Senate proceed to consider bill H.R. 4691; that an amendment (in the nature of a substitute), containing an offset, be proposed by him, and agreed to; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. REID objected.

TAX EXTENDERS ACT

Pursuant to the order of Thursday, February 25, 2010,

The Committee on Finance was discharged from further consideration of the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

Pursuant to the order of Thursday, February 25, 2010,

The Senate proceeded to consider the bill.

The question being on passage of the bill.

Pursuant to the order of Thursday, February 25, 2010,

On motion by Mr. BAUCUS to strike all after the enacting clause and insert, in lieu thereof, other words (being amendment No. 3336, in the nature of a substitute).

Pending debate,

OBJECTION TO CONSIDERATION OF BILL H.R. 4691

Mr. DURBIN asked unanimous consent that the Senate proceed to consider bill H.R. 4691; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. BUNNING objected.

Pending debate,

Mr. BUNNING asked unanimous consent that the Senate proceed to consider bill H.R. 4691; that an amendment (in the nature of a substitute), containing an offset, be proposed by him, and agreed to; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. DURBIN objected.

TAX EXTENDERS ACT

The Senate resumed consideration of bill H.R. 4213.

The question being on agreeing to amendment No. 3336 (in the nature of a substitute) to the bill.

Pending debate,

On motion by Mr. SESSIONS (for himself and Mrs. MCCASKILL) to amend the pending amendment (in the nature of a substitute), at the appropriate place, by inserting certain words (being amendment No. 3337).

Pending debate,

The pending amendment was laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3336 (in the nature of a substitute) to the bill.

On motion by Mr. THUNE to amend the pending amendment (in the nature of a substitute), at the appropriate place, by inserting certain words (being amendment No. 3338).

Pending debate,

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period of one hour for the transaction of morning business; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; that the minority control the first half therein, and the majority control the second half therein; and that, following morning business, the Senate proceed to executive session to consider the nomination of Barbara Milano Keenan, of Virginia, to be United States Circuit Judge for the Fourth Circuit, as pursuant to the order of Friday, February 26, 2010.

ADJOURNMENT

By unanimous consent, on the request of Mr. BAUCUS,

At 6:37 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

TUESDAY, MARCH 2, 2010

Mrs. JEANNE SHAHEEN, from the State of New Hampshire, called the Senate to order at 10 a.m., the Reverend John L. Beaver, National Chaplain for the American Legion, offered a prayer, and Mrs. SHAHEEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, March 2, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. SHAHEEN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-4826. A communication from the Regulatory Analyst, Grain Inspection, Packers and Stockyards Administration, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Registration, Five Year Terms" (RIN0580-AB03), received in the Office of the President of the Senate on February 23, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4827. A communication from the Chief of Research and Analysis, Food and Nutrition Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Food Stamp Program: Eligibility and Certification Provisions of the Farm Security and Rural Investment Act of 2002" (RIN0584-AD30), received in the Office of the President of the Senate on February 24, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4828. A communication from the Acting Director of the Legislative Affairs Division, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Technical Service Provider Assistance" ((7 CFR Part 652)(RIN0578-AA48)), received in the Office of the President of the Senate on February 24, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4829. A communication from the Acting Director of the Legislative Affairs Division, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Healthy Forests Reserve Program" ((7 CFR Part 652)(RIN0578-AA52)), received in the Office of the President of the Senate on February 24, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4830. A communication from the Acting Director of the Legislative Affairs Division, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Compliance with the National Environmental Policy Act" ((7 CFR Part 650)(RIN0578-AA55)), received in the Office of the President of the Senate on February 24, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4831. A communication from the Acting Director of the Legislative Affairs Division, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Agricultural Management Assistance Program" ((7 CFR Part 1465)(RIN0578-AA50)), received in the Office of the President of the Senate on February 24, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4832. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Trichoderma asperellum strain ICC 012; Exemption from the Requirement of a Tolerance" (FRL No. 8800-9), received in the Office of the President of the Senate on February 24, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4833. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "1,2,3-Propanetriol, Homopolymer Diisooctadecanoate; Exemption from the Requirement of a Tolerance" (FRL No. 8813-8), received in the Office of the President of the Senate on February 24, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4834. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to the assignment of women to submarines; to the Committee on Armed Services.

EC-4835. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to the Republic of Korea; to the Committee on Banking, Housing, and Urban Affairs.

EC-4836. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Turkey; to the Committee on Banking, Housing, and Urban Affairs.

EC-4837. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Board's semiannual Monetary Policy Report to the Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-4838. A communication from the Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Money Market Fund Reform" (RIN3235-AK33), received in the Office of the President of the Senate on February 24, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4839. A communication from the Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Amendments to Rules Requiring Internet Availability of Proxy Materials" (RIN3235-AK25), received in the Office of the President of the Senate on February 24, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4840. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions to License Exception GOV to Provide Authorization for Exports and Reexports of Commodities for Use on the International Space Station (ISS)" (RIN0694-AE52), received in the Office of the President of the Senate on February 23, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4841. A communication from the Secretary, Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to an order granting rehearing for further consideration; to the Committee on Energy and Natural Resources.

EC-4842. A communication from the Acting Director of Human Resources, Office of Administration and Resources Management, Environmental Protection Agency, transmitting, pursuant to law, (3) three reports relative to vacancies in the Environmental Protection Agency, received in the Office of the President of the Senate on February 24, 2010; to the Committee on Environment and Public Works.

EC-4843. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Regulation of Fuels and Fuel Additives: Federal Volatility Control Program in the Denver-Boulder-Greeley-Ft. Collins-Loveland, Colorado, 1997 8-Hour Ozone Nonattainment Area" (FRL No. 9119-3), received in the Office of the President of the Senate on February 24, 2010; to the Committee on Environment and Public Works.

EC-4844. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Effluent Limitations Guidelines and Standards for the Construction and Development Point Source Category; Correction" (FRL No. 9118-7), received in the Office of the President of the Senate on February 24, 2010; to the Committee on Environment and Public Works.

EC-4845. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Operating Permits Program; State of Iowa" (FRL No. 9120-2), received in the Office of the President of the Senate on

February 24, 2010; to the Committee on Environment and Public Works.

EC-4846. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Ohio New Source Review Rules" (FRL No. 9107-4), received in the Office of the President of the Senate on February 24, 2010; to the Committee on Environment and Public Works.

EC-4847. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Illinois; NOx Budget Trading Program" (FRL No. 9116-8), received in the Office of the President of the Senate on February 24, 2010; to the Committee on Environment and Public Works.

EC-4848. A communication from the Branch Chief, Division of Migratory Bird Management, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Permits; Control of Muscovy Ducks, Revisions to the Waterfowl Permit Exceptions and Waterfowl Sale and Disposal Permits Regulations" (RIN1018-AV34), received in the Office of the President of the Senate on February 23, 2010; to the Committee on Environment and Public Works.

EC-4849. A communication from the Branch Chief, Division of Migratory Bird Management, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "General Provisions; Revised List of Migratory Birds" (RIN1018-AB72), received in the Office of the President of the Senate on February 23, 2010; to the Committee on Environment and Public Works.

EC-4850. A communication from the Branch Chief, Division of Migratory Bird Management, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Permits; Control of Purple Swamphens" (RIN1018-AV33), received in the Office of the President of the Senate on February 23, 2010; to the Committee on Environment and Public Works.

EC-4851. A communication from the Branch Chief, Division of Migratory Bird Management, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Permits; States Delegated Falconry Permitting Authority" (RIN1018-AW98), received in the Office of the President of the Senate on February 23, 2010; to the Committee on Environment and Public Works.

EC-4852. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2010 Automobile Inflation Adjustments" (Rev. Proc. 2010-18), received in the Office of the President of the Senate on February 23, 2010; to the Committee on Finance.

EC-4853. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Study and Report Relating to Medicare Advantage Organizations as Required by Section 4101(d) of the American Recovery and Reinvestment Act of 2009"; to the Committee on Finance.

EC-4854. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to U.S. military personnel and U.S. civilian contractors involved in the anti-narcotics campaign in Colombia; to the Committee on Foreign Relations.

EC-4855. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010-0029 - 2010-0032); to the Committee on Foreign Relations.

EC-4856. A communication from the Coordinator of U.S. Assistance to Europe and Eurasia, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, an annual report on U.S. Government Assistance to and Cooperative Activities with Central and Eastern Europe; to the Committee on Foreign Relations.

EC-4857. A communication from the Director, Office of Workers' Compensation Programs, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Claims for Compensation; Death Gratuity Under the Federal Employees' Compensation Act" (RIN1215-AB66), received in the Office of the President of the Senate on February 23, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-4858. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Listing of Color Additives Exempt From Certification; Astaxanthin Dimethyldisuccinate; Confirmation of Effective Date" (Docket No. FDA-2007-C-0044), received in the Office of the President of the Senate on February 24, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-4859. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-294, "Arthur Capper/Carrollsburg Public Improvements Revenue Bonds Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-4860. A communication from the Board Members, Railroad Retirement Board, transmitting, pursuant to law, an annual report relative to the Board's compliance with the Sunshine Act during calendar year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-4861. A communication from the Chief of Research and Analysis, Food and Nutrition Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Food Distribution Program on Indian Reservations: Resource Limits and Exclusions, and Extended Certification Periods" (RIN0584-AD12), received in the Office of the President of the Senate on February 24, 2010; to the Committee on Indian Affairs.

EC-4862. A communication from the Assistant Secretary of the Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Temporary Agricultural Employment of H-2A Aliens in the United States" (RIN1205-AB55), received in the Office of the President of the Senate on February 25, 2010; to the Committee on the Judiciary.

EC-4863. A communication from the Deputy Assistant Administrator of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Registration Requirements for Importers and Manufacturers of Prescription Drug Products Containing Ephedrine, Pseudoephedrine, or Phenylpropanolamine" (Docket Number DEA-294F), received in the Office of the President of the Senate on February 24, 2010; to the Committee on the Judiciary.

EC-4864. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Western Pacific Crustacean Fisheries; 2010 Northwestern Hawaiian Islands Lobster Harvest Guideline" (RIN0648-XT33), received in the Office of the President of the Senate on February 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4865. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled

"Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Non-American Fisheries Act Crab Vessels Catching Pacific Cod for Processing by the Inshore Component in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XT96), received in the Office of the President of the Senate on February 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4866. A communication from the Director, Census Bureau, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Foreign Trade Regulations (FTR): Eliminate the Social Security Number (SSN) as an Identification Number in the Automated Export System (AES)" (RIN0607-AA48), received in the Office of the President of the Senate on February 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4867. A communication from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Children's Products Containing Lead; Exemptions for Certain Electronic Devices" (16 CFR Part 1500), received in the Office of the President of the Senate on February 23, 2010; to the Committee on Commerce, Science, and Transportation.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 409. A bill to secure Federal ownership and management of significant natural, scenic, and recreational resources, to provide for the protection of cultural resources, to facilitate the efficient extraction of mineral resources by authorizing and directing an exchange of Federal and non-Federal land, and for other purposes (Rept. No. 111-129).

S. 522. A bill to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act (Rept. No. 111-130).

S. 555. A bill to provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, and for other purposes (Rept. No. 111-131).

S. 721. A bill to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers, and for other purposes (Rept. No. 111-132).

S. 782. A bill to provide for the establishment of the National Volcano Early Warning and Monitoring System (Rept. No. 111-133).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with amendments:

S. 853. A bill to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System (Rept. No. 111-134).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 874. A bill to establish El Rio Grande Del Norte National Conservation Area in the State of New Mexico, and for other purposes (Rept. No. 111-135).

S. 940. A bill to direct the Secretary of the Interior to convey to the Nevada System of Higher Education certain Federal land located in Clark and Nye counties, Nevada, and for other purposes (Rept. No. 111-136).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 1053. A bill to amend the National Law Enforcement Museum Act to extend the termination date (Rept. No. 111-137).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1139. A bill to require the Secretary of Agriculture to enter into a property conveyance with the city of Wallowa, Oregon, and for other purposes (Rept. No. 111-138).

S. 1140. A bill to direct the Secretary of the Interior to convey certain Federal land to Deschutes County, Oregon (Rept. No. 111-139).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment:

S. 1369. A bill to amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in the State of Oregon, as components of the National Wild and Scenic Rivers System, and for other purposes (Rept. No. 111-140).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 1405. A bill to redesignate the Longfellow National Historic Site, Massachusetts, as the "Longfellow House-Washington's Headquarters National Historic Site" (Rept. No. 111-141).

S. 1453. A bill to amend Public Law 106-392 to maintain annual base funding for the Bureau of Reclamation for the Upper Colorado River and San Juan fish recovery programs through fiscal year 2023 (Rept. No. 111-142).

S. 1757. A bill to provide for the prepayment of a repayment contract between the United States and the Uintah Water Conservancy District, and for other purposes (Rept. No. 111-143).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1759. A bill to authorize certain transfers of water in the Central Valley Project, and for other purposes (Rept. No. 111-144).

H.R. 689. A bill to interchange the administrative jurisdiction of certain Federal lands between the Forest Service and the Bureau of Land Management, and for other purposes (Rept. No. 111-145).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with amendments:

H.R. 714. A bill to authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park, and for other purposes (Rept. No. 111-146).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

H.R. 1121. A bill to authorize a land exchange to acquire lands for the Blue Ridge Parkway from the Town of Blowing Rock, North Carolina, and for other purposes (Rept. No. 111-147).

H.R. 1287. A bill to authorize the Secretary of the Interior to enter into a partnership with the Porter County Convention, Recreation and Visitor Commission regarding the use of the Dorothy Buell Memorial Visitor Center as a visitor center for the Indiana Dunes National Lakeshore, and for other purposes (Rept. No. 111-148).

H.R. 1376. To establish the Waco Mammoth National Monument in the State of Texas, and for other purposes (Rept. No. 111-149).

H.R. 1442. A bill to provide for the sale of the Federal Government's reversionary interest in approximately 60 acres of land in Salt Lake City, Utah, originally conveyed to the Mount Olivet Cemetery Association under the Act of January 23, 1909 (Rept. No. 111-150).

H.R. 1593. A bill to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System (Rept. No. 111-151).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with amendments:

H.R. 1694. A bill to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program (Rept. No. 111-152).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

H.R. 1945. A bill to require the Secretary of the Interior to conduct a study on the feasibility and suitability of constructing a storage reservoir, outlet works, and a delivery system for the Tule River Indian Tribe of the Tule River Reservation in the State of California to provide a water supply for domestic, municipal, industrial, and agricultural purposes, and for other purposes (Rept. No. 111-153).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

H.R. 2330. A bill to direct the Secretary of the Interior to carry out a study to determine the suitability and feasibility of establishing Camp Hale as a unit of the National Park System (Rept. No. 111-154).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

H.R. 2802. A bill to provide for an extension of the legislative authority of the Adams Memorial Foundation to establish a commemorative work in honor of former President John Adams and his legacy, and for other purposes (Rept. No. 111-155).

H.R. 3113. A bill to amend the Wild and Scenic Rivers Act to designate a segment of the Elk River in the State of West Virginia for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes (Rept. No. 111-156).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. WYDEN (for himself, Ms. CANTWELL, Ms. MIKULSKI, Mr. CARDIN, Mr. DODD, and Mr. MERKLEY):

S. 3056. A bill to amend the Energy Policy Act of 2005 to repeal a section of that Act relating to exportation and importation of natural gas; to the Committee on Energy and Natural Resources.

By Mrs. BOXER:

S. 3057. A bill to provide to the Secretary of Interior a mechanism to cancel contracts for the sale of materials CA-20139 and CA-22901, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DORGAN (for himself, Ms. COLLINS, Mr. BAUCUS, Mr. INOUYE, Mrs. LINCOLN, Mr. HATCH, Ms. STABENOW, Mr. SCHUMER, Mr. DURBIN, Mr. BUNNING, Mr. COCHRAN, Mr. CRAPO, Mr. GRASSLEY, Mr. JOHANNS, Ms. MURKOWSKI, Mrs. SHAHEEN, Mr. WARNER, Mr. BARRASSO, and Mr. BINGAMAN):

S. 3058. A bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BINGAMAN (for himself, Ms. MURKOWSKI, and Mr. MENENDEZ):

S. 3059. A bill to improve energy efficiency of appliances, lighting, and buildings, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent and Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. McCONNELL:

S. Res. 429. A resolution making minority party appointments for certain committees for the 111th Congress; considered and agreed to.

By Mr. CHAMBLISS:

S. Con. Res. 52. A concurrent resolution expressing support for the designation of March 20 as a National Day of Recognition for Long-Term Care Physicians; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 557

At the request of Mr. KOHL, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 557, a bill to encourage, enhance, and integrate Silver Alert plans throughout the United States, to authorize grants for the assistance of organizations to find missing adults, and for other purposes.

S. 704

At the request of Mr. HARKIN, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 704, a bill to direct the Comptroller General of the United States to conduct a study on the use of Civil Air Patrol personnel and resources to support homeland security missions, and for other purposes.

S. 752

At the request of Mr. DURBIN, the name of the Senator from Indiana [Mr. BAYH] was added as a cosponsor of S. 752, a bill to reform the financing of Senate elections, and for other purposes.

S. 1111

At the request of Mr. ROCKEFELLER, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 1111, a bill to require the Secretary of Health and Human Services to enter into agreements with States to resolve outstanding claims for reimbursement under the Medicare program relating to the Special Disability Workload project.

S. 1222

At the request of Mrs. LINCOLN, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 1222, a bill to amend the Internal Revenue Code of 1986 to extend and expand the benefits for businesses operating in empowerment zones, enterprise communities, or renewal communities, and for other purposes.

S. 1255

At the request of Mr. SCHUMER, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 1255, a bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to extend the authorized time period for rebuilding of certain overfished fisheries, and for other purposes.

S. 1583

At the request of Mr. ROCKEFELLER, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 1583, a bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit through 2014, and for other purposes.

S. 2805

At the request of Mr. SPECTER, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 2805, a bill to amend the Food and Nutrition Act of 2008 to increase the amount made available to purchase commodities for the emergency food assistance program in fiscal year 2010.

S. 2858

At the request of Mrs. BOXER, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 2858, a bill to amend the Public Health Service Act to establish an Office of Mitochondrial Disease at the National Institutes of Health, and for other purposes.

S. 2878

At the request of Mrs. GILLIBRAND, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 2878, a bill to prevent gun trafficking in the United States.

S. 2924

At the request of Mr. LEAHY, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 2924, a bill to reauthorize the Boys & Girls Clubs of America, in the wake of its Centennial, and its programs and activities.

S. 2947

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 2947, a bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation.

S. 2979

At the request of Mr. LEAHY, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of S. 2979, a bill to amend title 18, United States Code, to provide accountability for the criminal acts of Federal contractors and employees outside the United States, and for other purposes.

S. 2994

At the request of Mrs. BOXER, the name of the Senator from Arkansas [Mrs. LINCOLN]

was added as a cosponsor of S. 2994, a bill to amend the Internal Revenue Code of 1986 to impose an excise tax on excessive 2009 bonuses received from certain major recipients of Federal emergency economic assistance, to limit the deduction allowable for such bonuses, and for other purposes.

SENATE RESOLUTION 404

At the request of Mr. FEINGOLD, the names of the Senator from Illinois [Mr. BURRIS] and the Senator from Illinois [Mr. DURBIN] were added as cosponsors of Senate Resolution 404, a resolution supporting full implementation of the Comprehensive Peace Agreement and other efforts to promote peace and stability in Sudan, and for other purposes.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. DODD,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 2, 2010, at 9:30 a.m., to conduct a hearing entitled "Restoring Credit to Main Street: Proposals To Fix Small Business Borrowing and Lending Problems."

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 2, 2010, at 10 a.m., in room 253 of the Russell Senate Office Building.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on March 2, 2010, at 11:15 a.m., in room 215 of the Dirksen Senate Office Building.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs be authorized to meet during the session of the Senate on March 2, 2010. The Committee will meet in room 345 of the Cannon House Office Building beginning at 2 p.m.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on March 2, 2010, at 2:30 p.m.

SUBCOMMITTEE ON HUMAN RIGHTS AND THE LAW

The Committee on the Judiciary, Subcommittee on Human Rights and the Law, be authorized to meet during the session of the Senate on March 2, 2010, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Global Internet Freedom and the Rule of Law, Part II."

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 8:11 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 1299. An act to make technical corrections to the laws affecting certain administrative authorities of the United States Capitol Police, and for other purposes.

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the ACTING PRESIDENT pro tempore (Mr. REID).

At 9:30 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 4691. An act to provide a temporary extension of certain programs, and for other purposes.

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the ACTING PRESIDENT pro tempore (Mr. REID).

OBJECTION TO CONSIDERATION OF BILL H.R. 4691

Ms. COLLINS asked unanimous consent that the Senate proceed to consider the bill (H.R. 4691) to provide a temporary extension of certain programs, and for other purposes; that there be one hour, equally divided and controlled, for debate between the leaders, or their designees; that, upon conclusion of debate, the bill be read the third time; and that the Senate vote on passage of the bill.

Mr. BUNNING objected.

Mr. BUNNING asked unanimous consent that the Senate proceed to consider bill H.R. 4691; that an amendment (in the nature of a substitute), containing an offset, be proposed by him, and agreed to; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. REID objected.

EXECUTIVE SESSION

Pursuant to the order of Friday, February 26, 2010,

The Senate proceeded to executive session; and after the consideration of executive business (involving two roll call votes).

LEGISLATIVE SESSION

Pursuant to the order of Friday, February 26, 2010,

The Senate resumed its legislative session.

ORDER FOR CONSIDERATION OF BILL H.R. 4691

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That the Senate proceed to consider bill H.R. 4691; that the only amendment in order be an amendment intended to be proposed by Mr. BUNNING, relative to an offset; that there be one hour, equally divided and controlled, for debate thereon between Mr. REID and Mr. BUNNING, or their designees; that, upon conclusion of said debate, the time until 8:30 p.m. be equally divided and controlled for debate on the bill between Mr. REID and Mr. BUNNING, or their designees; that, at 8:30 p.m., the Senate vote in relation to the amendment; that no other amendment be in order; that, upon disposition of said amendment, the bill, as may be amended, be read the third time; that it be in order for a Budget Act point of order to be raised against the bill; that, if a point of order is raised, a motion to waive be considered made; and that, if the motion to waive is agreed to, the Senate vote on passage of the bill, as may be amended.

ORDER RELATIVE TO FURTHER CONSIDERATION OF BILL H.R. 4213

By unanimous consent, on the request of Mr. BAUCUS,

Ordered further, That, when the Senate resumes consideration of bill H.R. 4213, amendments intended to be proposed by Mrs. MURRAY and Mr. SANDERS be the next two majority amendments in order; and that the next two minority amendments in order be amendments intended to be proposed by Mr. BUNNING.

TEMPORARY EXTENSION ACT

Pursuant to the foregoing order,

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) laid before the Senate the bill (H.R. 4691) to provide a temporary extension of certain programs, and for other purposes; and

The Senate proceeded to consider the bill.

The question being on passage of the bill.

On motion by Mr. BUNNING to strike all after the enacting clause and insert, in lieu thereof, other words (being amendment No. 3355, in the nature of a substitute).

Pending debate,

AUTHORIZING SIGNING OF ENROLLED BILLS AND JOINT RESOLUTIONS

By unanimous consent, on the request of Mr. BEGICH,

Ordered, That the majority leader be authorized to sign duly enrolled bills and joint resolutions on today.

TEMPORARY EXTENSION ACT

The Senate resumed consideration of bill H.R. 4691.

The question being on agreeing to amendment No. 3355 (in the nature of a substitute) to the bill.

Pending debate,

Mrs. BOXER raised a point of order, viz, that the pending amendment violates provisions of section 311 of the Congressional Budget Act, and therefore is not in order.

On motion by Mr. BUNNING, under section 904(c)(2) of the Congressional Budget Act, to waive provisions of the Act for consideration of his pending amendment.

On motion by Mr. BUNNING,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the negative---
yeas... 43, nays... 53

[Rollcall Vote No. 31 Leg.]

YEAS --- 43

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Isakson, Johanns, Kyl, LeMieux, Lieberman, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

NAYS --- 53

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Leahy, Levin, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of Senators, duly chosen and sworn, not having voted in the affirmative.

The question recurring on the point of order raised by Mrs. BOXER.

The PRESIDING OFFICER held the point of order well-taken, and the amendment not in order.

The question being on passage of the bill.

Pursuant to the order of today,

The bill was read the third time.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the passage of the bill.

On the question, Shall it pass?

It was determined in the affirmative---
yeas... 78, nays... 19

[Rollcall Vote No. 32 Leg.]

YEAS --- 78

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Brownback, Burris, Cantwell, Cardin, Carper, Casey, Chambliss, Cochran, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Graham, Grassley, Hagan, Harkin, Inhofe, Inouye, Isakson, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Leahy, LeMieux, Levin, Lieberman, Lincoln, Lugar, McCain, McCaskill, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Roberts, Rockefeller, Sanders, Schumer, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Whitehouse, Wicker, Wyden.

NAYS --- 19

Alexander, Barrasso, Bennett, Bunning, Burr, Coburn, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Gregg, Hatch, Johanns, McConnell, Risch, Sessions, Thune.

So it was

Resolved, That the bill do pass.

On motion by Mr. DURBIN to reconsider the vote on passage of the bill.

On motion by Mr. DURBIN,

The motion to reconsider was laid on the table.

TAX EXTENDERS ACT

The PRESIDING OFFICER (Mrs. HAGAN in the chair) laid before the Senate its pending business, viz, the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3338, proposed by Mr. THUNE (for himself and Mr. ENZI), to amendment No. 3336 (in the nature of a substitute), proposed by Mr. BAUCUS, to the bill.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3336 (in the nature of a substitute) the bill.

On motion by Ms. LANDRIEU (for herself, Mr. VITTER, Mr. WICKER, and Mr. COCHRAN) to amend the pending amendment (in the nature of a substitute), after section 185, by adding certain words (being amendment No. 3335).

Pending debate,

MAKING MINORITY PARTY APPOINTMENTS FOR CERTAIN COMMITTEES FOR THE 111TH CONGRESS

On the request of Mr. SCHUMER,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 429) making minority party appointments for certain committees for the 111th Congress, submitted today by Mr. MCCONNELL, and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. SCHUMER,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of bill H.R. 4213.

ADJOURNMENT

By unanimous consent, on the request of Mr. SCHUMER,

At 9:33 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

WEDNESDAY, MARCH 3, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, March 3, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator

from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. TOM UDALL took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TAX EXTENDERS ACT

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; and

The Senate resumed consideration of the bill.

The question being agreeing to amendment No. 3335, proposed by Ms. LANDRIEU (for herself, Mr. VITTER, Mr. WICKER, and Mr. COCHRAN), to amendment No. 3336 (in the nature of a substitute), proposed by Mr. BAUCUS, to the bill

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3336 (in the nature of a substitute) to the bill.

On motion by Mr. REID for Mrs. MURRAY (for herself, Mr. HARKIN, Mrs. BOXER, Mr. BEGICH, Mr. BURRIS, Mr. LEVIN, Mr. DODD, Mrs. GILLIBRAND, Mr. KERRY, and Mr. SCHUMER) to amend the pending amendment (in the nature of a substitute), at the appropriate place, by inserting certain words (being amendment No. 3356).

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3336 (in the nature of a substitute) to the bill.

On motion by Mr. REID for Mr. SANDERS (for himself, Mr. DODD, Mr. WHITEHOUSE, Mr. LEAHY, Mrs. GILLIBRAND, Mr. LAUTENBERG, Ms. MIKULSKI, Mr. MENENDEZ, Mr. SCHUMER, Mr. KERRY, and Mr. BEGICH) to amend the pending amendment (in the nature of a substitute), on page 268, after line 11, by inserting certain words (being amendment No. 3353).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3336 (in the nature of a substitute) to the bill.

On motion by Mr. GRASSLEY (for himself, Mr. CRAPO, Mr. ROBERTS, Mr. ENSIGN, and Mr. HATCH) to amend the pending amendment (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 3352).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3336 (in the nature of a substitute) to the bill.

On motion by Mr. BUNNING, by unanimous consent, to amend the pending amendment (in the nature of a substitute) on various pages and lines by striking certain words and inserting other words (being amendments considered en bloc and designated numbers 3360 and 3361).

The question being on agreeing to amendment No. 3361 to amendment No. 3336 (in the nature of a substitute) to the bill.

Pending debate,

By unanimous consent, on the request of Mr. THUNE,

Ordered, That his pending amendment No. 3338 be modified; and that Mr. BENNETT and Mr. ROBERTS be added as cosponsors of the amendment.

The question being on agreeing to amendment No. 3361 to amendment No. 3336 (in the nature of a substitute) to the bill.

Pending debate,

By unanimous consent, on the request of Mr. SANDERS,

Ordered, That his pending amendment No. 3353 be modified; and that Mr. MENENDEZ be added as cosponsor of the amendment.

The question being on agreeing to amendment No. 3361 to amendment No. 3336 (in the nature of a substitute) to the bill.

Pending debate,

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That, at 2:45 p.m. on today, the Senate vote in "stacked" sequence in relation to the following amendments in the following order: amendment No. 3338, as modified, and amendment No. 3352; that there be 4 minutes, equally divided and controlled in the usual form, for debate prior to each vote; that no amendment be in order to the amendments prior to the votes; and that it be in order for amendment No. 3338, as modified, to be further modified.

The question being on agreeing to amendment No. 3361 to amendment No. 3336 (in the nature of a substitute) to the bill.

Mr. COBURN asked unanimous consent that the pending amendments be laid aside; and that he be recognized to propose amendment No. 3358.

Mr. BAUCUS objected.

The question being on agreeing to amendment No. 3361 to amendment No. 3336 (in the nature of a substitute) to the bill.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3336 (in the nature of a substitute) to the bill.

On motion by Mr. COBURN to amend the pending amendment (in the nature of a substitute), at the appropriate place, by inserting certain words (being amendment No. 3358).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3336 (in the nature of a substitute) to the bill.

On motion by Mr. BAUCUS for Mr. WEBB (for himself, Mrs. BOXER, and Mrs. LINCOLN) to amend the pending amendment (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 3342).

The hour of 2:45 p.m. having arrived,

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3338, as modified, proposed by Mr. THUNE (for himself, Mr. ENZI, Mr. BENNETT, Mr. ROBERTS, Mr. MCCAIN, Mr. ISAKSON, Mr. CHAMBLISS, Mr. INHOFE, and Mr. BARRASSO), to amendment No. 3336 (in the nature of a substitute) to the bill.

After debate,

Mr. BAUCUS raised a point of order, viz, that the pending amendment, as modified, violates section 311 of the Congressional Budget Act, and therefore is not in order.

On motion by Mr. CORNYN, under section 904(c) of the Congressional Budget Act, to waive provisions of the Act for consideration of the pending amendment, as modified.

On motion by Mr. CORNYN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

The question being taken.

It was determined in the negative---
yeas... 38, nays... 61

[Rollcall Vote No. 33 Leg.]

YEAS --- 38

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Inhofe, Isakson, Kyl, LeMieux, Lugar, McCain, McConnell, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Wicker.

NAYS --- 61

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl,

Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The question recurring on the point of order raised by Mr. BAUCUS.

The PRESIDING OFFICER (Mr. MERKLEY in the chair) held the point of order well-taken, and the amendment, as modified, not in order.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3352 to amendment No. 3336 (in the nature of a substitute) to the bill.

By unanimous consent, on the request of Mr. GRASSLEY,

Ordered, That Mr. BOND and Mr. BENNETT be added as cosponsors to the pending amendment.

The question being on agreeing to amendment No. 3352 to amendment No. 3336 (in the nature of a substitute) to the bill.

After debate,

On motion by Mr. BAUCUS to lay the pending amendment on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 54, nays... 45

[Rollcall Vote No. 34 Leg.]

YEAS --- 54

Akaka, Baucus, Bayh, Begich, Bennet, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Whitehouse, Wyden.

NAYS --- 45

Alexander, Barrasso, Bennett, Bingaman, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Nelson (FL), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Webb, Wicker.

So the motion was agreed to.

On motion by Mr. BAUCUS to reconsider the vote agreeing to the motion.

On motion by Mr. DORGAN,

The motion to reconsider was laid on the table.

The question recurring on agreeing to amendment No. 3342 to amendment No. 3336 (in the nature of a substitute) to the bill.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3336 (in the nature of a substitute) to the bill.

On motion by Ms. STABENOW (for herself, Mr. HATCH, Mr. SCHUMER, Mr. CRAPO, Mr. RISCH, Ms. SNOWE, Mr. SHERROD BROWN, Mr. ENZI, and Ms. COLLINS) to amend the pending amendment (in the nature of a substitute), in title VI, at the end thereof, by adding certain words (being amendment No. 3382).

By unanimous consent, on the request of Ms. LANDRIEU,

Ordered, That her amendment No. 3335 be modified.

The question being on agreeing to amendment No. 3382 to amendment No. 3336 (in the nature of a substitute) to the bill.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3336 (in the nature of a substitute) to the bill.

On motion by Mr. FEINGOLD (for himself, and Mr. COBURN) to amend the pending amendment (in the nature of a substitute), at the appropriate place, by inserting certain words (being amendment No. 3368).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3336 (in the nature of a substitute) to the bill.

On motion by Mr. SCOTT BROWN to amend the pending amendment (in the nature of a substitute) in title I, at the end thereof, by adding certain words (being amendment No. 3391).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3336 (in the nature of a substitute) to the bill.

On motion by Mr. BURR to amend the pending amendment (in the nature of a substitute), on page 268, after line 11, by inserting certain words (being amendment No. 3389).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3336 (in the nature of a substitute) to the bill.

On motion by Mr. BURR to amend the pending amendment (in the nature of a substitute), on page 268, after line 11, by inserting certain words (being amendment No. 3390).

Pending debate,

Mr. LEMIEUX raised a point of order, viz, that the emergency designation contained in pending amendment No. 3336 (in the nature of a substitute) violates provisions of section 4(g)(3) of Public Law 111-139, and therefore is not in order.

On motion by Mr. BAUCUS, under section 904 of the Congressional Budget Act and section 4(g)(3) of Public Law 111-139, to waive provisions of those Acts and budget resolutions for consideration of amendment No. 3336 (in the nature of a substitute).

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That, at 5:55 p.m., the Senate vote in "stacked" sequence in relation to the following amendments and motion to waive: amendment No. 3390; amendment No. 3353, as modified; amendment No. 3360; amendment No. 3361; and the motion, by Mr. BAUCUS, under section 904 of the Congressional Budget Act and section 4(g)-(3) of Public Law 111-139, to waive provisions of those Acts and budget resolutions for consideration of amendment No. 3336 (in the nature of a substitute).

Ordered further, That there be 2 minutes, equally divided and controlled, for debate following the first vote; that there be 4 minutes, equally divided and controlled, for debate prior to the votes in relation to amendment No. 3360 and 3361; that there be 2 minutes, equally divided and controlled in the usual form, for debate prior to a vote on the motion to waive; and that each vote following the first be 10 minutes in duration.

Pursuant to the foregoing order,

The question recurring on agreeing to amendment No. 3390 to amendment No. 3336 (in the nature of a substitute) to the bill.

Mr. BAUCUS raised a point of order, viz, that the pending amendment violates provisions of section 403(a) of concurrent resolution S. Con. Res. 21 (110th Congress), and therefore is not in order.

On motion by Mr. BURR, under section 904(c)(2) of the Congressional Budget Act to waive provisions of the concurrent resolution for consideration of his pending amendment.

On motion by Mr. BURR,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing on the motion.

The question being taken.

It was determined in the negative---
yeas... 38, nays... 59

[Rollcall Vote No. 35 Leg.]

YEAS --- 38

Barrasso, Bayh, Bennet, Bennett, Brown (MA), Brownback, Bunning, Burr, Chambliss, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Enzi, Graham, Grassley, Hatch, Isakson, Klobuchar, LeMieux, Lincoln, Lugar, McCain, McCaskill, McConnell, Murkowski, Nelson (NE), Nelson (FL), Pryor, Risch, Roberts, Shelby, Snowe, Thune, Vitter, Webb.

NAYS --- 59

Akaka, Alexander, Baucus, Begich, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Coburn, Conrad, Dodd, Dorgan, Durbin, Ensign, Feingold, Feinstein, Franken, Gillibrand, Gregg, Hagan, Harkin, Inhofe, Inouye, Johanns, Johnson, Kaufman, Kerry, Kohl, Kyl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Menendez, Merkley, Mikulski, Murray, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Whitehouse, Wicker, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The question recurring on the point of order raised by Mr. BAUCUS.

The PRESIDING OFFICER (Mr. BURRIS in the chair) held the point of order well-taken, and the section of the amendment (containing the emergency designation) was stricken.

The question being on agreeing to amendment No. 3390, as altered by the foregoing point of order.

The PRESIDING OFFICER held the point of order well-taken, and the amendment, as altered, not in order.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3353, as modified, to amendment No. 3336 (in the nature of a substitute) to the bill.

After debate,

Mr. GREGG raised a point of order, viz, that the pending amendment, as modified, violates provisions of section 403(a) of concurrent resolution S. Con. Res. 21 (110th Congress), and therefore is not in order.

On motion by Mr. SANDERS, under section 904 of the Congressional Budget Act and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and public law for consideration of the pending amendment, as modified.

On motion by Mr. SANDERS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing on the motion.

The question being taken.

It was determined in the negative---
yeas... 47, nays... 50

[Rollcall Vote No. 36 Leg.]

YEAS --- 47

Akaka, Baucus, Begich, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Casey, Conrad, Dodd, Dorgan, Durbin, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Lautenberg, Leahy, Lincoln, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Snowe, Specter, Stabenow, Tester, Udall (NM), Webb, Whitehouse, Wyden.

NAYS --- 50

Alexander, Barrasso, Bayh, Bennet, Bennett, Brown (MA), Brownback, Bunning, Burr, Carper, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Feinstein, Graham, Grassley, Gregg, Hatch, Inhofe, Johanns, Kyl, Landrieu, LeMieux, Levin, Lieberman, Lugar, McCain, McCaskill, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shaheen, Shelby, Thune, Udall (CO), Vitter, Voinovich, Warner, Wicker.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The question recurring on the point of order raised by Mr. GREGG.

The PRESIDING OFFICER held the point of order well-taken, and the section of the amendment, as modified (containing the emergency designation), was stricken.

The question being on agreeing to amendment No. 3353, as modified, and as altered by the foregoing point of order.

Mr. BAUCUS raised a point of order that the amendment, as modified, and as altered, violates section 201 of concurrent resolution S. Con. Res. 21 (110th Congress), and therefore is not in order.

The PRESIDING OFFICER held the point of order well-taken, and the amendment, as modified, and as altered, not in order.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3360 to amendment No. 3336 (in the nature of a substitute) to the bill.

After debate,

On motion by Mr. BAUCUS to lay the pending amendment on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 56, nays... 41

[Rollcall Vote No. 37 Leg.]

YEAS --- 56

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 41

Alexander, Barrasso, Bayh, Bennett, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Inhofe, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3361 to amendment No. 3336 (in the nature of a substitute) to the bill.

After debate,

On motion by Mr. INOUYE to lay the pending amendment on the table.

On motion by Mr. INOUYE,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 61, nays... 36

[Rollcall Vote No. 38 Leg.]

YEAS --- 61

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS --- 36

Alexander, Barrasso, Bennett, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McCaskill, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Thune, Vitter, Wicker.

So the motion was agreed to.

The question recurring on agreeing to the motion, under section 904 of the Congressional Budget Act and 4(g)(3) of Public Law 111-139, to provisions of the Acts and Budget resolutions for consideration of amendment No. 3336 (in the nature of a substitute).

After debate,

The question being taken.

It was determined in the affirmative---
yeas... 60, nays... 37

[Rollcall Vote No. 39 Leg.]

YEAS --- 60

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein,

Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 37

Alexander, Barrasso, Bennett, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to; three-fifths of the Senators duly chosen and sworn having voted in the affirmative.

On motion by Mr. BAUCUS to reconsider the vote agreeing to the motion.

On motion by Mrs. LINCOLN,

The motion to reconsider was laid on the table.

The question recurring on agreeing to amendment No. 3389 to amendment No. 3336 (in the nature of a substitute) to the bill.

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-4868. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report entitled "Fiscal Year 2009 Financial Report of the U.S. Government"; to the Committee on Banking, Housing, and Urban Affairs.

EC-4869. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Federal Home Loan Bank Housing Associates, Core Mission Activities and Standby Letters of Credit Rule" (RIN2590-AA33), received in the Office of the President of the Senate on March 1, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4870. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility (75 FR 5890)" ((44 CFR Part 64)-(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on February 26, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4871. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on February 26, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4872. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility for Failure to Maintain Adequate Floodplain Management Regulations" ((44 CFR Part 64)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on February 26, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4873. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility (75 FR 6120)" ((44 CFR Part 64)-(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on February 26, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4874. A communication from the Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Amendments to Rules 201 and 200(g) of Regulation SHO - Short Sale-Related Circuit Breaker That Imposes a Short Sale Price Restriction" (RIN3235-AK35), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4875. A communication from the Deputy Chief Financial Officer and Director for Financial Management, Office of the Secretary, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Civil Monetary Penalties; Adjustment for Inflation" (RIN0605-AA27), received in the Office of the President of the Senate on February 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4876. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Closed Captioning of Video Programming, Order Suspending Effective Date" (FCC 09-71), received in the Office of the President of the Senate on February 25, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4877. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to the progress made in licensing and constructing the Alaska Natural Gas Pipeline; to the Committee on Energy and Natural Resources.

EC-4878. A communication from the Administrator, General Services Administration, transmitting, pursuant to law, a fiscal year 2009 report relative to the General Service Administration's Alternative Fuel Vehicle program; to the Committee on Energy and Natural Resources.

EC-4879. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking of Marine Mammals Incidental to Commercial Fishing Operations; Harbor Porpoise Take Reduction Plan Regulations" (RIN0648-AW51), received in the Office of the President of the Senate on February 26, 2010; to the Committee on Environment and Public Works.

EC-4880. A communication from the Program Manager, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Computerized Tribal IV-D Systems and Office Automation" (RIN0970-AC32), received in the Office of the President of the Senate on February 25, 2010; to the Committee on Finance.

EC-4881. A communication from the Board of Trustees, National Railroad Retirement Investment Trust, transmitting, pursuant to law, an annual report relative to its operations and financial condition; to the Committee on Finance.

EC-4882. A communication from the United States Trade Representative, Executive Office of the President, transmitting, pursuant to law, the 2010 Trade Policy Agenda and 2009 Annual Report of the President of the United States on the Trade Agreements Program; to the Committee on Finance.

EC-4883. A communication from the Secretary of the Department of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC-4884. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Russia

relative to the design, manufacture, and repair of the RD-180 Liquid Propellant Rocket Engine Program in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-4885. A communication from the Acting Director, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Part 4022), received in the Office of the President of the Senate on February 26, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-4886. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Civil Penalties Under ERISA Section 502(c)(8)" (RIN1210-AB31), received in the Office of the President of the Senate on February 26, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-4887. A communication from the Human Resources Specialist, Office of Inspector General, Department of Labor, transmitting, pursuant to law a report relative to a vacancy in the position of Inspector General of the Department of Labor; to the Committee on Health, Education, Labor, and Pensions.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. HATCH (for himself and Mr. REID):

S. 3060. A bill to amend the Atomic Energy Act of 1954 to provide for thorium fuel cycle nuclear power generation; to the Committee on Energy and Natural Resources.

By Mr. DODD (for himself and Mr. ENSIGN):

S. 3061. A bill to amend part B of title IV of the Elementary and Secondary Education Act of 1965 to improve 21st Century Community Learning Centers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARPER (for himself, Ms. SNOWE, Mr. BROWN of Ohio, and Ms. COLLINS):

S. 3062. A bill to extend credits related to the production of electricity from offshore wind, and for other purposes; to the Committee on Finance.

By Mr. REID (for himself, Mr. BEGICH, Mr. BENNET, Mr. BENNETT, Mrs. FEINSTEIN, Mr. MERKLEY, Ms. MURKOWSKI, and Mr. WYDEN):

S. 3063. A bill to direct the Secretary of the Interior to provide loans to certain organizations in certain States to address habitats and ecosystems and to address and prevent invasive species; to the Committee on Energy and Natural Resources.

By Ms. SNOWE (for herself, Mr. CARPER, and Ms. COLLINS):

S. 3064. A bill to amend the Internal Revenue Code of 1986 to provide a credit for the production of energy from deep water offshore wind; to the Committee on Finance.

By Mr. LIEBERMAN (for himself, Mr. LEVIN, Mr. UDALL of Colorado, Mrs. GILLIBRAND, Mr. BURRIS, Mr. BINGAMAN, Mrs. BOXER, Mr. WYDEN, Mr. LEAHY, Mr. SPECTER, Mr. MERKLEY, Mrs. FEINSTEIN, Mr. FRANKEN, and Mr. CARDIN):

S. 3065. A bill to amend title 10, United States Code, to enhance the readiness of the Armed Forces by replacing the current policy concerning homosexuality in the Armed Forces, referred to as "Don't Ask, Don't Tell", with a policy of nondiscrimination on the basis of sexual orientation; to the Committee on Armed Services.

By Mr. AKAKA:

S. 3066. A bill to correct the application of the Non-Foreign Area Retirement Equity Assurance Act of 2009 (5 U.S.C. 5304 note) to employees paid saved or retained rates; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BURR (for himself and Mr. JOHANNS):

S. 3067. A bill to amend the Internal Revenue Code of 1986 to increase the exclusion for employer-provided dependent care assistance; to the Committee on Finance.

By Mr. KYL (for Mrs. HUTCHISON):

S. 3068. A bill to reauthorize the National Aeronautics and Space Administration Human Space Flight Activities, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHUMER (for himself, Mr. CASEY, Mr. BROWN of Ohio, Mr. TESTER, and Mr. SPECTER):

S. 3069. A bill to amend the American Recovery and Reinvestment Act of 2009 to provide for the preservation and creation of jobs in the United States for projects receiving grants for specified energy property; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. NELSON of Florida (for himself and Mr. LEMIEUX):

S. 3070. A bill to release Federal reversionary interests retained on certain lands acquired in the State of Florida under the Bankhead-Jones Farm Tenant Act, to authorize the interchange of National Forest System land and State land in Florida, to authorize an additional conveyance under the Florida National Forest Land Management Act of 2003, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. INHOFE (for himself and Mr. COBURN):

S. Res. 430. A resolution commending the members of the 45th Agri-Business Development Team of the Oklahoma National Guard, for their efforts to modernize agriculture and sustainable farming practices in Afghanistan and their dedication and service to the United States; to the Committee on Armed Services.

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

S. Res. 431. A resolution expressing profound concern, deepest sympathies, and solidarity on behalf of the people of the United States to the people and Government of Chile following the massive earthquake; to the Committee on Foreign Relations.

By Mrs. LINCOLN (for herself and Mr. CRAPO):

S. Res. 432. A bill supporting the goals and ideals of the Year of the Lung 2010; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN (for herself, Mr. CARDIN, Mrs. GILLIBRAND, and Mrs. BOXER):

S. Res. 433. A resolution supporting the goals of "International Women's Day"; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 362

At the request of Mr. ROCKEFELLER, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of S. 362, a bill to amend title 38, United States Code, to improve the collective bargaining rights and procedures for review of adverse actions of certain employees of the Department of Veterans Affairs, and for other purposes.

S. 688

At the request of Ms. SNOWE, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 688, a bill to require that health plans provide coverage for a minimum hospital stay for mastectomies, lumpectomies, and lymph node dissection for the treatment of breast cancer and coverage for secondary consultations.

S. 742

At the request of Mr. CHAMBLISS, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 742, a bill to expand the boundary of the Jimmy Carter National Historic Site in the State of Georgia,

to redesignate the unit as a National Historical Park, and for other purposes.

S. 891

At the request of Mr. BROWNBACK, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 891, a bill to require annual disclosure to the Securities and Exchange Commission of activities involving columbite-tantalite, cassiterite, and wolframite from the Democratic Republic of Congo, and for other purposes.

S. 941

At the request of Mr. CRAPO, the name of the Senator from Mississippi [Mr. WICKER] was added as a cosponsor of S. 941, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearm laws and regulations, protect the community from criminals, and for other purposes.

S. 984

At the request of Mrs. BOXER, the names of the Senator from Washington [Ms. CANTWELL] and the Senator from North Dakota [Mr. CONRAD] were added as cosponsors of S. 984, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 1273

At the request of Mr. DORGAN, the name of the Senator from Iowa [Mr. GRASSLEY] was added as a cosponsor of S. 1273, a bill to amend the Public health Service Act to provide for the establishment of permanent national surveillance systems for multiple sclerosis, Parkinson's disease, and other neurological diseases and disorders.

S. 1428

At the request of Mr. WHITEHOUSE, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 1428, a bill to amend the Toxic Substances Control Act to phase out the use of mercury in the manufacture of chlorine and caustic soda, and for other purposes.

S. 1567

At the request of Mr. BROWNBACK, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 1567, a bill to provide for the issuance of a Multinational Species Conservation Funds Semipostal Stamp.

S. 1611

At the request of Mr. GREGG, the name of the Senator from Alaska [Ms. MURKOWSKI] was added as a cosponsor of S. 1611, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 2898

At the request of Ms. LANDRIEU, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 2898, a bill to provide for child safety, care, and education continuity in the event of a presidentially declared disaster.

S. 2924

At the request of Mr. LEAHY, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 2924, a bill to reauthorize the Boys & Girls Clubs of America, in the wake of its Centennial, and its programs and activities.

S. 2982

At the request of Mr. KERRY, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 2982, a bill to combat international violence against women and girls.

S. 3014

At the request of Ms. STABENOW, the name of the Senator from Wyoming [Mr. ENZI] was added as a cosponsor of S. 3014, a bill to amend the Internal Revenue Code of 1986 to allow companies to utilize existing alternative minimum tax credits to create and maintain United States jobs, and for other purposes.

S. 3027

At the request of Ms. KLOBUCHAR, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 3027, a bill to prevent the inadvertent disclosure of information on a computer through certain "peer-to-peer" file sharing programs without first providing notice and obtaining consent from an owner or authorized user of the computer.

SENATE RESOLUTION 409

At the request of Mr. FEINGOLD, the name of the Senator from Indiana [Mr. BAYH] was added as a cosponsor of Senate Resolution 409, a resolution calling on members of the Parliament in Uganda to reject the proposed "Anti-Homosexuality Bill", and for other purposes.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. WEBB,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on March 3, 2010, at 4:30 p.m.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on March 3, 2010, at 10 a.m. in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works be authorized to meet during the session of the Senate on March 3, 2010, at 10 a.m. in room 406 of the Dirksen Senate Office Building.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on March 3, 2010, at 10 a.m. in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "The 2010 Trade Agenda."

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 3, 2010, at 9:30 a.m. to conduct a hearing entitled "Chemical Security: Assessing Progress and Charting a Path Forward."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on March 3, 2010, at 2:15 p.m. in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Encouraging Innovative and Cost-Effective Crime Reduction Strategies."

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs be authorized to meet during the session of the Senate on March 3, 2010. The Committee will meet in room 418 of the Russell Senate Office Building beginning at 9:30 a.m.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

The Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on March 3, 2010, at 2:30 p.m. in order to conduct a hearing entitled "Oversight Challenges In The Medicare Prescription Drug Program."

SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND COAST GUARD

The Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 3, 2010, at 10 a.m., in room 253 of the Russell Senate Office Building.

SUBCOMMITTEE ON STRATEGIC FORCES

The Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, March 3, 2010, at 2:30 p.m.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 9:33 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3820. An act to reauthorize Federal natural hazards reduction programs, and for other purposes.

At 6:14 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 239. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to present the Congressional Gold Medal to the Women Airforce Service Pilots.

HOUSE BILL REFERRED

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

H.R. 3820. An act to reauthorize Federal natural hazards reduction programs, and for other purposes; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate resumed its legislative session.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of bill H.R. 4213.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 7:57 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

THURSDAY, MARCH 4, 2010

Mrs. KIRSTEN E. GILLIBRAND, from the State of New York, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mrs. GILLIBRAND led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, March 4, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. GILLIBRAND took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TAX EXTENDERS ACT

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3389, proposed by Mr. BURR, to amendment No. 3336 (in the nature of a substitute), proposed by Mr. BAUCUS, to the bill.

Pending debate,

SUPPORTING FULL IMPLEMENTATION OF THE COMPREHENSIVE PEACE AGREEMENT

By unanimous consent, on the request of Mr. BAUCUS,

The Senate proceeded to consider the resolution (S. Res. 404) supporting full implementation of the Comprehensive Peace Agreement and other efforts to promote peace and stability in Sudan, and for other purposes.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXPRESSING THE SENSE OF THE SENATE ON THE RECOVERY, REHABILITATION, AND REBUILDING OF HAITI

By unanimous consent, on the request of Mr. BAUCUS,

The Senate proceeded to consider the resolution (S. Res. 414) expressing the sense of the Senate on the recovery, rehabilitation, and rebuilding of Haiti following the humanitarian crisis caused by the January 12, 2010, earthquake in Haiti.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE PROGRESS MADE BY THE PEOPLE OF UKRAINE IN ESTABLISHING DEMOCRATIC INSTITUTIONS

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That the Committee on Foreign Relations be discharged from the further consideration of the resolution (S. Res. 422) recognizing the important progress made by the people of Ukraine in the establishment of democratic institutions following the presidential run-off election on February 7, 2010.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "SCHOOL SOCIAL WORK WEEK"

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 426) designating the week of February 28 through March 7, 2010, as "School Social Work Week".

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXPRESSING SUPPORT FOR CHILDREN'S DENTAL HEALTH MONTH

On the request of Mr. BAUCUS,

The ACTING PRESIDENT pro tempore laid before the Senate the resolution (S. Res. 434) expressing support for Children's Dental Health Month and honoring the memory of Deamonte Driver, submitted today by Mr. CARDIN (for himself, Ms. COLLINS, Mr. BINGAMAN, Mr. ROCKEFELLER, and Ms. MIKULSKI), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

SUPPORTING MULTIPLE SCLEROSIS AWARENESS WEEK

On the request of Mr. BAUCUS,

The ACTING PRESIDENT pro tempore laid before the Senate the resolution (S. Res. 435) supporting the goals and ideals of Multiple Sclerosis Awareness Week, submitted today by Mr. CASEY (for himself, Ms. SNOWE, Mr. LAUTENBERG, Mr. DORGAN, Mr. SPECTER, Mr. KERRY, Mr. BEGICH, Mr. MENENDEZ, Mr. BAYH, and Mr. DODD), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXPRESSING SUPPORT FOR THE PEOPLE AFFECTED BY THE NATURAL DISASTERS ON MADEIRA ISLAND

On the request of Mr. BAUCUS,

The ACTING PRESIDENT pro tempore laid before the Senate the resolution (S. Res. 436) expressing support for the people affected by the natural disasters on Madeira Island, submitted today by Mr. WHITEHOUSE (for himself, Mr. KERRY, Mr. REED, and Mr. SCOTT BROWN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXPRESSING THE SENSE OF THE SENATE RELATIVE TO THE UPCOMING IRAQI PARLIAMENTARY ELECTIONS

On the request of Mr. BAUCUS,

The ACTING PRESIDENT pro tempore laid before the Senate the resolution (S. Res. 437) expressing the sense of the Senate regarding the positive effect of the upcoming Iraqi parliamentary elections on Iraq's political reconciliation and democratic institutions, submitted today by Mr. KERRY (for himself, Mr. MCCAIN, Mr. LIEBERMAN, Mr. LUGAR, Mr. CASEY, Mr. GRAHAM, and Mr. KAUFMAN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "READ ACROSS AMERICA DAY"

On the request of Mr. BAUCUS,

The ACTING PRESIDENT pro tempore laid before the Senate the resolution (S. Res. 438) designating March 2, 2010, as "Read Across America Day", submitted today by Mr. REED (for himself and Ms. COLLINS), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

TAX EXTENDERS ACT

The Senate resumed consideration of bill H.R. 4213.

The question being on agreeing to amendment No. 3389 to amendment No. 3336 (in the nature of a substitute) to the bill.

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That time until 2:30 p.m. be equally divided and controlled for debate between the leaders, or their designees; that, at 2:30 p.m., the Senate vote in "stacked" sequence in relation to the following amendments in the following order: amendments Numbered 3382, 3391, 3389, 3337.

Ordered further, That no amendment be in order to the amendments prior to the votes; that there be 2 minutes, equally divided and controlled in the usual form, for debate prior to each vote; and that each vote following the first be 10 minutes in duration.

ORDER FOR EXECUTIVE SESSION

By unanimous consent, on the request of Mr. BAUCUS,

As in executive session,

Ordered, That, following the votes in relation to amendments to bill H.R. 4213, the Senate proceed to executive session to consider the nomination of William Conley, of Wisconsin, to be United States District Judge for the Western District of Wisconsin; that the Senate then vote on confirmation of the nomination; that, following the vote, a motion to reconsider be made and laid on the table; that no further motion be in order; that the President be immediately notified of the Senate's action; and that the Senate resume its legislative session.

TAX EXTENDERS ACT

The Senate resumed consideration of bill H.R. 4213.

The question being on agreeing to amendment No. 3389 to amendment No. 3336 (in the nature of a substitute) to the bill.

Pending debate,

The hour of 2:30 p.m. having arrived,

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3382, proposed by Ms. STABENOW (for herself, Mr. HATCH, Mr. SCHUMER, Mr. CRAPO, Ms. SNOWE, Mr. SHERROD BROWN, Mr. ENZI, Mr. RISCH, and Ms. COLLINS), to amendment No. 3336 (in the nature of a substitute) to the bill.

After debate,

The amendment was agreed to.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3391, proposed by Mr. SCOTT BROWN (for himself and Mr. MCCAIN), to amendment No. 3336 (in the

nature of a substitute), as amended, to the bill.

After debate,

Mr. BAUCUS raised a point of order, viz, that the emergency designation contained in pending amendment No. 3391 violates section 403 of concurrent resolution S. Con. Res. 13 (111th Congress), and therefore is not in order.

On motion by Mr. SCOTT BROWN, under section 904 of the Congressional Budget Act of 1974 and section 4(g)(3) of Public Law 111-139, to waive provisions of those Acts and applicable budget resolutions for consideration of his pending amendment.

On motion by Mr. SCOTT BROWN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing on the motion.

The question being taken.

It was determined in the negative---
yeas... 44, nays... 56

[Rollcall Vote No. 40 Leg.]

YEAS --- 44

Alexander, Barrasso, Bayh, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Dodd, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kerry, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Wicker.

NAYS --- 56

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The question recurring on the point of order raised by Mr. BAUCUS.

The PRESIDING OFFICER (Mr. FRANKEN in the chair) held the point of order well-taken, and the section of the amendment (containing the emergency designation) was stricken.

The question being on agreeing to amendment No. 3391, as altered by the foregoing point of order.

Mr. BAUCUS raised a point of order, viz, that the amendment, as altered, violates provisions of section 201 of concurrent resolution S. Con. Res. 21 (110th Congress), and therefore is not in order.

The PRESIDING OFFICER held the point of order well-taken, and the amendment, as altered, not in order.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3389 to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

After debate,

Mr. BAUCUS raised a point of order, viz, that the emergency designation contained in pending amendment No. 3389 violates section 201 of concurrent resolution S. Con. Res. 21 (110th Congress), and therefore is not in order.

On motion by Mr. BURR, under section 904 of the Congressional Budget Act of 1974 and section 4(g)(3) of Public Law 111-139, to waive provisions of those Acts and budget resolutions for consideration of the pending amendment.

On motion by Mr. BURR,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing on the motion.

The question being taken.

It was determined in the negative---
yeas... 22, nays... 78

[Rollcall Vote No. 41 Leg.]

YEAS --- 22

Bennett, Bond, Brown (MA), Bunning, Burr, Chambliss, Coburn, Collins, Graham, Grassley, Hatch, Inhofe, Isakson, Johanns, LeMieux, Lugar, McCain, McConnell, Murkowski, Snowe, Thune, Vitter.

NAYS --- 78

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Brownback, Burris, Byrd, Cantwell, Cardin, Carper, Casey, Cochran, Conrad, Corker, Cornyn, Crapo, DeMint, Dodd, Dorgan, Durbin, Ensign, Enzi, Feingold, Feinstein, Franken, Gillibrand, Gregg, Hagan, Harkin, Hutchison, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Risch, Roberts, Rockefeller, Sanders, Schumer, Sessions, Shaheen, Shelby, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wicker, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The question recurring on the point of order raised by Mr. BAUCUS.

The PRESIDING OFFICER held the point of order well-taken, and the amendment not in order.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3337, proposed by Mr. SESSIONS (for himself, Mrs. MCCASKILL, Mr. ENZI, Mr. BEGICH, Mr. SCOTT BROWN, Mr. JOHANNS, Ms. KLOBUCHAR, and Mr. WICKER), to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

After debate,

Mr. INOUYE raised a point of order, viz, that the pending amendment violates section 306 of the Congressional Budget Act of 1974, and therefore is not in order.

On motion by Mrs. MCCASKILL, under section 904(c) of the Congressional Budget Act of 1974 and section 4(g)(3) of Public Law 111-139, to waive provisions of those Acts and applicable budget resolutions for consideration of the pending amendment.

On motion by Mrs. MCCASKILL,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing on the motion.

The question being taken.

It was determined in the negative---
yeas... 59, nays... 41

[Rollcall Vote No. 42 Leg.]

YEAS --- 59

Alexander, Barrasso, Bayh, Begich, Bennet, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Cantwell, Carper, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Isakson, Johanns, Klobuchar, Kyl, LeMieux, Lieberman, Lincoln, Lugar, McCain, McCaskill, McConnell, Murkowski, Nelson (NE), Nelson (FL), Pryor, Risch, Roberts, Sessions, Shaheen, Shelby, Snowe, Tester, Thune, Udall (CO), Vitter, Voinovich, Warner, Webb, Wicker.

NAYS --- 41

Akaka, Baucus, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cardin, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Harkin, Inouye, Johnson, Kaufman, Kerry, Kohl, Landrieu, Lautenberg, Leahy, Levin, Menendez, Merkley, Mikulski, Murray, Reed, Reid, Rockefeller, Sanders, Schumer, Specter, Stabenow, Udall (NM), Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

On motion by Mr. DURBIN to reconsider the vote disagreeing to the motion.

On motion by Mr. REID,

The motion to reconsider was laid on the table.

The question recurring on the point of order raised by Mr. INOUYE.

The PRESIDING OFFICER held the point of order well-taken, and the amendment not in order.

The question being on agreeing to amendment No. 3368 to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

EXECUTIVE SESSION

Pursuant to the order of today,

The Senate proceeded to executive session; and after the consideration of executive business (involving one roll call vote).

LEGISLATIVE SESSION

Pursuant to the order of today,

The Senate resumed its legislative session.

TAX EXTENDERS ACT

The Senate resumed consideration of bill H.R. 4213.

The question being on agreeing to amendment No. 3368 to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

Pending debate,

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That he be recognized to propose amendment No. 3354; and that, following remarks by him, the amendment be withdrawn.

The question being on agreeing to amendment No. 3368 to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today,

On motion by Mr. WHITEHOUSE (for himself, Mr. SCHUMER, Mr. BINGAMAN, and Mr. MERKLEY) to further amend the pending amendment (in the nature of a substitute), on page 269, after line 6, by inserting certain words (being amendment No. 3354).

After debate,

Pursuant to the order of today,

The amendment was withdrawn.

The question recurring on agreeing to amendment No. 3368 to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

Pending debate,

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. LEVIN,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. LEVIN,

The Senate resumed its legislative session.

TAX EXTENDERS ACT

The Senate resumed consideration of bill H.R. 4213.

The question being on agreeing to amendment No. 3368 to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

Pending debate,

Mr. REID called for the regular order with respect to amendment No. 3356.

Whereupon,

The question being on agreeing to amendment No. 3356, proposed by Mrs. MURRAY (for herself, Mr. HARKIN, Mrs. BOXER, Mr. BEGICH, Mr. BURRIS, Mr. LEVIN, Mr. DODD, Mr. GILLIBRAND, Mr. KERRY, and Mr. SCHUMER), to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

Mr. REID, by unanimous consent, modified the pending amendment.

The question then being on agreeing to amendment No. 3356, as modified, to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. REID,

Ordered, That it be in order for him to propose amendment No. 3417; and that it be in order for Mr. ISAKSON to propose an amendment.

The question being on agreeing to amendment No. 3356, as modified, to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. REID (for himself, Mr. ENSIGN, Mrs. FEINSTEIN, Mr. HATCH, Mr. CRAPO, and Mrs. BOXER) to further amend the pending amendment (in the nature of a substitute), in title VI, at the end thereof, by adding certain words (being amendment No. 3417).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. MCCAIN (for himself and Mr. GRAHAM) to further amend the pending amendment (in the nature of a substitute), at the appropriate place, by inserting certain words (being amendment No. 3427).

Pending debate,

By unanimous consent, on the request of Mrs. LINCOLN,

Ordered, That Mr. VOINOVICH be added as a cosponsor of amendment No. 3416.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

On motion by Mrs. LINCOLN to further amend the pending amendment (in the nature of a substitute), on various pages and lines, by striking certain words and inserting other words (being amendment No. 3401).

Pending debate,

Mr. REID proposed the following amendments on various pages and lines on behalf of the Senators indicated; each was modified, as indicated, and agreed to: Mr. BAUCUS, amendment No. 3406; Mr. DODD, amendment No. 3349; and Mr. LEAHY (for himself and Mr. SESSIONS), amendment No. 3346, as modified.

A motion to reconsider was made and laid on the table, en bloc, by unanimous consent.

The question recurring on agreeing to amendment No. 3401 to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. REID,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-4888. A communication from the Chief of Research and Analysis, Food and Nutrition Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Commodity Supplemental Food Program (CSFP): Amendment Removing Priority Given to Women, Infants, and Children Before the Elderly in Program Participation" (RIN0584-AD93), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4889. A communication from the Deputy Director, Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Exclusion of Certain Military Pay From Deemed Income and Resources" (RIN0960-AF97), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Finance.

EC-4890. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Department's report entitled "Report to Congress on a Plan for an Indian Head Start Study"; to the Committee on Indian Affairs.

EC-4891. A communication from the Deputy Chief of the Regulatory Products Division, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Professional Conduct for Practitioners: Rules, Procedures, Representation, and Appearances"

(RIN1601-AA58), received in the Office of the President of the Senate on March 1, 2010; to the Committee on the Judiciary.

EC-4892. A communication from the President and Chief Scout Executive, Boy Scouts of America, transmitting, pursuant to law, the organization's 2009 annual report; to the Committee on the Judiciary.

EC-4893. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Grand Junction, CO" ((RIN2120-AA66)(Docket No. FAA-2009-0941)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4894. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Graford, TX" ((RIN2120-AA66)(Docket No. FAA-2009-0927)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4895. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class E Airspace; Hinesville, GA" ((RIN2120-AA66)(Docket No. FAA-2009-0960)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4896. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Area Navigation (RNAV) Route Q-108; Florida" ((RIN2120-AA66)(Docket No. FAA-2009-0885)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4897. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Civil Penalties" (RIN2127-AK40), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4898. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards; Occupant Crash Protection" (RIN2127-AK57), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4899. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Requirements and Procedures for Consumer Assistance to Recycle and Save Program" (RIN2127-AK67), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4900. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards; Door Locks and Door Retention Components" (RIN2127-AK60), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4901. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Insurer Reporting Requirements; List of Insurers Required to File Reports" (RIN2127-AK46), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4902. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Certification of Aircraft and Airmen for the Operation of Light-Sport Aircraft; Modifications to Rules for Sport Pilots and Flight Instructors With a Sport Pilot Rating" ((RIN2120-AJ10)(Docket No. FAA-2007-29015)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4903. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Filtered Flight Data" ((RIN2120-AI79)(Docket No. FAA-2006-26135)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4904. A communication from the Senior Regulation Analyst, Office of the Secretary of Transportation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Procedures for Transportation Workplace Drug and Alcohol Testing Programs: Alcohol Testing Form and Drug and Alcohol Management Information Systems Form Updates" (RIN2105-AD84), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4905. A communication from the Senior Regulations Analyst, Office of the Secretary of Transportation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Procedures for Transportation Workplace Drug and Alcohol Testing Programs: Procedures for Non-Evidential Alcohol Screening Devices" (RIN2105-AD64), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4906. A communication from the Senior Regulations Analyst, Office of the Secretary of Transportation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Procedures for Transportation Workplace Drug and Alcohol Testing Programs: State Laws Requiring Drug and Alcohol Rule Violation Information" (RIN2105-AD67), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4907. A communication from the Assistant Chief Counsel for General Law, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Pipeline Safety: Administrative Procedures, Address Updates, and Technical Amendments" (RIN2137-AE29), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4908. A communication from the Assistant Chief Counsel for General Law, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Miscellaneous Packaging Amendments" (RIN2137-AD89), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4909. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (36); Amdt. No. 3359" (RIN2120-AA65), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4910. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (84); Amdt. No. 3360" (RIN2120-AA65), received in the

Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4911. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (42); Amdt. No. 3361" (RIN2120-AA65), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4912. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A310 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0717)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4913. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca Arriel 2S1 Turboshaft Engines" ((RIN2120-AA64)(Docket No. FAA-2009-0568)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4914. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; SICLI Halon 1211 Portable Fire Extinguishers as Installed on Various Airplanes and Rotorcraft" ((RIN2120-AA64)(Docket No. FAA-2010-0126)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4915. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Services B.V. Model F.28 Mark 0070 and 0100 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0793)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4916. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-201, -202, -203, -223, -243, -301, -302, -303, -321, -322, -323, -341, -342, and -343 Series Airplanes; Model A340-211, -212, -213, -311, -312, and -313 Series Airplanes; and Model A340-541 and -642 Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2009-0782)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4917. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146 and Avro 146-RJ Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0912)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4918. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Model AS332L1, AS332L2, and EC225LP Helicopters" ((RIN2120-AA64)(Docket No. FAA-2009-1146)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

REPORT OF A COMMITTEE

The following report of committee was submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 38. A bill to establish a United States Boxing Commission to administer the Act, and for other purposes (Rept. No. 111-157).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. BENNET:

S. 3071. A bill to provide for a freeze on the pay of Members of Congress and appropriations for certain congressional offices until there are sufficient improvements in the national unemployment rate, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ROCKEFELLER:

S. 3072. A bill to suspend, during the 2-year period beginning on the date of enactment of this Act, any Environmental Protection Agency action under the Clean Air Act with respect to carbon dioxide or methane pursuant to certain proceedings, other than with respect to motor vehicle emissions, and for other purposes; to the Committee on Environment and Public Works

By Mr. LEVIN (for himself, Mr. VOINOVICH, Ms. KLOBUCHAR, Mr. BROWN of Ohio, Mr. FRANKEN, Ms. STABENOW, and Mr. DURBIN):

S. 3073. A bill to amend the Federal Water Pollution Control Act to protect and restore the Great Lakes; to the Committee on Environment and Public Works.

By Mr. BURR (for himself, Mr. VITTER, Mr. THUNE, Mr. COBURN, Mr. ISAKSON, and Mr. JOHANNS):

S. 3074. A bill to provide that Members of Congress shall not receive a cost of living adjustment in pay during fiscal year 2011; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BAUCUS (for himself and Mr. TESTER):

S. 3075. A bill to withdraw certain Federal land and interests in that land from location, entry, and patent under the mining laws and disposition under the mineral and geothermal leasing laws; to the Committee on Energy and Natural Resources.

By Ms. CANTWELL:

S. 3076. A bill to direct the Secretary of the Interior to conduct studies of natural soundscape preservation in the National Park Service; to the Committee on Energy and Natural Resources.

By Mr. CORNYN (for himself, Mr. ROBERTS, Mr. ISAKSON, and Mrs. HUTCHISON):

S. 3077. A bill to authorize the Secretary of Homeland Security and the Secretary of State to refuse or revoke visas to aliens if in the security or foreign policy interests of the United States, to require the Secretary of Homeland Security to review visa applications before adjudication, and to provide for the immediate dissemination of visa revocation information; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself, Mrs. BOXER, Mr. WHITEHOUSE, Mr. REED, and Mr. SANDERS):

S. 3078. A bill to provide for the establishment of a Health Insurance Rate Authority to establish limits on premium rating, and for other purposes; to the Committee on Health, Education, Labor, and Pensions

By Mr. MERKLEY (for himself, Mr. PRYOR, Mr. BROWN of Ohio, Ms. STABENOW, Mr. SANDERS, and Mr. CARDIN):

S. 3079. A bill to assist in the creation of new jobs by providing financial incentives for owners of commercial buildings and multifamily residential buildings to retrofit their buildings with energy efficient building equipment and materials and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SPECTER (for himself, Mr. CASEY, and Mr. BROWN of Ohio):

S. 3080. A bill to provide for judicial determination of injury in certain cases involving dumped and subsidized merchandise imported into the United States, and for other purposes; to the Committee on Finance.

By Mr. McCAIN (for himself, Mr. LIEBERMAN, Mr. INHOFE, Mr. BROWN of Massachusetts, Mr. WICKER, Mr. CHAMBLISS, Mr. LEMIEUX, Mr. SESSIONS, and Mr. VITTER):

S. 3081. A bill to provide for the interrogation and detention of enemy belligerents who commit hostile acts against the United States, to establish certain limitations on the prosecution of such belligerents for such acts, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. CARDIN (for himself, Ms. COLLINS, Mr. BINGAMAN, Mr. ROCKEFELLER, and Ms. MIKULSKI):

S. Res. 434. A resolution expressing support for Children's Dental Health Month and honoring the memory of Deamonte Driver; considered and agreed to.

By Mr. CASEY (for himself, Ms. SNOWE, Mr. LAUTENBERG, Mr. DORGAN, Mr. SPECTER, Mr. KERRY, Mr. BEGICH, Mr. MENENDEZ, Mr. BAYH, and Mr. DODD):

S. Res. 435. A resolution supporting the goals and ideals of Multiple Sclerosis Awareness Week; considered and agreed to.

By Mr. WHITEHOUSE (for himself, Mr. KERRY, Mr. REED, and Mr. BROWN of Massachusetts):

S. Res. 436. A resolution expressing support for the people affected by the natural disasters on Madeira Island; considered and agreed to.

By Mr. KERRY (for himself, Mr. McCAIN, Mr. LIEBERMAN, Mr. LUGAR, Mr. CASEY, Mr. GRAHAM, and Mr. KAUFMAN):

S. Res. 437. A resolution expressing the sense of the Senate regarding the positive effect of the upcoming Iraqi parliamentary elections on Iraq's political reconciliation and democratic institutions; considered and agreed to.

By Mr. REED (for himself and Ms. COLLINS):

S. Res. 438. A resolution designating March 2, 2010, as "Read Across America Day"; considered and agreed to.

By Mr. ENSIGN:

S. Res. 439. A resolution recognizing the exemplarily service, devotion to country, and selfless sacrifice of Special Warfare Operators 2nd Class Matthew McCabe and Jonathan Keefe and Special Warfare Operator 1st Class Julio Huertas in capturing Ahmed Hashim Abed, one of the most-wanted terrorists in Iraq, and pledging to continue to support members of the United States Armed Forces serving in harm's way; to the Committee on Armed Services.

By Mr. BENNET:

S. Res. 440. A resolution improving the Senate cloture process; to the Committee on Rules and Administration.

By Mrs. BOXER (for herself, Ms. COLLINS, Mrs. SHAHEEN, Mrs. FEINSTEIN, Ms. KLOBUCHAR, Mrs. MURRAY, Mrs. HUTCHISON, Mr. DURBIN, Mrs. LINCOLN, Mr. LAUTENBERG, Mr. UDALL of Colorado, Mr. BURRIS, Mrs. GILLIBRAND, Ms. STABENOW, Ms. LANDRIEU, Mr. BYRD, and Mr. SCHUMER):

S. Res. 441. A resolution recognizing the history and continued accomplishments of women in the Armed Forces of the United States; considered and agreed to.

By Mr. DURBIN (for himself, Mr. CARDIN, Mr. WICKER, Mr. LUGAR, and Mr. BYRD):

S. Res. 442. A resolution congratulating the people of the Republic of Lithuania on the Act of the Re-Establishment of the State of Lithuania, or Act of March 11, and celebrating the rich history of Lithuania; considered and agreed to.

By Mrs. FEINSTEIN (for herself and Ms. MURKOWSKI):

S. Res. 443. A resolution honoring the life and service of Enrique "Kiki" Camarena; considered and agreed to.

By Mr. REID (for himself and Mr. McCONNELL):

S. Res. 444. A resolution to authorize testimony and legal representation in City of Vancouver v. Galloway; considered and agreed to.

By Mr. REID (for himself and Mr. McCONNELL):

S. Res. 445. A resolution to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs; considered and agreed to.

ADDITIONAL COSPONSORS

S. 384

At the request of Mr. LUGAR, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 384, a bill to authorize appropriations for fiscal years 2010 through 2014 to provide assistance to foreign countries to promote food security, to stimulate rural economies, and to improve emergency response to food crises, to amend the Foreign Assistance Act of 1961, and for other purposes.

S. 448

At the request of Mr. SPECTER, the name of the Senator from Georgia [Mr. ISAKSON] was added as a cosponsor of S. 448, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 704

At the request of Mr. BURR, the name of the Senator from Nevada [Mr. ENSIGN] was added as a cosponsor of S. 704, a bill to direct the Comptroller General of the United States to conduct a study on the use of Civil Air Patrol personnel and resources to support homeland security missions, and for other purposes.

S. 828

At the request of Mr. HARKIN, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 828, a bill to amend the Energy Policy Act of 2005 to provide loan guarantees for projects to construct renewable fuel pipelines, and for other purposes.

S. 984

At the request of Mrs. BOXER, the name of the Senator from Georgia [Mr. CHAMBLISS] was added as a cosponsor of S. 984, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 1579

At the request of Mr. BYRD, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 1579, a bill to amend the Wild Free-Roaming Horses and Burros Act to improve the management and long-term health of wild free-roaming horses and burros, and for other purposes.

S. 1674

At the request of Mr. WYDEN, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 1674, a bill to provide for an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 2760

At the request of Mr. UDALL of New Mexico, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 2760, a bill to amend title 38, United States Code, to provide for an increase in the annual amount authorized to be appropriated to the Secretary of Veterans Affairs to carry out comprehensive service programs for homeless veterans.

S. 2786

At the request of Mr. LEAHY, the name of the Senator from California [Mrs. FEINSTEIN]

was added as a cosponsor of S. 2786, a bill to amend titles 18 and 28 of the United States Code to provide incentives for the prompt payments of debts owed to the United States and the victims of crime by imposing late fees on unpaid judgments owed to the United States and to the victims of crime, to provide for offsets on amounts collected by the Department of Justice for Federal agencies, to increase the amount of special assessments imposed upon convicted persons, to establish an Enhanced Financial Recovery Fund to enhance, supplement, and improve the debt collection activities of the Department of Justice, to amend title 5, United States Code, to provide to assistant United States attorneys the same retirement benefits as are afforded to Federal law enforcement officers, and for other purposes.

S. 2895

At the request of Mr. WYDEN, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 2895, a bill to restore forest landscapes, protect old growth forests, and manage national forests in the eastside forests of the State of Oregon, and for other purposes.

S. 2977

At the request of Mr. GRAHAM, the names of the Senator from Massachusetts [Mr. BROWN] and the Senator from North Carolina [Mr. BURR] were added as cosponsors of S. 2977, a bill to prohibit the use of Department of Justice funds for the prosecution in Article III courts of the United States of individuals involved in the September 11, 2001 terrorist attacks.

S. 2982

At the request of Mr. KERRY, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 2982, a bill to combat international violence against women and girls.

S. 3008

At the request of Mr. CORNYN, the name of the Senator from Oklahoma [Mr. COBURN] was withdrawn as a cosponsor of S. 3008, a bill to establish a program to support a transition to a freely elected, open democracy in Iran.

S. 3028

At the request of Mr. KERRY, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 3028, a bill to amend title XVIII of the Social Security Act to eliminate the 190-day lifetime limit on inpatient psychiatric hospital services under the Medicare program.

S. 3040

At the request of Mr. LUGAR, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 3040, a bill to amend the Richard B. Russell National School Lunch Act to provide children from rural areas with better access to meals served through the summer food service program for children and certain child care programs.

S. 3047

At the request of Mr. ISAKSON, the names of the Senator from Louisiana [Mr. VITTER] and the Senator from North Carolina [Mr. BURR] were added as cosponsors of S. 3047, a bill to terminate the Internal Revenue Code of 1986, and for other purposes.

SENATE JOINT RESOLUTION 27

At the request of Mr. DEMINT, the name of the Senator from Wyoming [Mr. ENZI] was added as a cosponsor of Senate Joint Resolution 27, a joint resolution proposing a balanced budget amendment to the Constitution of the United States.

SENATE RESOLUTION 409

At the request of Mr. FEINGOLD, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of Senate Resolution 409, a resolution calling on members of the Parliament in Uganda to reject the proposed "Anti-Homosexuality Bill", and for other purposes.

SENATE RESOLUTION 433

At the request of Mrs. SHAHEEN, the names of the Senator from Maine [Ms. SNOWE], the Senator from Delaware [Mr. KAUFMAN], the Senator from Illinois [Mr. DURBIN] and the Senator from Alaska [Mr. BEGICH] were added as cosponsors of Senate Resolution 433, a resolution supporting the goals of "International Women's Day".

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. INOUYE,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on March 4, 2010, at 9:30 a.m.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 4, 2010, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on March 4, 2010, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works be authorized to meet during the session of the Senate on March 4, 2010, to conduct a business meeting.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate to conduct a hearing entitled "Childhood Obesity: Beginning the Dialogue on Reversing the Epidemic" on March 4, 2010. The hearing will commence at 10 a.m., in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on March 4, 2010, at 10 a.m., to hold a hearing entitled "Middle East Peace: Ground Truths, Challenges Ahead."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on March 4, 2010, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on March 4, 2010, at 10 a.m.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs be authorized to meet during the session of the Senate on March 4, 2010.

AD HOC SUBCOMMITTEE ON STATE, LOCAL, AND PRIVATE SECTOR PREPAREDNESS AND INTEGRATION

The Ad Hoc Subcommittee on State, Local, and Private Sector Preparedness and Integration of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 4, 2010, at 1 p.m., to conduct a hearing entitled, "The Next Big Disaster: Is the Private Sector Prepared?"

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on March 4, 2010, at 2:30 p.m.

SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR SAFETY

The Committee on Environment and Public Works and the Subcommittee on Clean Air and Nuclear Safety be authorized to meet during the session of the Senate on March 4, 2010, at 10 a.m. in room 406 of the Dirksen Office Building.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10:54 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 2968. An act to make certain technical and conforming amendments to the Lanham Act.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4247. An act to prevent and reduce the use of physical restraint and seclusion in schools, and for other purposes.

At 11:57 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2554. An act to reform the National Association of Registered Agents and Brokers, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 236. A concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

At 5:18 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agreed to the amendment of the Senate to the amendment of the House to the amendment of the Senate to the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; with an amendment, in which it requests the concurrence of the Senate.

HOUSE BILLS REFERRED

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

H.R. 2554. An act to reform the National Association of Registered Agents and Brokers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 4247. An act to prevent and reduce the use of physical restraint and seclusion in schools, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

NATIONAL AUTOIMMUNE DISEASES AWARENESS MONTH

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 372) designating March 2010 as "National Autoimmune Diseases Awareness Month" and supporting efforts to increase awareness of autoimmune diseases and increase funding for autoimmune disease research.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

On motion by Mr. REID (for Mr. LEVIN) to amend the resolution, in paragraph (3) of the resolving clause, by striking "Federal" (being amendment No. 3426).

The amendment was agreed to.

The question being on agreeing to the resolution, as amended.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXPRESSING SOLIDARITY WITH THE PEOPLE AND GOVERNMENT OF CHILE FOLLOWING THE MASSIVE EARTHQUAKE

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on Foreign Relations be discharged from the further consideration of the resolution (S. Res. 431) expressing profound concern, deepest sympathies, and solidarity on behalf of the people of the United States to the people and Government of Chile following the massive earthquake.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE HISTORY AND CONTINUED ACCOMPLISHMENTS OF WOMEN IN THE ARMED FORCES OF THE UNITED STATES

On the request of Mr. REID,

The PRESIDING OFFICER (Mr. BURRIS in the chair) laid before the Senate the resolution (S. Res. 441) recognizing the history and continued accomplishments of women in the Armed Forces of the United States, submitted today by Mrs. BOXER (for herself, Ms. COLLINS, Mrs. SHAHEEN, Mrs. FEINSTEIN, Ms. KLOBUCHAR, Mrs. MURRAY, Mrs. HUTCHISON, Mr. DURBIN, Mrs. LINCOLN, Mr. LAUTENBERG, Mr. MARK UDALL, Mr. BURRIS, Mrs. GILLIBRAND, Ms. STABENOW, and Ms. LANDRIEU), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CONGRATULATING THE PEOPLE OF THE REPUBLIC OF LITHUANIA

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 442) congratulating the people of the Republic of Lithuania on the Act of the Re-Establishment of the State of Lithuania, or Act of March 11, and celebrating the rich history of Lithuania, submitted today by Mr. DURBIN (for himself, Mr. CARDIN, Mr. WICKER, Mr. LUGAR, and Mr. BYRD), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HONORING THE LIFE AND SERVICE OF ENRIQUE "KIKI" CAMARENA

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 443) honoring the life and service of Enrique "Kiki" Camarena, submitted today by Mrs. FEINSTEIN (for herself and Ms. MURKOWSKI), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORIZING TESTIMONY AND LEGAL REPRESENTATION

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 444) to authorize testimony and legal representation in *City of Vancouver v. Galloway*, submitted today by Mr. REID (for himself and Mr. MCCONNELL), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORIZING THE PRODUCTION OF RECORDS BY THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 445) to

authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs, submitted today by Mr. REID (for himself and Mr. MCCONNELL), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of bill H.R. 4213.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 7:39 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

FRIDAY, MARCH 5, 2010

Mr. JEFF MERKLEY, from the State of Oregon, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. MERKLEY led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, March 5, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF MERKLEY, a Senator from the State of Oregon, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. MERKLEY took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TAX EXTENDERS ACT

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3401, proposed by Mrs. LINCOLN, to amendment No. 3336 (in the nature of a substitute), as amended, proposed by Mr. BAUCUS, to the bill.

Pending debate,

Mr. BAUCUS proposed the following amendments on various pages and lines on behalf of the Senators indicated; each was modified, as indicated, and agreed to: Mr. WICKER (for himself, Mr. COCHRAN, and Mr. VITTER), amendment No. 3383, as modified; Mr. BAYH (for himself, Mrs. LINCOLN, Mr. WICKER, Mr. VITTER, Mr. BOND, and Ms. LANDRIEU), amendment No. 3374, as modified; Mr. ROCKEFELLER (for himself, Mr. GRASSLEY, Mr. SHERROD BROWN, and Mr. WYDEN), amendment No. 3397, as modified; Mr. ROBERTS, amendment No. 3411, as modified; Mrs. LINCOLN (for herself, Mr. VOINOVICH, and Mr. GRASSLEY), amendment No. 3416.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That pending amendment No. 3335, as modified, proposed by Ms. LANDRIEU (for herself, Mr. VITTER, Mr. WICKER, and Mr. COCHRAN), be further modified, and agreed to; and that a motion to reconsider be made and laid on the table, en bloc.

The question recurring on agreeing to amendment No. 3401 to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. BAUCUS for Mr. ISAKSON (for himself, and Mr. CARDIN) to further amend the pending amendment (in the nature of a substitute) by striking title III, and inserting certain words (being amendment No. 3430).

Pending debate,

Mr. REID presented a motion to bring to a close debate on the pending amendment No. 3336 (in the nature of a substitute), as amended; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on amendment No. 3336 (in the nature of a substitute), as amended, to bill H.R. 4213:

HARRY REID, MAX BAUCUS, DICK DURBIN, ROLAND W. BURRIS, KENT CONRAD, BEN CARDIN, PATRICK J. LEAHY, JAY ROCKEFELLER, ROBERT MENENDEZ, D.K. INOUYE, ROBERT P. CASEY, JR., JON TESTER, BILL NELSON, CHUCK SCHUMER, KAY HAGAN, S. WHITEHOUSE, TOM HARKIN.

Mr. REID presented a motion to bring to a close debate on the pending bill; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on bill H.R. 4213:

HARRY REID, MAX BAUCUS, DICK DURBIN, ROLAND W. BURRIS, KENT CONRAD, BEN CARDIN, PATRICK J. LEAHY, JAY ROCKEFELLER, ROBERT MENENDEZ, D.K. INOUYE, ROBERT P. CASEY, JR., JON TESTER, BILL NELSON, CHUCK SCHUMER, KAY HAGAN, S. WHITEHOUSE, TOM HARKIN.

The question being on agreeing amendment No. 3430 to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. REID,

Ordered, That when the Senate resumes consideration of bill H.R. 4213 on Tuesday, March 9, 2010, it vote in relation to the following amendments in the following order: amendments Numbered 3429, 3358, 3356, as modified, an amendment to be proposed by the minority leader, or his designee, relative to amendment No. 3356.

Ordered further, That, at 2:30 p.m. on Tuesday next, the Senate vote on the question of agreeing to the motion to bring to a close debate on amendment No. 3336 (in the nature of a substitute), as amended; and that the quorum under the rule be waived.

The question being on agreeing amendment No. 3430 to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. REID,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, Friday, March 5, 2010, she had presented to the President of the United States the following enrolled bill:

S. 2968. A bill to make certain technical and conforming amendments to the Lanham Act.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-4919. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Model SE3160, SA315B, SA316B, SA316C, and SA319B Helicopters" ((RIN2120-AA64)-(Docket No. FAA-2010-0047)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4920. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Lifesavings Systems Corp., D-Lok Hook Assembly" ((RIN2120-AA64)-(Docket No. FAA-2009-1148)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4921. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca Arriel 2B and 2B1 Turboshaft Engines" ((RIN2120-AA64)-(Docket No. FAA-2009-0889)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4922. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sikorsky Aircraft Corporation Model S-92A Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-0066)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4923. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; PIAGGIO AERO INDUSTRIES S.p.A. Model P-180 Airplanes (Airplanes Docket No. 1081)" ((RIN2120-AA64)-(Docket No. FAA-2009-1081)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4924. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; PIAGGIO AERO INDUSTRIES S.p.A. Model P-180 Airplanes (Airplanes Docket No. 1116)" ((RIN2120-AA64)-(Docket No. FAA-2009-1081)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4925. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135BJ, -135ER, -135KE, -135KL, and -135LR Airplanes; and EMB-145, -145ER, -145MR, -145LR, -145XR, -145MP, and 145EP Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0659)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4926. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 767-200, -300, and -300F Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0031)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4927. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 747-200C and 200F Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0608)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4928. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bell Helicopter Textron, Inc. Model 205B and 212 Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-0065)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4929. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dassault-Aviation Model Falcon 900EX Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0994)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4930. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A310-221, -222, -322, -324, and -325 Airplanes, and Model A300 B4-620, B4-622, B4-622R, and F4-622R Airplanes, Equipped with Pratt and Whitney PW4000 or JT9D-7R4 Series Engines" ((RIN2120-AA64)(Docket No. FAA-2009-0613)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4931. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Thielert Aircraft Engines GmbH (TAE) Model TAE 125-01 Reciprocating Engines" ((RIN2120-AA64)(Docket No. FAA-2009-0747)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4932. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; SCHEIBE-Flugzeugbau GmbH Model SF25C Gliders" ((RIN2120-AA64)-(Docket No. FAA-2010-0125)), received in the Office of the President of the Senate on

March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4933. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Extra Flugzeugproduktions- und Vertriebs- GmbH Models EA-300/200 and EA-300/L Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2009-1025)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4934. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McCauley Propeller Systems 1A103/TCM Series Propellers" ((RIN2120-AA64)(Docket No. FAA-2010-0093)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4935. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 190-100 LR, -100 IGW, -100 STD, -200 STD, -200 LR, and -200 IGW Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0418)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4936. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Augustair, Inc. Models 2150, 2150A, and 2180 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0121)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4937. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A380-841, -842, and -861 Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2010-0038)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4938. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-200 Series Airplanes and Model A340-200 and -300 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1107)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4939. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2C10 (Regional Jet Series 700, 701, and 702), CL-600-2D15 (Regional Jet Series 705), and CL-600-2D24 (Regional Jet Series 900) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1027)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4940. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A310-203, -221, -222 Airplanes; and Model A300 F4-605R and -622R Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2009-0615)), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4941. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Beauveria bassiana HF23; Amendment of Exemption from the Requirement of a Tolerance" (FRL No. 8814-6), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4942. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Iowa" (FRL No. 9122-4), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4943. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Payment of Costs Prior to Definization-Defintion of Contract Action" (DFARS Case 2009-D035), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Armed Services.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

H.R. 3433. A bill to amend the North American Wetlands Conservation Act to establish requirements regarding payment of the non-Federal share of the costs of wetlands conservation projects in Canada that are funded under that Act, and for other purposes (Rept. No. 111-158).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. WYDEN:

S. 3082. A bill to amend title 38, United States Code, to authorize individuals who are pursuing programs of rehabilitation, education, or training under laws administered by the Secretary of Veterans Affairs to receive work-study allowances for certain outreach services provided through congressional offices, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BENNETT:

S. 3083. A bill to amend the Internal Revenue Code of 1986 to allow the expensing of certain real property; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself, Mr. LEMIEUX, Mrs. SHAHEEN, and Mr. WYDEN):

S. 3084. A bill to increase the competitiveness of United States businesses, particularly small and medium-sized manufacturing firms, in interstate and global commerce, foster job creation in the United States, and assist United States businesses in developing or expanding commercial activities in interstate and global commerce by expanding the ambit of the Hollings Manufacturing Extension Partnership program and the Technology Innovation Program to include projects that have potential for commercial exploitation in nondomestic markets, providing for an increase in related resources of the Department of Commerce, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BAUCUS:

S. 3085. A bill to amend the Consolidated Farm and Rural Development Act to improve the business and industry direct and guaranteed loan program of the Department of Agriculture; to the Committee on Agriculture, Nutrition, and Forestry.

ADDITIONAL COSPONSORS

S. 461

At the request of Mrs. LINCOLN, the name of the Senator from Nebraska [Mr. NELSON] was added as a cosponsor of S. 461, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from Georgia [Mr. CHAMBLISS] was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1737

At the request of Mr. FRANKEN, the name of the Senator from New Mexico [Mr. UDALL] was added as a cosponsor of S. 1737, a bill to amend the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 to increase the number of children eligible for free school meals, with a phased-in transition period.

S. 1762

At the request of Mr. BROWNBACK, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 1762, a bill to amend the Public Health Service Act to expand and intensify programs of the National Institutes of Health and the Centers for Disease Control and Prevention with respect to translational research and related activities concerning Down syndrome, and for other purposes.

S. 1783

At the request of Mr. FRANKEN, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 1783, a bill to amend the Agricultural Marketing Act of 1946 to provide for country of origin labeling for dairy products.

S. 1939

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 1939, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 2758

At the request of Ms. STABENOW, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 2758, a bill to amend the Agricultural Research, Extension, and Education Reform Act of 1998 to establish a national food safety training, education, extension, outreach, and technical assistance program for agricultural producers, and for other purposes.

S. 2878

At the request of Mrs. GILLIBRAND, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 2878, a bill to prevent gun trafficking in the United States.

S. 3077

At the request of Mr. CORNYN, the name of the Senator from Georgia [Mr. CHAMBLISS] was added as a cosponsor of S. 3077, a bill to authorize the Secretary of Homeland Security and the Secretary of State to refuse or revoke visas to aliens if in the security or foreign policy interests of the United States, to require the Secretary of Homeland Security to review visa applications before adjudication, and to provide for the immediate dissemination of visa revocation information.

S. 3081

At the request of Mr. MCCAIN, the name of the Senator from South Dakota [Mr. THUNE] was added as a cosponsor of S. 3081, a bill to provide for the interrogation and detention of enemy belligerents who commit hostile acts against the United States, to establish certain limitations on the prosecution of such belligerents for such acts, and for other purposes.

SENATE RESOLUTION 433

At the request of Mrs. SHAHEEN, the names of the Senator from West Virginia [Mr. BYRD], the Senator from Maryland [Ms. MIKULSKI], the Senator from Rhode Island [Mr. WHITEHOUSE], the Senator from California [Mrs. FEINSTEIN], the Senator from Wisconsin [Mr. FEINGOLD], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Washington [Mrs. MURRAY] and the Senator from Maine [Ms. COLLINS] were added as cosponsors of Senate Resolution 433, a resolution supporting the goals of "International Women's Day".

SENATE RESOLUTION 439

At the request of Mr. ENSIGN, the names of the Senator from Louisiana [Mr. VITTER] and the Senator from Idaho [Mr. RISCH] were added as cosponsors of Senate Resolution 439, a resolution recognizing the exemplarily service, devotion to country, and selfless sacrifice of Special Warfare Operators 2nd Class Matthew McCabe and Jonathan Keefe and Special Warfare Operator 1st Class Julio Huertas in capturing Ahmed Hashim Abed, one of the most-wanted terrorists in Iraq, and pledging to continue to support members of the United States Armed Forces serving in harm's way.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 9:33 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 2968. An act to make certain technical and conforming amendments to the Lanham Act.

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the PRESIDENT pro tempore.

HAITI RECOVERY ACT

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (S. 2961) to provide debt relief to Haiti, and for other purposes.

The question being on agreeing to the reported amendments.

The reported amendments were agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

PERMITTING THE USE OF THE ROTUNDA

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the concurrent resolution (H. Con. Res. 236) permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust, received from the House of Representatives for concurrence on yesterday, and at the desk.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORIZING THE USE OF EMANCIPATION HALL

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the concurrent resolution (H. Con. Res. 239) authorizing the use of Emancipation Hall in the Capitol Visitor Center for a ceremony to present the Congressional Gold Medal to the Women Airforce Service Pilots, received from the House of Representatives for concurrence on Wednesday, March 3, 2010, and at the desk.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

APPOINTMENT BY THE MAJORITY AND MINORITY LEADERS
OFFICE OF COMPLIANCE CHAIR OF THE BOARD OF DIRECTORS

The PRESIDING OFFICER announced that the majority and minority leaders of the Senate, and the Speaker and minority leader of the House of Representatives, pursuant to section 301 of Public Law 104-1, as amended by Public Laws 108-349 and 111-114, had jointly designated Barbara L. Camens, of the District of Columbia, as Chair of the Board of Directors of the Office of Compliance.

APPOINTMENT BY THE MAJORITY AND MINORITY LEADERS
OFFICE OF COMPLIANCE MEMBERS OF THE BOARD OF DIRECTORS

The PRESIDING OFFICER announced that the majority and minority leaders of the Senate, and the Speaker and minority leader of the House of Representatives, pursuant to section 301 of Public Law 104-1, as amended by Public Laws 108-349 and 111-114, had jointly reappointed the following individuals as members of the Board of Directors of the Office of Compliance:

Alan V. Friedman, of California; Susan S. Robfogel, of New York; and Barbara Childs Wallace, of Mississippi.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, MARCH 8, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2 p.m. on Monday, March 8, 2010; that, on Monday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that the Senate then proceed to a period for the transaction of morning business until 3 p.m., with Senators permitted to speak for 10 minutes each therein; that, following morning business, the Senate resume consideration of bill H.R. 4213; that Senators be authorized to "file" first degree amendments until 3 p.m. on Monday next; and that Senators be authorized to "file" second degree amendments until 12 noon on Tuesday, March 9, 2010.

TAX EXTENDERS ACT

By unanimous consent, on the request of Mr. REID,

Ordered, That amendment No. 3356, as modified, to amendment No. 3336 (in the nature of a substitute), as amended, to H.R. 4213, be further modified.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 2:19 p.m.,

The Senate adjourned, under its order of today, until 2 p.m. on Monday, March 8, 2010.

MONDAY, MARCH 8, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 2:01 p.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, March 8, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of Friday, March 5, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Friday, March 5, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Friday, March 5, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-4944. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Continuation of Essential Contractor Services" (DFARS Case 2009-D017), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Armed Services.

EC-4945. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of the Army (Acquisitions, Logistics and Technology), received in the Office of the President of the Senate on March 3, 2010; to the Committee on Armed Services.

EC-4946. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Unfair or Deceptive Acts or Practices" (RIN3133-AD47), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4947. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Secondary Capital Accounts" (RIN3133-AD67), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4948. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; 1-Hour Ozone Extreme Area Plan for San Joaquin Valley, CA" (FRL No. 9108-4), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Environment and Public Works.

EC-4949. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; NSR Reform Regulations - Notice of Action Denying Petition for Reconsideration and Request for Administrative Stay" (FRL No. 9123-4),

received in the Office of the President of the Senate on March 2, 2010; to the Committee on Environment and Public Works.

EC-4950. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Determination of Nonattainment and Reclassification of the Atlanta, Georgia, 8-Hour Ozone Nonattainment Area; Correction" (FRL No. 9122-1), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Environment and Public Works.

EC-4951. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Michigan: Final Authorization of State Hazardous Waste Management Program Revision" (FRL No. 9121-2), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Environment and Public Works.

EC-4952. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Paints and Allied Products Manufacturing - Technical Amendment" (FRL No. 9122-9), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Environment and Public Works.

EC-4953. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Priorities List, Final Rule - Gowanus Canal" (FRL No. 9120-8), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Environment and Public Works.

EC-4954. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Priorities List, Final Rule No. 49" (FRL No. 9120-7), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Environment and Public Works.

EC-4955. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Source-Specific Federal Implementation Plan for Navajo Generating Station; Navajo Nation" (FRL No. 9122-3), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Environment and Public Works.

EC-4956. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Technical Amendment to the Outer Continental Shelf Air Regulations Consistency Update; Correction" (FRL No. 9123-1), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Environment and Public Works.

EC-4957. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Reduced 2009 Estimated Income Tax Payments for Individuals with Small Business Income" (RIN1545-BI89), received in the Office of the President of the Senate on March 3, 2010; to the Committee on Finance.

EC-4958. A communication from the Chairman, Medicare Payment Advisory Commission, transmitting, pursuant to law, a report entitled, "Report to the Congress: Medicare Payment Policy"; to the Committee on Finance.

EC-4959. A communication from the Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting, pursuant to law, the Agency's response to the GAO report entitled "UN OFFICE FOR PROJECT SERVICES: Management Reforms Proceeding but Effectiveness Not Assessed, and USAID's Oversight of Grants Has Weaknesses"; to the Committee on Foreign Relations.

EC-4960. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Multiemployer Pension Plan Information Made Available on Request" (RIN1210-AB21), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-4961. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Interim Final Rules under the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008" (RIN0938-AP65), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-4962. A communication from the Auditor of the District of Columbia, transmitting, pursuant to law, a report entitled "District's Earmark Process Needs Improvement"; to the Committee on Homeland Security and Governmental Affairs.

EC-4963. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Crab Rationalization Program; Emergency Rule" (RIN0648-AY52), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4964. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Data Collection for the Trawl Rationailzation Program" (RIN0648-AX98), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4965. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Initial Implementation of the Western and Central Pacific Fisheries Convention; Correction" (RIN0648-AV63), received in the Office of the President of the Senate on March 3, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4966. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries in the Western Pacific; Pelagic Fisheries; Vessel Identification Requirements; Correction" (RIN0648-AY52), received in the Office of the President of the Senate on March 3, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4967. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands; Final 2009 and 2010

Harvest Specifications for Groundfish; Correction" (RIN0648-XL28), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4968. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Reporting Requirement for Midwater Trawl Vessels Fishing in Closed Area I" (RIN0648-AX93), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4969. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Black Sea Bass Fishery; 2010 Black Sea Bass Specifications; Emergency Rule" (RIN0648-XT99), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4970. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Inshore Component in the Central Regulatory Area of the Gulf Coast of Alaska" (RIN0648-XU20), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4971. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer" (RIN0648-XT93), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4972. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XU11), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4973. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure" (RIN0648-XU12), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4974. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Greater Than or Equal to 60 feet (18.3 Meters) Length Overall Using Pot Gear in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XU20), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4975. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod for American Fisheries Act Catcher-Processors Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XU52), received in the Office of the President of the Senate on March 3, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4976. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Inshore Component in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XU51), received in the Office of the President of the Senate on March 3, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4977. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Non-American Fisheries Act Crab Vessels Catching Pacific Cod for Processing by the Inshore Component in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XU37), received in the Office of the President of the Senate on March 3, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4978. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Hook-and-Line Gear in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XU36), received in the Office of the President of the Senate on March 3, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4979. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Trawl Limited Access Fishery in the C. opilio Bycatch Limitation Zone of the Bering Sea and Aleutian Islands Management Area" (RIN0648-XU34), received in the Office of the President of the Senate on March 3, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4980. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure" (RIN0648-XU33), received in the Office of the President of the Senate on March 3, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4981. A communication from the Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction" (RIN0648-XU24), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4982. A communication from the Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska" (RIN0648-XU27), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-4983. A communication from the Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska;

Pollock for American Fisheries Act Catcher Vessels in the Inshore Open Access Fishery in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XU30), received in the Office of the President of the Senate on March 2, 2010; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. DODD (for himself and Mr. GRASSLEY):

S. 3086. A bill to support high-achieving, educationally disadvantaged elementary school students in high-need local educational agencies, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

S. 3087. A bill to support revitalization and reform of the Organization of American States, and for other purposes; to the Committee on Foreign Relations.

By Mr. FEINGOLD (for himself and Mr. MCCAIN):

S. 3088. A bill to reduce the number of executive branch political appointments; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. CASEY:

S. Res. 446. A resolution commemorating the 40th anniversary of the Treaty on the Non-Proliferation of Nuclear Weapons; to the Committee on Foreign Relations.

By Ms. MIKULSKI:

S. Res. 447. A resolution expressing the sense of the Senate that the United States Postal Service should issue a semipostal stamp to support medical research relating to Alzheimer's disease; to the Committee on Homeland Security and Governmental Affairs.

ADDITIONAL COSPONSORS

S. 348

At the request of Mr. ROCKEFELLER, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 348, a bill to amend section 254 of the Communications Act of 1934 to provide that funds received as universal service contributions and the universal service support programs established pursuant to that section are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act.

S. 362

At the request of Mr. ROCKEFELLER, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 362, a bill to amend title 38, United States Code, to improve the collective bargaining rights and procedures for review of adverse actions of certain employees of the Department of Veterans Affairs, and for other purposes.

S. 678

At the request of Mr. LEAHY, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 678, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 981

At the request of Mr. REID, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 981, a bill to support research and public awareness activities with respect to inflammatory bowel disease, and for other purposes.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1320

At the request of Mr. TESTER, the name of the Senator from Idaho [Mr. RISCH] was withdrawn as a cosponsor of S. 1320, a bill to provide assistance to owners of manufactured homes constructed before January 1, 1976, to purchase Energy Star-qualified manufactured homes.

At the request of Mr. TESTER, the names of the Senator from Montana [Mr. BAUCUS] and the Senator from Oregon [Mr. MERKLEY] were added as cosponsors of S. 1320, supra.

S. 1783

At the request of Mr. FRANKEN, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 1783, a bill to amend the Agricultural Marketing Act of 1946 to provide for country of origin labeling for dairy products.

S. 2760

At the request of Mr. UDALL of New Mexico, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 2760, a bill to amend title 38, United States Code, to provide for an increase in the annual amount authorized to be appropriated to the Secretary of Veterans Affairs to carry out comprehensive service programs for homeless veterans.

S. 2869

At the request of Ms. LANDRIEU, the name of the Senator from Missouri [Mrs. MCCASKILL] was added as a cosponsor of S. 2869, a bill to increase loan limits for small business concerns, to provide for low interest refinancing for small business concerns, and for other purposes.

S. 2912

At the request of Mr. NELSON of Florida, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 2912, a bill to require lenders of loans with Federal guarantees or Federal insurance to consent to mandatory mediation.

S. 3003

At the request of Mr. DODD, the names of the Senator from South Dakota [Mr. JOHNSON] and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of S. 3003, a bill to enhance Federal efforts focused on public awareness and education about the risks and dangers associated with Shaken Baby Syndrome.

S. 3019

At the request of Mr. LIEBERMAN, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 3019, a bill to authorize funding for, and increase accessibility to, the National Missing and Unidentified Persons System, to facilitate data sharing between such system and the National Crime Information Center database of the Federal Bureau of Investigation, to provide incentive grants to help facilitate reporting to such systems, and for other purposes.

S. 3059

At the request of Mr. BINGAMAN, the names of the Senator from Mississippi [Mr. COCHRAN] and the Senator from North Dakota [Mr. DORGAN] were added as cosponsors of S. 3059, a bill to improve energy efficiency of appliances, lighting, and buildings, and for other purposes.

S. 3074

At the request of Mr. BURR, the name of the Senator from Georgia [Mr. CHAMBLISS] was added as a cosponsor of S. 3074, a bill to provide that Members of Congress shall not receive a cost of living adjustment in pay during fiscal year 2011.

SENATE RESOLUTION 440

At the request of Mr. BENNET, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of Senate Resolution 440, a resolution improving the Senate cloture process.

NOTICE OF INTENT TO MOVE TO SUSPEND THE RULES

Mr. DEMINT, in accordance with Rule V of the Standing Rules of the Senate, submitted notice in writing of his intention to move to suspend Paragraph 2 of Rule XXII, for the purpose of proposing amendment No. 3447 to bill H.R. 4213.

TAX EXTENDERS ACT

Pursuant to the order of Friday, March 5, 2010,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3430, proposed by Mr. BAUCUS for Mr. ISAKSON (for himself, and Mr. CARDIN), to amendment No. 3336 (in the nature of a substitute), as amended, proposed by Mr. BAUCUS, to the bill.

Pending debate,

ORDER RELATIVE TO BILL H.R. 4213

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That, on tomorrow, following the times for the recognition of the two leaders, there be a period for the transaction of morning business until 11 a.m., with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders; that the minority control the first half therein; that, at 11 a.m., the Senate resume consideration of bill H.R. 4213, as pursuant to the order of Friday, March 5, 2010; and that provisions of said order remain in effect.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of bill H.R. 4213, as pursuant to the order of Friday, March 5, 2010.

Ordered further, That, following the votes on tomorrow, as pursuant to the order of Friday, March 5, 2010, the Senate recess until 2:15 p.m.; and that time from 2:15 p.m. and 2:30 p.m. be equally divided and controlled for debate between the two leaders.

ADJOURNMENT

By unanimous consent, on the request of Mr. KAUFMAN,

At 6:10 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

TUESDAY, MARCH 9, 2010

Mr. JEFF MERKLEY, from the State of Oregon, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mr. MERKLEY led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, March 9, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF MERKLEY, a Senator from the State of Oregon, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. MERKLEY took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-4984. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Tomatoes Grown in Florida; Decreased Assessment Rate" (Docket Nos. AMS-FV-09-0063; FV09-956-2 FIR), received in the Office of the President of the Senate on March 8, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4985. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary of Defense (Personnel and Readiness), received in the Office of the President of the Senate on March 4, 2010; to the Committee on Armed Services.

EC-4986. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of Defense (Public Affairs), received in the Office of the President of the Senate on March 4, 2010; to the Committee on Armed Services.

EC-4987. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to the Family Subsistence Supplemental Allowance program; to the Committee on Armed Services.

EC-4988. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations (75 FR 7956)" ((44 CFR Part 65)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on March 4, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4989. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations (75 FR 7955)" ((44 CFR Part 65)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on March 4, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-4990. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "'Extension of Import Restrictions Imposed on Certain Categories of Archaeological Material From the Pre-Hispanic Cultures of the Republic of El Salvador" (RIN1505-AC23), received in the

Office of the President of the Senate on March 3, 2010; to the Committee on Finance.

EC-4991. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Oregon Chub (Oregonichthys crameri)" (RIN1018-AV87), received in the Office of the President of the Senate on March 8, 2009; to the Committee on Environment and Public Works.

EC-4992. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Final Rule to List the Galapagos Petrel and Heinroth's Shearwater as Threatened Throughout Their Ranges" (RIN1018-AW70), received in the Office of the President of the Senate on March 8, 2009; to the Committee on Environment and Public Works.

EC-4993. A communication from the Acting Chief of the Endangered Species Listing Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for 48 Species on Kauai and Designation of Critical Habitat" (RIN1018-AV48), received in the Office of the President of the Senate on March 8, 2009; to the Committee on Environment and Public Works.

EC-4994. A communication from the Acting Chief of the Endangered Species Listing Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Revised Designation of Critical Habitat for the California Red-Legged Frog" (RIN1018-AV90), received in the Office of the President of the Senate on March 8, 2009; to the Committee on Environment and Public Works.

EC-4995. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Texas; Revisions to Chapter 116 which relate to the Permit Renewal Applications and Permit Renewal Submittal" (FRL No. 9125-9), received in the Office of the President of the Senate on March 8, 2010; to the Committee on Environment and Public Works.

EC-4996. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Texas; Revisions to Chapter 116 which relate to the Application Review Schedule" (FRL No. 9123-7), received in the Office of the President of the Senate on March 8, 2010; to the Committee on Environment and Public Works.

EC-4997. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Minnesota" (FRL No. 9125-3), received in the Office of the President of the Senate on March 8, 2010; to the Committee on Environment and Public Works.

EC-4998. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revisions to Clean Air Interstate Rule Sulfur Dioxide Trading Program" (FRL No. 9125-2), received in the Office of the President of the Senate on March 8, 2010; to the Committee on Environment and Public Works.

EC-4999. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Determination of Attainment, Approval and Promulgation of Air Quality Implementation Plans; Indiana" (FRL No. 9125-6), received in the Office of the President of the Senate on March 8, 2010; to the Committee on Environment and Public Works.

EC-5000. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan; San Joaquin Valley Air Pollution Control District" (FRL No. 9123-3), received in the Office of the President of the Senate on March 8, 2010; to the Committee on Environment and Public Works.

EC-5001. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Effluent Limitations Guidelines and Standards for the Construction and Development Point Source Category; Correction" (FRL No. 9118-7), received in the Office of the President of the Senate on March 8, 2010; to the Committee on Environment and Public Works.

EC-5002. A communication from the Chief Counsel, Economic Development Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions to the EDA Regulations" (RIN0610-AA64), received in the Office of the President of the Senate on March 4, 2010; to the Committee on Environment and Public Works.

EC-5003. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, (5) five reports relative to vacancies in the Department of State, received in the Office of the President of the Senate on March 4, 2010; to the Committee on Foreign Relations.

EC-5004. A communication from the Assistant General Counsel of the Division of Regulatory Services, Office of Innovation and Improvement, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Investing in Innovation Fund" (RIN1855-AA06), received in the Office of the President of the Senate on March 8, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5005. A communication from the Assistant General Counsel of the Division of Regulatory Services, Office of Innovation and Improvement, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Magnet Schools Assistance Program" (RIN1855-AA07), received in the Office of the President of the Senate on March 8, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5006. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Listing of Color Additives Exempt From Certification; Paracoccus Pigment; Confirmation of Effective Date" (Docket No. FDA-2007-C-00456), received in the Office of the President of the Senate on March 3, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5007. A communication from the Chief Human Capital Officer, Corporation for National and Community Service, transmitting, pursuant to law, a report relative to a vacancy in the position of Inspector General of the Corporation for National and Community Service, received in the Office of the President of the Senate on March 8, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5008. A communication from the Ombudsman, Energy Employees Compensation Program, Department of Labor, transmitting, pursuant to law, a report relative to the Energy Employees

Occupational Illness Compensation Program; to the Committee on Health, Education, Labor, and Pensions.

EC-5009. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary of Intelligence and Analysis, Department of Homeland Security, received in the Office of the President of the Senate on March 8, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5010. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-319, "Clean and Affordable Energy Fiscal Year 2010 Fund Balance Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5011. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-320, "Health Care Facilities Improvement Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5012. A communication from the General Counsel of the Department of Commerce, transmitting the report of proposed legislation containing a series of legislative changes that make certain technical and conforming amendments to trademark and patent law as well as other needed changes; to the Committee on the Judiciary.

EC-5013. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to Data Mining Activity in the Department of State; to the Committee on the Judiciary.

EC-5014. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (24); Amdt. No. 3358" (RIN2120-AA65), received in the Office of the President of the Senate on March 3, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5015. A communication from the Senior Regulations Analyst, Office of the Secretary of Transportation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Procedures for Transportation Workplace Drug and Alcohol Testing Programs: State Laws Requiring Drug and Alcohol Rule Violation Information" (RIN2105-AD67), received in the Office of the President of the Senate on March 3, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5016. A communication from the Deputy Assistant Secretary for Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Commerce Acquisition Regulation" (RIN0605-AA26), received in the Office of the President of the Senate on March 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5017. A communication from the Deputy Chief Financial Officer and Director for Financial Management, Office of the Secretary, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Civil Monetary Penalties; Adjustments" (RIN0690-AA35), received in the Office of the President of the Senate on March 5, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5018. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (French Lick, Indiana, and Irvington, Kentucky)" (MB Docket No. 07-296), received in the Office of the President of the Senate on March 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5019. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Markham, Ganado, and Victoria, Texas)" (MB Docket No. 07-163), received in the Office of the President of the Senate on March 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5020. A communication from the Vice President, Government Affairs, National Railroad Passenger Corporation, Amtrak, transmitting, pursuant to law, a report relative to Amtrak's Executive Level 1 salary for 2009; to the Committee on Commerce, Science, and Transportation.

REPORTS OF A COMMITTEE

The following reports of committee were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 649. A bill to require an inventory of radio spectrum bands managed by the National Telecommunications and Information Administration and the Federal Communications Commission (Rept. No. 111-159).

S. 592. A bill to implement the recommendations of the Federal Communications Commission report to the Congress regarding low-power FM service (Rept. No. 111-160).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Ms. LANDRIEU:

S. 3089. A bill to require a study and report by the Office of Advocacy of the Small Business Administration regarding the effects of proposed changes in patent law; to the Committee on Small Business and Entrepreneurship.

By Mrs. GILLIBRAND:

S. 3090. A bill to amend the Internal Revenue Code of 1986 to expand the availability of the saver's credit and to make the credit refundable; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself and Ms. LANDRIEU):

S. 3091. A bill to amend the Immigration and Nationality Act to prohibit the Secretary of Homeland Security from charging a fee for a Certificate of Citizenship for a foreign-born child adopted within the United States and for other purposes; to the Committee on the Judiciary.

By Mr. REID:

S. 3092. A bill to designate the facility of the United States Postal Service located at 5070 Vegas Valley Drive in Las Vegas, Nevada, as the "Joseph A. Ryan Post Office Building"; read the first time.

By Mr. CASEY:

S. 3093. A bill to require semiannual indexing of certain Federal child nutrition programs; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BUNNING:

S. 3094. A bill to allow individuals to elect to opt out of the Medicare part A benefits; to the Committee on Finance.

By Mr. INHOFE (for himself, Mr. BARRASSO, and Mr. BURR):

S. 3095. A bill to reduce the deficit by establishing discretionary caps for non-security spending; to the Committee on the Budget.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. SPECTER (for himself and Mr. CASEY):

S. Res. 448. A resolution reauthorizing the John Heinz Senate Fellowship Program; to the Committee on Rules and Administration.

By Mr. ROCKEFELLER (for himself, Mr. COCHRAN, Mr. BYRD, Mr.

BEGICH, Mr. FEINGOLD, and Ms. MIKULSKI):

S. Res. 449. A resolution celebrating Volunteers in Service to America on its 45th anniversary and recognizing its contribution to the fight against poverty; considered and agreed to.

By Mr. REID:

S. Res. 450. A resolution to constitute the majority party's membership on certain committees for the One Hundred Eleventh Congress, or until their successors are chosen; considered and agreed to.

ADDITIONAL COSPONSORS

S. 118

At the request of Mr. KOHL, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 118, a bill to amend section 202 of the Housing Act of 1959, to improve the program under such section for supportive housing for the elderly, and for other purposes.

S. 448

At the request of Mr. SPECTER, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 448, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 718

At the request of Mr. HARKIN, the name of the Senator from Florida [Mr. NELSON] was added as a cosponsor of S. 718, a bill to amend the Legal Services Corporation Act to meet special needs of eligible clients, provide for technology grants, improve corporate practices of the Legal Services Corporation, and for other purposes.

S. 730

At the request of Mr. ENSIGN, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 730, a bill to amend the Harmonized Tariff Schedule of the United States to modify the tariffs on certain footwear, and for other purposes.

S. 968

At the request of Mr. REID, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 968, a bill to award competitive grants to eligible partnerships to enable the partnerships to implement innovative strategies at the secondary school level to improve student achievement and prepare at-risk students for postsecondary education and the workforce.

S. 1425

At the request of Mr. DURBIN, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 1425, a bill to increase the United States financial and programmatic contributions to promote economic opportunities for women in developing countries.

S. 1492

At the request of Ms. MIKULSKI, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of S. 1492, a bill to amend the Public Health Service Act to fund breakthroughs in Alzheimer's disease research while providing more help to caregivers and increasing public education about prevention.

S. 1700

At the request of Mr. LUGAR, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 1700, a bill to require certain issuers to disclose payments to foreign governments for the commercial development of oil, natural gas, and minerals, to express the sense of Congress that the President should disclose any payment relating to the commercial development of oil, natural gas, and minerals on Federal land, and for other purposes.

S. 1737

At the request of Mr. FRANKEN, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 1737, a bill to amend the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966 to increase the number of children eligible for free school meals, with a phased-in transition period.

S. 1744

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts [Mr. BROWN] was added as a cosponsor of S. 1744, a bill to require the Administrator of the Federal Aviation Administration to prescribe regulations to ensure that all crewmembers on air carriers have proper qualifications and experience, and for other purposes.

S. 1780

At the request of Mrs. LINCOLN, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 1780, a bill to amend title 38, United States Code, to deem certain service in the reserve components as active service for purposes of laws administered by the Secretary of Veterans Affairs.

S. 2888

At the request of Mr. CARDIN, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 2888, a bill to amend section 205 of title 18, United States Code, to exempt qualifying law school students participating in legal clinics from the application of the general conflict of interest rules under such section.

S. 2993

At the request of Mr. SANDERS, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 2993, a bill to increase the quantity of solar photovoltaic electricity by providing rebates for the purchase and installation of an additional 10, 000,000 solar roofs and additional solar water heating systems with a cumulative capacity of 10,000,000 gallons by 2019.

S. 3036

At the request of Mr. BAYH, the names of the Senator from Michigan [Ms. STABENOW] and the Senator from North Dakota [Mr. CONRAD] were added as cosponsors of S. 3036, a bill to establish the Office of the National Alzheimer's Project.

S. 3058

At the request of Mr. DORGAN, the names of the Senator from Illinois [Mr. BURRIS], the Senator from Ohio [Mr. BROWN], the Senator from Minnesota [Mr. FRANKEN], the Senator from Montana [Mr. TESTER] and the Senator from North Dakota [Mr. CONRAD] were added as cosponsors of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3059

At the request of Mr. BINGAMAN, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3059, a bill to improve energy efficiency of appliances, lighting, and buildings, and for other purposes.

S. 3065

At the request of Mr. LIEBERMAN, the names of the Senator from Massachusetts [Mr. KERRY], the Senator from Illinois [Mr. DURBIN], the Senator from New York [Mr. SCHUMER], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Ohio [Mr. BROWN], the Senator from New Mexico [Mr. UDALL], the Senator from Vermont [Mr. SANDERS], the Senator from Wisconsin [Mr. FEINGOLD] and the Senator from Pennsylvania [Mr. CASEY] were added as cosponsors of S. 3065, a bill to amend title 10, United States Code, to enhance the readiness of the Armed Forces by replacing the current policy concerning homosexuality in the Armed Forces, referred to as "Don't Ask, Don't Tell", with a policy of nondiscrimination on the basis of sexual orientation.

S. 3069

At the request of Mr. SCHUMER, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 3069, a bill to amend the American Recovery and Reinvestment Act of 2009 to provide for the preservation and creation of jobs in the United States for projects receiving grants for specified energy property.

S. 3082

At the request of Mr. WYDEN, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 3082, a bill to amend title 38, United States Code, to authorize individuals who are pursuing programs of rehabilitation, education, or training under laws administered by the Secretary of Veterans Affairs to receive work-study allowances for certain outreach

services provided through congressional offices, and for other purposes.

SENATE CONCURRENT RESOLUTION 51

At the request of Mr. DODD, the name of the Senator from West Virginia [Mr. ROCKEFELLER] was added as a cosponsor of Senate Concurrent Resolution 51, a concurrent resolution honoring and praising the National Association for the Advancement of Colored People on the occasion of its 101st anniversary.

SENATE RESOLUTION 439

At the request of Mr. ENSIGN, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of Senate Resolution 439, a resolution recognizing the exemplarily service, devotion to country, and selfless sacrifice of Special Warfare Operators 2nd Class Matthew McCabe and Jonathan Keefe and Special Warfare Operator 1st Class Julio Huertas in capturing Ahmed Hashim Abed, one of the most-wanted terrorists in Iraq, and pledging to continue to support members of the United States Armed Forces serving in harm's way.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. SCHUMER,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on March 9, 2010, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on March 9, 2010, at 9:30 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "U.S. Preference Programs: Options for Reform."

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "ESEA Reauthorization: The Importance of World-Class K-12 Education for Our Economic Success" on March 9, 2010. The hearing will commence at 2:30 p.m. in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs be authorized to meet during the session of the Senate on March 9, 2010. The Committee will meet in room SDG-50 in the Dirksen Senate Office Building beginning at 9:30 a.m.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on March 9, 2010, at 2:30 p.m.

SUBCOMMITTEE ON SUPERFUND, TOXICS, AND ENVIRONMENTAL HEALTH

The Subcommittee on Superfund, Toxics, and Environmental Health of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on March 9, 2010, at 10 a.m. in room 406 of the Dirksen Office Building.

OBJECTION RELATIVE TO BILL H.R. 4213

Mr. BEN NELSON asked unanimous consent that when the Senate resumes consideration of the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes, amendment No. 3431 be in order; and that he be recognized to speak for 10 minutes.

Mr. COBURN objected.

TAX EXTENDERS ACT

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) laid before the Senate its pending business, viz, the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3430, proposed by Mr. BAUCUS for Mr. ISAKSON (for himself and Mr. CARDIN), to amendment No. 3336 (in the nature of a substitute), as amended, proposed by Mr. BAUCUS, to the bill.

By unanimous consent, on the request of Mr. ISAKSON.

Ordered, That the pending amendment be modified.

The question then being on agreeing to amendment No. 3430, as modified, to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

Pending debate,

Pursuant to the order of Friday, March 5, 2010,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3336 (in the amendment), as amended, to the bill.

Pursuant to the order of Friday, March 5, 2010,

On motion by Mr. BAUCUS to further amend the pending amendment (in the nature of a substitute), at the appropriate place, by inserting certain words (being amendment No. 3429).

After debate,

The amendment was agreed to.

On motion by Mr. BAUCUS to reconsider the vote agreeing to the amendment.

On motion by Mr. SCHUMER,

The motion to reconsider was laid on the table.

Pursuant to the order of Friday, March 5, 2010,

The question recurring on agreeing to amendment No. 3358, proposed by Mr. COBURN, to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

After debate,

On motion by Mr. COBURN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing amendment.

The question being taken.

It was determined in the affirmative---yeas... 100, nays... 0

[Rollcall Vote No. 44 Leg.]

YEAS --- 100

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Brownback, Bunning, Burr, Burris, Byrd, Cantwell, Cardin, Carper, Casey, Chambliss, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dodd, Dorgan, Durbin, Ensign, Enzi, Feingold, Feinstein, Franken, Gillibrand, Graham, Grassley, Gregg, Hagan, Harkin, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lincoln, Lugar, McCain, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Risch, Roberts, Rockefeller, Sanders, Schumer, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Whitehouse, Wicker, Wyden.

So the amendment was agreed to.

Pursuant to the order of Friday, March 5, 2010,

The question recurring on agreeing to amendment No. 3356, as modified, proposed by Mrs. MURRAY (for herself, Mr. HARKIN, Mrs. BOXER, Mr. BURRIS, Mr. LEVIN, Mr. DODD, Mrs. GILLIBRAND, Mr. KERRY, Mr. WYDEN, and Mr. CASEY), to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

After debate,

Mr. GREGG raised a point of order, viz, that the pending amendment violates section 201(a) of concurrent resolution S. Con. Res. 21 (110th Congress), and therefore is not in order.

On motion by Mrs. MURRAY, under section 201(b) of concurrent resolution S. Con. Res. 21 (110th Congress) to waive provisions of the concurrent resolution for consideration of the pending amendment.

On motion by Mrs. MURRAY,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on

the question of agreeing to the motion to waive.

The question being taken.

It was determined in the negative---
yeas... 55, nays... 45

[Rollcall Vote No. 45 Leg.]

YEAS --- 55

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Whitehouse, Wyden.

NAYS --- 45

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McCaskill, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Warner, Webb, Wicker.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The question recurring on the point of order raised by Mr. GREGG.

The PRESIDING OFFICER held the point of order well-taken, and the amendment, as modified, not in order.

The question recurring on agreeing to amendment No. 3430, as modified, to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. SCHUMER,

Ordered, That, at 12:30 p.m., the Senate recess until 2:15 p.m.

Pending debate,

RECESS

Pursuant to the order of yesterday, as modified,

At 12:39 p.m.,

The PRESIDING OFFICER declared the Senate recessed until 2:15 p.m.

AT 2:15 P.M.

The PRESIDING OFFICER (Mr. BEGICH in the chair) called the Senate to order.

TAX EXTENDERS ACT

Pursuant to the order of Friday, March 5, 2010,

The Senate resumed consideration of bill H.R. 4213.

The question being on agreeing to amendment No. 3430, as modified, to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That the pending amendment be modified, and agreed to.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The question recurring on agreeing to amendment No. 3401, proposed by Mrs. LINCOLN, to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That the pending amendment be modified, and agreed to.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The question recurring on agreeing to amendment No. 3427, proposed by Mr. MCCAIN (for himself and Mr. GRAHAM), to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That the question recur on agreeing to amendment No. 3417; that the amendment be agreed to; and that a motion to reconsider be made and laid on the table.

The question recurring on agreeing to amendment No. 3427 to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

Mr. BAUCUS, by unanimous consent, proposed the following amendments on various pages and lines on behalf of the Senators indicated; each was modified, as indicated, and agreed to: Mr. MERKLEY (for himself and Mr. WYDEN), amendment No. 3372, as modified; Mr. WARNER (for himself and Mr. CRAPO), amendment No. 3442, as modified; Mr. WHITEHOUSE (for himself, Mr. KERRY, Mr. LIEBERMAN, Mr. DODD, Mrs. SHAHEEN, Mr. SCOTT BROWN, and Mr. REED), amendment No. 3365, as modified; Mr. ROCKEFELLER, (for himself, Mr. SPECTER, Mr. HATCH, Mr. CASEY, and Mr. BAYH), amendment No. 3371, as modified; Mr. BAUCUS, amendment No. 3451.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The question recurring on agreeing to amendment No. 3427 to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

Mr. REID asked unanimous consent that, notwithstanding the point of order raised by Mr. GREGG that amendment No. 3356, as modified, violated section 201(a) of concurrent resolution S. Con. Res. 21 (110th Congress) having been held well-taken, and the amendment not in order, it be in order for the amendment to be made pending, further modified, and agreed to.

Mr. GREGG objected.

The question being on agreeing to amendment No. 3427 to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

Pending debate,

The hour of 2:30 p.m. having passed,

Pursuant to the order of Friday, March 5, 2010, as modified,

The PRESIDING OFFICER laid before the Senate the motion, presented by Mr. REID on Friday, March 5, 2010, to bring to a close debate on amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of Friday, March 5, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the affirmative---
yeas... 66, nays... 34

[Rollcall Vote No. 46 Leg.]

YEAS --- 66

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (MA), Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Chambliss, Cochran, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Isakson, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS --- 34

Alexander, Barrasso, Bennett, Bond, Brownback, Bunning, Burr, Coburn, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Nelson (NE), Risch, Roberts, Sessions, Shelby, Thune, Vitter, Wicker.

So the motion was agreed to; three-fifths of Senators duly chosen and sworn having voted in the affirmative.

On motion by Ms. LANDRIEU to reconsider the vote agreeing to the motion.

On motion by Mr. BURRIS,

The motion to reconsider was laid on the table.

The question recurring on agreeing to amendment No. 3427 to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

Pending debate,

By unanimous consent, on the request of Mr. LIEBERMAN,

Ordered, That the pending amendments be laid aside; that it be in order for him to propose an amendment (Numbered 3381); and that, following remarks by him, the amendment be withdrawn.

The pending amendments were laid aside.

The question being on agreeing to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today,

On motion by Mr. LIEBERMAN (for himself, Ms. COLLINS, Mrs. FEINSTEIN, Mr. BYRD, Mr. ENSIGN, and Mr. VOINOVICH) to further amend the pending amendment (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 3381).

After debate,

Pursuant to the order of today,

The amendment was withdrawn.

The question recurring on agreeing to amendment No. 3427 to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That amendment No. 3430, as modified, agreed to on today, be further modified.

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, at 2 p.m. on tomorrow, the Senate resume consideration of pending bill H.R. 4213; that time for debate, pursuant to rule XXII of the Standing Rules of the Senate, be concluded; that, upon disposition of the pending amendments, amendment No. 3336 (in the nature of a substitute), as amended, be agreed to; that no further amendment or motion be in order; that the Senate then vote on the question of agreeing to the motion to bring to a close debate on the bill; that the quorum under rule XXII of the Standing Rules of the Senate be waived; that, if said motion is agreed to, time for debate on the bill, pursuant to rule XXII of the Standing Rules of the Senate, be concluded; that the bill, as amended, be read the third time; and that the Senate then vote on passage of the bill, as amended.

CONSTITUTING MAJORITY PARTY'S MEMBERSHIP ON CERTAIN COMMITTEES

On the request of Mr. DURBIN,

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) laid before the Senate the resolution (S. Res. 450) to constitute the majority party's membership on certain committees for the One Hundred Eleventh Congress, or until their successors are chosen, submitted today by Mr. REID, and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDER FOR REFERRAL OF NOMINATION

By unanimous consent, on the request of Mr. DURBIN,

As in executive session,

Ordered, That, the nomination of Robert A. Harding, of Virginia, to be Assistant Secretary of Homeland Security, received in the Senate from the President on Monday, March 8, 2010, be referred to the Committee on Commerce, Science, and Transportation; that when the nomination is reported by the Committee, or when the Committee is discharged from its further consideration, it be referred to the Committee on Homeland Security and Governmental Affairs for a period not to exceed 30 calendar days; and that if the nomination is not reported by said Committee by then, the Committee be discharged from its further consideration, and the nomination be placed on the Executive Calendar.

ESTABLISHING NON-FEDERAL PAYMENT REQUIREMENTS OF CERTAIN WETLANDS CONSERVATION PROJECTS IN CANADA

By unanimous consent, on the request of Mr. DURBIN,

The Senate proceeded to consider the bill (H.R. 3433) to amend the North American Wetlands Conservation Act to establish requirements regarding payment of the non-Federal share of the costs of wetlands conservation projects in Canada that are funded under that Act, and for other purposes.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CELEBRATING VOLUNTEERS IN SERVICE TO AMERICA

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 449) celebrating Volunteers in Service to America on its 45th anniversary and recognizing its contribution to the fight against poverty, submitted today by Mr. ROCKEFELLER (for himself, Mr. COCHRAN, Mr. BYRD, Mr. BEGICH, Mr. FEINGOLD, and Ms. MIKULSKI), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

BILL READ THE FIRST TIME

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the bill (S. 3092) to designate the facility of the United States Postal Service located at 5070 Vegas Valley Drive in Las Vegas, Nevada, as the "Joseph A. Ryan Post Office Building", introduced today by Mr. REID, and at the desk; which was read the first time.

Mr. DURBIN asked unanimous consent that the bill be read the second time.

Mr. DURBIN objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that the Senate then proceed to a period for the transaction of morning business until 2 p.m., with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; that the majority control the first 30 minutes therein, and the minority control the second 30 minutes therein; that, following morning business, the Senate resume consideration of bill H.R. 4213; and that the time during morning business, recess, or adjournment be counted against the time for debate pursuant to rule XXII of the Standing Rules of the Senate.

ADJOURNMENT

By unanimous consent, on the request of Mr. DURBIN,

At 7:46 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

WEDNESDAY, MARCH 10, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, March 10, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. TOM UDALL took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3092) to designate the facility of the United States Postal Service located at 5070 Vegas Valley Drive in Las Vegas, Nevada, as the "Joseph A. Ryan Post Office Building", introduced on yesterday by Mr. REID, and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by Mr. Williams, one of his secretaries:

CONTINUATION OF THE NATIONAL EMERGENCY DECLARED WITH RESPECT TO IRAN -- PM 49

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication stating that the emergency declared on March 15, 1995, is to continue in effect beyond March 15, 2010.

The crisis between the United States and Iran resulting from actions and policies of the Government of Iran that led to the declaration of a national emergency on March 15, 1995, has not been resolved. The actions and policies of the Government of Iran are contrary to the interests of the United States in the region and pose a continuing unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to Iran and maintain in force comprehensive sanctions against Iran to respond to this threat.

BARACK OBAMA,
THE WHITE HOUSE, *March 10, 2010.*

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5021. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Low Pathogenic Avian Influenza; Voluntary Control Program and Payment of Indemnity" (Docket No. APHIS-2005-0109), received in the Office of the President of the Senate on March 9, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5022. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Establishment of Honey Packers and Importers Research, Promotion, Consumer Education and Industry Information Order and Suspension of Assessments Under the Honey Research, Promotion, and Consumer Information Order" (Docket Nos. AMS-FV-06-0176; FV-03-704-FR), received in the Office of the President of the Senate on March 8, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5023. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of the Army (Installations and Environment), received in the Office of the President of the Senate on March 8, 2010; to the Committee on Armed Services.

EC-5024. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of the Army (Civil Works), received in the Office of the President of the Senate on March 8, 2010; to the Committee on Armed Services.

EC-5025. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel of the Department of the Army, received in the Office of the President of the Senate on March 8, 2010; to the Committee on Armed Services.

EC-5026. A communication from the General Counsel of the Department of Defense, transmitting a legislative proposal relative to the National Defense Authorization Bill for fiscal year 2011, received in the Office of the President of the Senate on March 8, 2010; to the Committee on Armed Services.

EC-5027. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Native American Graves Protection and Repatriation Act Regulations - Disposition of Culturally Unidentifiable Human Remains" (RIN1024-AD68), received in the Office of the President of the Senate on March 8, 2010; to the Committee on Energy and Natural Resources.

EC-5028. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Safe Harbor Failed Section 1031 Exchanges" (Rev. Proc. 2010-14), received in the Office of the President of the Senate on March 8, 2010; to the Committee on Finance.

EC-5029. A communication from the Deputy Archivist, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled "Researcher Identification Card" (RIN3095-AB59), received in the Office of the President of the Senate on March 9, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5030. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's Annual Report of the Administration of the Government in the Sunshine Act for Calendar Year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-5031. A communication from the Federal Communications Commission, transmitting, pursuant to law, the Commission's fiscal year 2009 Annual Performance Report; to the Committee on Homeland Security and Governmental Affairs.

EC-5032. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, a legislative proposal relative to implementation of important international agreements concerning nuclear terrorism and nuclear materials; to the Committee on the Judiciary.

EC-5033. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, a legislative proposal relative to implementation of treaties concerning maritime terrorism and the maritime transportation of weapons of mass destruction; to the Committee on the Judiciary.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. DORGAN, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 443. A bill to transfer certain land to the United States to be held in trust for the Hoh Indian Tribe, to place land into trust for the Hoh Indian Tribe, and for other purposes (Rept. No. 111-161).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. BENNETT:

S. 3096. A bill to prevent an economic disaster by providing budget reform; to the Committee on the Budget.

By Mr. WICKER:

S. 3097. A bill to correct an error in the enrollment of the Consolidated Appropriations Act, 2010; to the Committee on Commerce, Science, and Transportation.

By Mr. MERKLEY (for himself, Mr. LEVIN, Mr. KAUFMAN, Mr. BROWN of Ohio, and Mrs. SHAHEEN):

S. 3098. A bill to prohibit proprietary trading and certain relationships with hedge funds and private equity funds, to address conflicts of interest with respect to certain securitizations, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. RISCH (for himself and Mr. CRAPO):

S. 3099. A bill to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the American Falls Reservoir; to the Committee on Energy and Natural Resources.

By Mr. RISCH (for himself and Mr. CRAPO):

S. 3100. A bill to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the Little Wood River Ranch; to the Committee on Energy and Natural Resources.

By Mr. TESTER:

S. 3101. A bill to reduce barriers to entry in Federal contracting, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MERKLEY (for himself, Mrs. SHAHEEN, Mr. JOHNSON, Mr. LUGAR, Mr. BENNET, and Mr. GRAHAM):

S. 3102. A bill to amend the miscellaneous rural development provisions of the Farm Security and Rural Investment Act of 2002 to authorize the Secretary of Agriculture to make loans to certain entities that will use the funds to make loans to consumers to implement energy efficiency measures involving structural improvements and investments in cost-effective, commercial off-the-shelf technologies to reduce home energy use; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. SNOWE:

S. 3103. A bill to help small businesses create new jobs and drive our Nation's economic recovery; to the Committee on Finance.

SUBMISSION OF CONCURRENT RESOLUTIONS

The following concurrent resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. BENNET (for himself and Mr. UDALL of Colorado):

S. Con. Res. 53. A concurrent resolution recognizing and congratulating the City of Colorado Springs, Colorado, as the new official site of the National Emergency Medical Services Memorial Service and the National Emergency Medical Services Memorial; to the Committee on the Judiciary.

By Mr. NELSON of Florida (for himself, Mr. MCCAIN, Mr. KERRY, Mr. MENENDEZ, Mr. DODD, and Mr. LEMIEUX):

S. Con. Res. 54. A concurrent resolution recognizing the life of Orlando Zapata Tamayo, who died on February 23, 2010, in the custody of the Government of Cuba, and calling for a continued focus on the promotion of internationally recognized human rights, listed in the Universal Declaration of Human Rights, in Cuba; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 78

At the request of Mr. KERRY, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 78, a bill to amend the Internal Revenue Code of 1986 to provide a full exclusion for gain from certain small business stocks.

S. 557

At the request of Mr. KOHL, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 557, a bill to encourage, enhance, and integrate Silver Alert plans throughout the United States, to authorize grants for the assistance of organizations to find missing adults, and for other purposes.

S. 582

At the request of Mr. SANDERS, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 582, a bill to amend the Truth in Lending Act to protect consumers from usury, and for other purposes.

S. 634

At the request of Mr. HARKIN, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 634, a bill to amend the Elementary and Secondary

Education Act of 1965 to improve standards for physical education.

S. 653

At the request of Mr. CARDIN, the names of the Senator from Ohio [Mr. BROWN] and the Senator from Colorado [Mr. BENNET] were added as cosponsors of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 749

At the request of Mr. COCHRAN, the names of the Senator from North Dakota [Mr. DORGAN] and the Senator from New Jersey [Mr. LAUTENBERG] were added as cosponsors of S. 749, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 938

At the request of Ms. LANDRIEU, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 938, a bill to require the President to call a White House Conference on Children and Youth in 2010.

S. 1067

At the request of Mr. FEINGOLD, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 1067, a bill to support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

S. 1137

At the request of Mr. FEINGOLD, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 1137, a bill to amend the Elementary and Secondary Education Act of 1965 to establish a Volunteer Teacher Advisory Committee.

S. 1156

At the request of Mr. HARKIN, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 1156, a bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to reauthorize and improve the safe routes to school program.

S. 1204

At the request of Mrs. MURRAY, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 1204, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers, and for other purposes.

S. 1221

At the request of Mr. SPECTER, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 1221, a bill to amend title XVIII of the Social Security Act to ensure more appropriate payment amounts for drugs and biologicals under part B of the Medicare Program by excluding customary prompt pay discounts extended to wholesalers from the manufacturer's average sales price.

S. 1256

At the request of Ms. CANTWELL, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 1256, a bill to amend title XIX of the Social Security Act to establish financial incentives for States to expand the provision of long-term services and supports to Medicaid beneficiaries who do not reside in an institution, and for other purposes.

S. 1273

At the request of Mr. DORGAN, the names of the Senator from Alaska [Ms. MURKOWSKI], the Senator from New York [Mrs. GILLIBRAND] and the Senator from Idaho [Mr. CRAPO] were added as cosponsors of S. 1273, a bill to amend the Public health Service Act to provide for the establishment of permanent national surveillance systems for multiple sclerosis, Parkinson's disease, and other neurological diseases and disorders.

S. 1558

At the request of Mrs. LINCOLN, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 1558, a bill to amend title 37, United States Code, to provide travel and transportation allowances for members of the reserve components for long distance and certain other travel to inactive duty training.

S. 1584

At the request of Mr. MERKLEY, the name of the Senator from Virginia [Mr. WEBB] was added as a cosponsor of S. 1584, a bill to prohibit employment discrimination on the basis of sexual orientation or gender identity.

S. 1604

At the request of Ms. KLOBUCHAR, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 1604, a bill to amend the Internal Revenue Code of 1986 to provide an income tax credit for eldercare expenses.

S. 1681

At the request of Mr. LEAHY, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 1681, a bill to ensure that health insurance issuers and medical malpractice insurance issuers cannot engage in price fixing, bid rigging, or market allocations to the detriment of competition and consumers.

S. 1700

At the request of Mr. LUGAR, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 1700, a bill to require certain issuers to disclose payments to foreign governments for the commercial development of oil, natural gas, and minerals, to express the sense of Congress that the President should disclose any payment relating to the commercial development of oil, natural gas, and minerals on Federal land, and for other purposes.

S. 1744

At the request of Mr. SCHUMER, the names of the Senator from Idaho [Mr. RISCH], the Senator from Illinois [Mr. BURRIS] and the Senator from Oregon [Mr. MERKLEY] were added as cosponsors of S. 1744, a bill to require the Administrator of the Federal Aviation Administration to prescribe regulations to ensure that all crewmembers on air carriers have proper qualifications and experience, and for other purposes.

S. 1859

At the request of Mr. ROCKEFELLER, the names of the Senator from California [Mrs. BOXER] and the Senator from Hawaii [Mr. AKAKA] were added as cosponsors of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 2781

At the request of Ms. MIKULSKI, the names of the Senator from Michigan [Mr. LEVIN], the Senator from Minnesota [Mr. FRANKEN], the Senator from Hawaii [Mr. AKAKA], the Senator from South Dakota [Mr. JOHNSON], the Senator from North Dakota [Mr. DORGAN] and the Senator from Virginia [Mr. WARNER] were added as cosponsors of S. 2781, a bill to change references in Federal law to mental retardation to references to an intellectual disability, and to change references to a mentally retarded individual to references to an individual with an intellectual disability.

S. 2816

At the request of Mr. BUNNING, the name of the Senator from South Carolina [Mr. DEMINT] was added as a cosponsor of S. 2816, a bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs and to allow the adoption credit to be claimed in the year expenses are incurred, regardless of when the adoption becomes final.

S. 2960

At the request of Mr. LEAHY, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 2960, a bill to exempt aliens who are admitted as refugees or granted asylum and are employed overseas by the Federal Government from the 1-year physical presence requirement for adjustment of status to that of aliens lawfully admitted

for permanent residence, and for other purposes.

S. 2994

At the request of Mrs. BOXER, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 2994, a bill to amend the Internal Revenue Code of 1986 to impose an excise tax on excessive 2009 bonuses received from certain major recipients of Federal emergency economic assistance, to limit the deduction allowable for such bonuses, and for other purposes.

S. 3036

At the request of Mr. BAYH, the names of the Senator from Missouri [Mrs. MCCASKILL], the Senator from Georgia [Mr. CHAMBLISS] and the Senator from New York [Mr. SCHUMER] were added as cosponsors of S. 3036, a bill to establish the Office of the National Alzheimer's Project.

S. 3056

At the request of Mr. WYDEN, the name of the Senator from Rhode Island [Mr. REED] was added as a cosponsor of S. 3056, a bill to amend the Energy Policy Act of 2005 to repeal a section of that Act relating to exportation and importation of natural gas.

S. 3058

At the request of Mr. DORGAN, the names of the Senator from Idaho [Mr. RISCH] and the Senator from South Dakota [Mr. JOHNSON] were added as cosponsors of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3095

At the request of Mr. INHOFE, the names of the Senator from Georgia [Mr. CHAMBLISS], the Senator from Idaho [Mr. RISCH], the Senator from Mississippi [Mr. WICKER], the Senator from Idaho [Mr. CRAPO], the Senator from Texas [Mr. CORNYN], the Senator from Nevada [Mr. ENSIGN], the Senator from South Carolina [Mr. GRAHAM], the Senator from Massachusetts [Mr. BROWN], the Senator from Texas [Mrs. HUTCHISON], the Senator from Oklahoma [Mr. COBURN], the Senator from Nebraska [Mr. JOHANNS], the Senator from Kansas [Mr. ROBERTS], the Senator from Kentucky [Mr. BUNNING], the Senator from Arizona [Mr. KYL], the Senator from South Dakota [Mr. THUNE] and the Senator from Arizona [Mr. MCCAIN] were added as cosponsors of S. 3095, a bill to reduce the deficit by establishing discretionary caps for non-security spending.

SENATE RESOLUTION 412

At the request of Mrs. GILLIBRAND, the names of the Senator from Louisiana [Ms. LANDRIEU] and the Senator from Ohio [Mr. BROWN] were added as cosponsors of Senate Resolution 412, a resolution designating September 2010 as "National Childhood Obesity Awareness Month".

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. WARNER,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on March 10, 2010, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on March 10, 2010, at 9:30 a.m., to hold a hearing entitled "Building on Success: New Directions in Global Health."

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on March 10, 2010, at 2 p.m. in the President's Room.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 10, 2010, at 10 a.m. to conduct a hearing entitled "The Lessons and Implications of the Christmas Day Attack: Watchlisting and Pre-Screening."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on March 10, 2010, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "We the People? Corporate Spending in American Elections after Citizens United."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on March 10, 2010, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations."

INTERNATIONAL OPERATIONS AND ORGANIZATIONS, DEMOCRACY AND HUMAN RIGHTS SUBCOMMITTEE

The Committee on Foreign Relations be authorized to meet during the session of the Senate on March 10, 2010, at 3 p.m. to hold an International Operations and Organizations, Democracy and Human Rights subcommittee hearing entitled "The Future of U.S. Public Diplomacy."

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

The Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on March 10, 2010, at 10 a.m.

SUBCOMMITTEE ON PERSONNEL

The Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on March 10, 2010, at 10:30 a.m.

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

The Subcommittee on Public Lands and Forests be authorized to meet during the session of the Senate on March 10, 2010, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

SUBCOMMITTEE ON SCIENCE AND SPACE

The Subcommittee on Science and Space of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 10, 2010, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

SUBCOMMITTEE ON STRATEGIC FORCES

The Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on March 10, 2010, at 2:30 p.m.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 9:33 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4547. An act to designate the facility of the United States Postal Service located at 119 Station Road in Cheyney, Pennsylvania, as the "Captain Luther H. Smith, U.S. Army Air Forces Post Office".

H.R. 4624. An act to designate the facility of the United States Postal Service located at 125 Kerr Avenue in Rome City, Indiana, as the "SPC Nicholas Scott Hartge Post Office".

The message also announced that pursuant to section 301 of the Congressional Accountability Act of 1995 (2 U.S.C. 1381), as amended by Public Law 111-114, the Speaker and Minority Leader of the House of Representatives, with the Majority and Minority Leaders of the United States Senate, jointly reappoint the following private individuals each to a 5-year term on the Board of Directors of the Office of Compliance: Mr. Alan V. Friedman of California, Ms. Susan S. Robfogel of New York, and Ms. Barbara Childs Wallace of Mississippi; and jointly designate as Chair, Ms. Barbara L. Camens of Washington, D.C.

At 12:26 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4786. An act to provide authority to compensate Federal employees for the 2-day period in which authority to make expenditures from the Highway Trust Fund lapsed, and for other purposes.

At 1:05 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4783. An act to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Chile, and to extend the period from which such contributions for the relief of victims of the earthquake in Haiti may be accelerated.

At 6:48 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3433. An act to amend the North American Wetlands Conservation Act to establish requirements regarding payment of the non-Federal share of the costs of wetlands conservation projects in Canada that are funded under that Act, and for other purposes.

HOUSE BILLS REFERRED

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

H.R. 4547. An act to designate the facility of the United States Postal Service located at 119 Station Road in Cheyney, Pennsylvania, as the "Captain Luther H. Smith, U.S. Army Air Forces Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4624. An act to designate the facility of the United States Postal Service located at 125 Kerr Avenue in Rome City, Indiana, as the "SPC Nicholas Scott Hartge Post Office"; to the Committee on Homeland Security and Governmental Affairs.

TAX EXTENDERS ACT

The hour of 2 p.m. having passed,

Pursuant to the order of yesterday, as modified,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3427, proposed by Mr. MCCAIN, to amendment No. 3336 (in the nature of a substitute), as amended, proposed by Mr. BAUCUS, to the bill.

By unanimous consent, on the request of Mr. REID,

Ordered, That it be in order for him to raise a point of order, en bloc, against the pending amendments.

Under the authority of the foregoing order,

Mr. REID raised a point of order, en bloc, viz, that the pending amendments (numbered 3342, 3368, and 3427) are not germane, violate provisions of rule XXII of the Standing Rules of the Senate, and therefore are not in order.

The ACTING PRESIDENT pro tempore held the point of order well-taken, and the amendments not in order.

The question being on agreeing to amendment No. 3336 (in the nature of a substitute), as amended, to the bill.

The amendment (in the nature of a substitute), as amended, was agreed to.

The question being on passage of the bill, as amended.

The ACTING PRESIDENT pro tempore laid before the Senate the motion, presented by Mr. REID on Friday, March 5, 2010, to bring to a close debate on bill H.R. 4213, as amended.

Pursuant to the order of Friday, March 5, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The ACTING PRESIDENT pro tempore stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the affirmative---
yeas... 66, nays... 33

[Rollcall Vote No. 47 Leg.]

YEAS --- 66

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Chambliss, Cochran, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Isakson, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

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Alexander, Barrasso, Bennett, Brownback, Bunning, Burr, Coburn, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Nelson (NE), Risch, Roberts, Sessions, Shelby, Thune, Vitter, Wicker.

So the motion was agreed to; three-fifths of Senators duly chosen and sworn having voted in the affirmative.

The question being on passage of the bill, as amended.

Pursuant to the order of yesterday,

The bill, as amended, was read the third time.

On motion by Mr. LEVIN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the passage of the bill, as amended.

On the question, Shall it pass?

It was determined in the affirmative---
yeas... 62, nays... 36

[Rollcall Vote No. 48 Leg.]

YEAS --- 62

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Bond, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Whitehouse, Wyden.

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Alexander, Barrasso, Bennett, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Nelson (NE), Risch, Roberts, Sessions, Shelby, Thune, Wicker.

So it was

Resolved, That the bill, as amended, do pass.

On motion by Mr. TESTER to reconsider the vote on passage of the bill, as amended.

On motion by Mr. TESTER,

The motion to reconsider was laid on the table.

ORDER FOR CONSIDERATION OF BILL H.R. 1586

By unanimous consent, on the request of Mr. ROCKEFELLER,

Ordered, That the Senate proceed to consider bill H.R. 1586; and that Mr. ROCKEFELLER be recognized to propose an amendment (in the nature of a substitute).

RELATIVE TO A TAX ON BONUSES FROM CERTAIN TARP RECIPIENTS

Pursuant to the forgoing order,

The PRESIDING OFFICER (Mr. MERKLEY in the chair) laid before the Senate the bill (H.R. 1586) to impose an additional tax on bonuses received from certain TARP recipients; and

The Senate proceeded to consider the bill.

The question being on passage of the bill.

Pursuant to the order of the today,

On motion by Mr. ROCKEFELLER to strike all after the enacting clause and insert, in lieu thereof, other words (being amendment No. 3452, in the nature of a substitute).

Pending debate,

On motion by Mr. SESSIONS (for himself and Mrs. MCCASKILL) to amend the pending amendment (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 3453).

Pending debate,

The pending amendment was laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3452 (in the nature of a substitute) to the bill.

On motion by Mr. LIEBERMAN (for himself, Ms. COLLINS, Mrs. FEINSTEIN, Mr. BYRD, Mr. ENSIGN, and Mr. VOINOVICH), at the end thereof, by adding certain words (being amendment No. 3456).

Pending debate,

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. DORGAN,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. DORGAN,

The Senate resumed its legislative session.

COMMENDING THE AMERICAN SAIL TRAINING ASSOCIATION

By unanimous consent, on the request of Mr. DORGAN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 158) to commend the American Sail Training Association for advancing international goodwill and character building under sail.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

On motion by Mr. DORGAN (for Mr. KERRY) to amend the pending resolution by striking paragraph 3 of the resolving clause, and inserting certain words (being amendment No. 3459).

The amendment was agreed to.

The question being on agreeing to the resolution, as amended.

Resolved, That the Senate agree thereto.

The question being on agreeing to the accompanying preamble.

On motion by Mr. DORGAN (for Mr. KERRY) to amend the preamble, by striking the twelfth clause, and inserting certain words (being amendment No. 3460).

The amendment was agreed to.

The preamble, as amended, was agreed to.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

SUPPORTING STABILIZATION AND LASTING PEACE IN NORTHERN UGANDA

By unanimous consent, on the request of Mr. DORGAN,

The Senate proceeded to consider the bill (S. 1067) to support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. DORGAN (for Mr. FEINGOLD) to amend the pending reported amendment (in the nature of a substitute) on various pages by striking certain lines and inserting certain words (being amendment No. 3461).

The amendment was agreed to.

The reported amendment (in the nature of a substitute), as amended, was agreed to.

The question being on the passage of the bill, as amended.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DORGAN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that the Senate proceed to a period of one hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; that the first 30 minutes therein be controlled by the minority party; that the second 30 minutes therein be controlled by the majority party; and that, following morning business, the Senate resume consideration of bill H.R. 1586.

ADJOURNMENT

By unanimous consent, on the request of Mr. DORGAN,

At 7:06 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

THURSDAY, MARCH 11, 2010

Mrs. KIRSTEN E. GILLIBRAND, from the State of New York, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mrs. GILLIBRAND led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, March 11, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. GILLIBRAND took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-85. A resolution adopted by the Legislature of Guam expressing strong and abiding opposition to any use of eminent domain [condemnation] for the purpose of obtaining Guam lands for either the currently planned military buildup or other U.S. federal government purposes, or both; to the Committee on Armed Services.

RESOLUTION NO. 258-30 (COR)

Relative to expressing the strong and abiding opposition of *I Liheslaturan Guahan* and the People of Guam to any use of eminent domain [condemnation] for the purpose of obtaining Guam lands for either the currently planned military buildup or other U.S. federal government purposes, *or* both.

Be it *Resolved by* I Mina'Trenta Na Liheslaturan Guahan

Whereas, the island of Guam has only one hundred forty-seven thousand (147,000) acres of land available to it for all purposes; and

Whereas, the Department of Defense currently possesses forty thousand (40,000) acres, constituting 27.21 percent of the island's land mass; and

Whereas, the United States National Park Service currently possesses six hundred ninety-five (695) acres, or 0.47 percent of the island; and

Whereas, the United States Fish & Wildlife Service currently possesses three hundred eighty-five (385) acres, or 0.26 percent of the island; and

Whereas, the Government of Guam currently possesses thirty-seven thousand six hundred seventy-three and thirty-six (37,673.36) acres, or 25.6 percent of the island; and

Whereas, the private lands of Guam consist of only sixty-eight thousand two hundred forty-six (68,246) acres, or 46.43 percent of the island; and

Whereas, the Federal Government, in its draft Environmental Impact Statement (DEIS) for the military buildup, has stated it desires additional land for its buildup for a Proposed Training Range Complex, offering two (2) alternatives: Alternative A, identified as the preferred alternative, calls for acquiring by lease or condemnation nine hundred twenty-one (921) acres for this training range complex, which apparently is limited to public lands belonging to the Chamorro Land Trust Commission and the Ancestral Lands Commission, and Alternative B, east of Andy South, that calls for acquiring by long-term lease or condemnation one thousand one hundred twenty-nine (1,129) additional acres, some private and some public; and

Whereas, the DEIS also states that the military desires the former FAA Housing Area, comprising six hundred eighty (680) acres of Ancestral Lands, which would fill in a gap in the future Marine Corps base between NCTS Finegayan and South Finegayan; and

Whereas, the Joint Guam Program Office (JGPO) has declined to be clear regarding the possibility of eminent domain/condemnation being used as a tool to acquire the desired access to additional land in Guam, either directly or indirectly as a threat to back up "negotiations"; and

Whereas, the Joint Guam Program Office has stated that all options "are on the table" when it comes to additional land needed by the military, and that there is such a thing as "friendly condemnation"; and

Whereas, it appears that the Federal Government has no appreciation for the history of Federal land takings in Guam, or the importance of land to the people of Guam; and

Whereas, the history of land takings and the importance of land in the local culture of a tiny island have resulted in a significant sensitivity to Federal land takings on the part of the local people; and

Whereas, Chamorro historian, Reverend Joaquin Flores Sablan, wrote that land and family lineage continued to be the basis of wealth and prestige: "Land ownership was the greatest security, particularly inherited property which they treated as a sacred trust from their parents. To part with the land was the same as committing suicide." [Destiny's Landfall: A History of Guam, by Robert F. Rogers, University of Hawai'i Press, 1995, page 142]; and

Whereas, the Naval government, from 1898 until 1950, completely ignored the Chamorro people's devotion to the land, issuing their second order, on January 30, 1899, to confiscate land in the Piti area to use for a coaling site and Navy yard. The people of Guam were never compensated for that very first land taking, just the "first of a long series of controversial steps whereby United States governmental agencies acquired large portions of land on Guam" [Rogers, page 115]; and

Whereas, the Naval government held over one-third of the island of Guam on the eve of World War II, and within three (3) months of the liberation of the island in 1944, five (5) airfields were built; and

Whereas, by Public Law 594, the Land Acquisition Act passed by the U.S. Congress on August 2, 1946, the Navy Department was authorized to acquire private land needed for permanent military installations on the island, but compensation was inadequate, due in part to a lack of proper land valuation in the largely agrarian island, amounting to only pennies on the dollar for the actual value of the land; and

Whereas, from 1947 to 1950, the main mission of Guam's military command was to complete building facilities, and for this purpose large pieces of land were taken; and

Whereas, the postwar land takings were mixed in time and process with limited and inadequate compensation for personal injury and death and property damage under the Federally-created Land and Claims Commission; and

Whereas, the United States federal government still has not appreciated the connection between compensation for the sufferings of the people of Guam at the hands of the Japanese occupiers and the takings of land; and

Whereas, the Land and Claims Commission condemned land, but became bogged down in the legal complexities of hundreds of property transactions. Rogers states [p. 215] that, "The commission was understaffed as well as inexperienced in real estate matters. Higher commands nonetheless pressured the staff to meet tight deadlines for land transfers in order for construction of new military projects to proceed"; and

Whereas, when former landowners or their heirs attempted to take these injustices to Federal court for redress of the situation, they were told that the statute of limitations had been exceeded; and

Whereas, without consultation with Guam officials or owners of leased properties, the new civilian governor, Carlton Skinner, signed a quitclaim deed on July 31, 1950, the day before the Organic Act went into effect, whereby the Government of Guam transferred all condemned property to the United States of America "for its own use." This left the Navy and Air Force in direct control of about forty-nine thousand six hundred (49,600) acres, or over thirty-six percent (36%) of the island; and

Whereas, the very first case in the new court under the Organic Act, which granted American citizenship to the Chamorros, was a retaking of all of the previous takings, to ensure that no claim could be made that land could not be taken from the Chamorros prior to their becoming American citizens; and

Whereas, in 1977, the creation of the new War in the Pacific Memorial Park saw the condemnation of coastal land in the Agat area, thus preventing the construction of the Agat Marina for many years; and

Whereas, in the 1980's, the U.S. Congress attempted to correct the obvious injustice of the postwar land takings by authorizing the land taking cases to be reopened and additional compensation be paid; and

Whereas, while many former landowners accepted the class action settlement under this law, some previous landowners of large holdings, such as those at Andersen Air Force Base and including the very land at NCTS envisioned by the federal government for the new Marine Corps base, opted out of the settlement and their claims against the federal

government under that law have not been settled to this day; and

Whereas, the final insult to the people of Guam came when the three hundred eighty-five (385) acres of the former Naval Facility, Guam at Ritidian Point was declared excess in the 1990's and was grabbed quietly, without fanfare or advance notice, by the U.S. Fish & Wildlife Service, rather than being returned to the original landowners via the Government of Guam; and

Whereas, a former Assistant U.S. Attorney handling land matters in Guam in 2000 and 2001, freely admitted that many Chamorro landowners at the time were cheated out of their land by land agents telling them that the paperwork to be signed was compensation for damage to coconut trees or that the land would be returned to the owner once there was no longer any need for it; and

Whereas, this sordid history of the people of Guam's most precious resource, other than its children, needs to be and must be appreciated by the United States federal government; and

Whereas, in response, I Liheslatura has specifically enacted legislation addressing Federal acquisition of property, including:

(a) Public Law 29-113, specifically §15105 of Chapter 15, Title 21 of the Guam Code Annotated, which calls for duly enacted legislation by I Liheslatura to authorize "the acquisition by condemnation or otherwise of private property" by means of Congressional appropriation to acquire property for public use; and

(b) Public Law 30-21, specifically §2401 (c) of Chapter 24, Title 1 of the Guam Code Annotated, which tasks the Guam First Commission to determine which land the federal government may intend to lease or sub-lease, exchange for other land, or purchase, and to report their findings to I Liheslatura and I Maga'lahi, and also requires Legislative approval of any Federal acquisition of government of Guam property, whether by lease, sub-lease, exchange or sale; Now, therefore, be it

Resolved, That I Mina'Trenta Na Liheslaturan Guahan does hereby, on behalf of the people of Guam, absolutely oppose the use, or threat of use, of eminent domain/condemnation for any acquisition of any additional Guam land, private or public, for any purpose whatsoever related to the planned military buildup; and be it further

Resolved, That I Mina'Trenta Na Liheslaturan Guahan does hereby, on behalf of the people of Guam, demand negotiations at arms length, with a level table, and without undue pressure being exerted on Guam landowners by the United States federal government/Department of Defense, for the acquisition of any additional land, public or private; and be it further

Resolved, That I Mina'Trenta Na Liheslaturan Guahan does hereby, on behalf of the people of Guam, demand dealings concerning land are held in good faith between the United States federal government/Department of Defense and private landowners that are willing to lease/sell their property to the federal government, and are also held in good faith with the official representatives of the people of Guam in discussing the potential lease of land from the government of Guam; and be it further

Resolved, That I Mina'Trenta Na Liheslaturan Guahan does hereby, on behalf of the people of Guam, demand that the federal government renounce any repeat of history, and declares that condemnation SHALL NOT be a tool available to the federal government, either directly or through the use of intimidation, in relation to the Guam military buildup; and be it further

Resolved, That I Mina'Trenta Na Liheslaturan Guahan does hereby, on behalf of the people of Guam, recognize and memorialize the many years of injustice and mistreatment of the people of Guam, as reflected in the foregoing history of Federal land takings; and be it further

Resolved, That the Speaker certify, and the Legislative Secretary attest to, the adoption hereof, and that copies of the same be thereafter transmitted to the Honorable Barack Obama, President of the United States; to the Honorable Nancy Pelosi, Speaker of the United States House of Representatives; to the Honorable Robert Byrd, President Pro Tem of the U.S. Senate; to the Honorable Madeleine Z. Bordallo, Guam Delegate to Congress; to the Honorable Ban Ki-moon, Secretary General of the United Nations; to the Honorable Hillary Rodham Clinton, Secretary of State; to the Honorable William Gates, Secretary of Defense; to the Honorable Ray Mabus, Secretary of the Navy; to the Honorable Michael B. Donley, Secretary of the Air Force; to the Honorable John M. McHugh, Secretary of the Army; to the Honorable Ken Salazar, Secretary of the Interior; to the Honorable Anthony Babauta, Assistant Secretary of the Interior for Insular Affairs; to the Honorable Benigno Fitial, Governor of the Commonwealth of the Northern Mariana Islands; and to the Honorable Felix P. Camacho, I Maga'lahen Guahan (Governor of Guam).

POM-86. A joint memorial adopted by the Legislature of the State of New Mexico requesting the support in the preservation of the Navajo Code Talkers' remarkable legacy; to the Committee on Armed Services.

SENATE JOINT MEMORIAL NO. 51

Whereas, the few living Navajo Code Talkers are undertaking a multi-year project to build an educational, historical and humanitarian facility that will bring pride to Native American and Non-Native American communities alike, educate the young and old and conserve the instruments of freedom gifted to the American people by an awe-inspiring group of young Navajo men during World War II; and

Whereas, during World War II, these modest young Navajo men fashioned from the Navajo language the only unbreakable code in military history; and

Whereas, these Navajo Radio Operators transmitted the code throughout the dense jungles and exposed beachheads of the Pacific theater from 1942 to 1945, passing over eight hundred error-free messages in forty-eight hours at Iwo Jima alone; and

Whereas, the bravery and ingenuity of these young Navajo men gave the United States and allied forces the upper hand they so desperately needed, finally hastening the war's end and assuring victory for the United States; and

Whereas, after being sworn to secrecy for twenty-three years after the war, these young Navajo men eventually came to be known as Navajo Code Talkers and were honored by President George W. Bush more than fifty years after the war with Congressional Gold and Silver Medals in 2001; and

Whereas, the Navajo Code Talkers are now in their eighties, and with fewer than fifty remaining from the original four hundred, the urgency to capture and share their stories and memorabilia from their service in the war is now critical; and

Whereas, these American treasures and revered elders of the Navajo Nation have come together to tell their story, one that has never been heard, from their own hearts and in their own words; and

Whereas, the Navajo Code Talkers' heroic story of an ancient language, valiant people and a decisive victory that changed the path of modern history is the greatest story never told; and

Whereas, the Navajo Code Talkers ultimately envision a lasting memorial, the Navajo Code Talkers Museum and Veterans Center, on donated private land; and

Whereas, the Navajo Code Talkers' mission is to create a place where their legacy of service will inspire others to achieve excellence and instill core values of pride, discipline and honor in all those who visit; and

Whereas, through the lead efforts of the Navajo Code Talkers foundation and many partners and individuals, the Navajo Code Talkers' legacy, history, language and code will be preserved to benefit all future generations; Now, therefore, be it

Resolved by the Legislature of the State of New Mexico, That the United States Congress, Department of the Interior, Department of Veterans Affairs, Department of Health and Human Services, Department of Defense, Department of Agriculture,

Department of State and Department of Energy be requested to support the preservation of the Navajo Code Talkers' remarkable legacy; and, be it further

Resolved, That copies of this memorial be transmitted to the President Pro Tempore of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of the Interior, the Secretary of Defense, the Secretary of Veterans Affairs, the Secretary of Health and Human Services, the Secretary of Agriculture, the Secretary of State, the Secretary of Energy and the New Mexico Congressional Delegation.

POM-87. A memorial adopted by the Senate of the State of New Mexico urging Congress to expedite the passage of legislation to enact the necessary amendments to the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified states have authority to use payments for non-coal mine reclamation projects; to the Committee on Energy and Natural Resources.

SENATE MEMORIAL NO. 30

Whereas, New Mexico is known to have some of the richest uranium resources in the nation in the area known as "The Grants Mineral Belt"; and

Whereas, dating back to the 1940s, states such as New Mexico mined uranium for the benefit of the Atomic Energy Commission and the federal government's Nuclear Weapons Program; and

Whereas, the Atomic Energy Commission did not require that early mines be reclaimed; and

Whereas, research shows that many uranium mines were abandoned and never reclaimed; and

Whereas, the federal government has direct responsibility to provide funding, both for the initial surveying of these mines and for potential subsequent reclamation where warranted; and

Whereas, the Surface Mining Control and Reclamation Act of 1977 is a federal law that mandates a reclamation fee on each ton of coal produced in the country, and Title IV of that Act provides for abandoned mine reclamation; and

Whereas, in 2006, the United States Congress passed amendments to Title IV of the Surface Mining Control and Reclamation Act of 1977 providing that the funds collected from the reclamation fees will now go directly to the states rather than be appropriated by Congress; and

Whereas, the Solicitor of the Department of the Interior has interpreted those 2006 amendments to limit uncertified states, such as New Mexico, from using the funds available through the Surface Mining Control and Reclamation Act of 1977 for non-coal mine reclamation; and

Whereas, following the 2006 amendments, the Office of Surface Mining Reclamation and Enforcement promulgated regulations that restrict uncertified states from using funds available through the Surface Mining and Control Reclamation Act of 1977 for non-coal mine reclamation; and

Whereas, Secretary Ken Salazar of the Department of the Interior has suggested that a legislative solution is necessary in order to allow funding distribution under Section 411(h)(1) of the Surface Mining Control and Reclamation Act of 1977 to be used for non-coal mine reclamation; Now, therefore, be it

Resolved by the Senate of the State of New Mexico, That Congress be requested to expedite the passage of legislation to enact the necessary amendments to the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified states have authority to use payments for non-coal mine reclamation projects; and be it further

Resolved, That copies of this memorial be transmitted to the Speaker of the United States House of Representatives, the President Pro Tempore of the United States Senate and the New Mexico Congressional Delegation.

POM-88. A resolution adopted by the House of the Legislature of the State of West Virginia urging support of West Virginia's coal industry by encouraging measures that protect miners and their families, provide incentives for the development of advanced coal technologies, enhance the energy independence of the State and the nation, protect the environment from which coal is mined, and supply consumers with cleaner and more affordable energy produced from coal; to the Committee on Energy and Natural Resources.

HOUSE RESOLUTION NO. 402

Whereas, the coal industry provides salaries and benefits to thousands of West Virginians; and

Whereas, the coal industry is responsible for millions of dollars of tax revenues that are used to fund important government services and programs; and

Whereas, the coal industry is vitally important to the economic welfare of this State and its citizens; and

Whereas, the Legislature, with the leadership and support of the Governor, has worked to enact legislation to ensure the future of West Virginia coal, including the adoption of sweeping coal mine safety reforms, planning requirements for post-mining land use, an alternative and renewable energy portfolio featuring clean coal technology, and a regulatory framework for carbon capture and sequestration projects; and

Whereas, recent events at the federal level, most notably the debate over "cap and trade" legislation in Congress and obscure regulatory actions by the Environmental Protection Agency, are casting a shadow of doubt and uncertainty over the future of the coal industry in West Virginia; and

Whereas, for the sake of those individuals who depend upon coal to support themselves and their families, the House of Delegates, the Senate, the Governor and West Virginia's congressional delegation must work together to secure the future of the coal industry, and with it the future of the State; therefore, be it

Resolved by the House of Delegates, That the West Virginia House of Delegates will continue to support the West Virginia coal industry by encouraging measures that protect miners and their families, provide incentives for the development of advanced coal technologies, enhance the energy independence of the State and the nation, protect the environment from which coal is mined, and supply consumers with cleaner and more affordable energy produced from coal; and, be it further

Resolved, That the West Virginia House of Delegates requests that West Virginia's congressional delegation resist and oppose efforts at the federal level to undermine the future of West Virginia's coal industry; and, be it further

Resolved, That the Clerk of the House of Delegates forward a certified copy of this resolution to United States Senators Robert C. Byrd and John D. Rockefeller IV and Representatives Nick J. Rahall, Alan B. Mollohan and Shelley M. Capito.

POM-89. A memorial from the Public Safety Personnel Retirement System, transmitting, pursuant to Arizona law, a report relative to the Arizona Terrorism Country Divestment act; to the Committee on Banking, Housing, and Urban Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DORGAN, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 1011. A bill to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity (Rept. No. 111-162).

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 400. A resolution urging the implementation of a comprehensive strategy to address instability in Yemen.

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1132. A bill to amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, and for other purposes.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. LUGAR (for himself, Mr. KAUFMAN, Mr. FRANKEN, Mr. INOUYE, and Mr. RISCH):

S. 3104. A bill to permanently authorize Radio Free Asia, and for other purposes; to the Committee on Foreign Relations.

By Mr. WYDEN:

S. 3105. A bill to expand the scope of the definition of airport planning to include waste management planning; to the Committee on Commerce, Science, and Transportation.

By Mrs. HAGAN (for herself, Mr. BURR, Mr. ISAKSON, Mr. MERKLEY, and Mr. CHAMBLISS):

S. 3106. A bill to authorize States to exempt certain nonprofit housing organizations from the licensing requirements of the S.A.F.E. Mortgage Licensing Act of 2008; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. AKAKA (for himself, Mr. BURR, Mr. ROCKEFELLER, Mrs. MURRAY, Mr. SANDERS, Mr. BROWN of Ohio, Mr. TESTER, Mr. BEGICH, Mr. BURRIS, Mr. SPECTER, Mr. ISAKSON, and Mr. GRAHAM):

S. 3107. A bill to amend title 38, United States Code, to provide for an increase, effective December 1, 2010, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MENENDEZ (for himself, Mr. LAUTENBERG, Mr. JOHNSON, Mr. FEINGOLD, Mr. BINGAMAN, Mr. CASEY, and Mr. BROWN of Ohio):

S. 3108. A bill to amend title 31 of the United States Code to require that Federal children's programs be separately displayed and analyzed in the President's budget; to the Committee on the Budget.

By Mr. BAUCUS (for himself and Mr. TESTER):

S. 3109. A bill to require the Secretary of the Army to conduct levee system evaluations and certifications on receipt of requests from non-Federal interests; to the Committee on Environment and Public Works.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. BURR (for himself, Mr. INHOFE, Mr. BROWN of Massachusetts, Ms. MURKOWSKI, and Mr. JOHANNS):

S. Res. 451. A resolution expressing support for designation of a "Welcome Home Vietnam Veterans Day"; to the Committee on Veterans' Affairs

By Mr. JOHANNS (for himself, Mrs. LINCOLN, Mr. CHAMBLISS, Mr. ROBERTS, Mr. BROWNBACK, Mrs. HUTCHISON, Mr. CORNYN, Mr. ENZI, Mr. DORGAN, Mr. CONRAD, Mr. INHOFE, Mr. THUNE, Mr. CRAPO, Mr. PRYOR, Mr. BARRASSO, Mr. BOND, Mr. NELSON of Nebraska, Ms. KLOBUCHAR, Mr. RISCH, Mr. BENNET, Mr. UDALL of New Mexico, Mr. NELSON of Florida, Mr. VOINOVICH, and Mr. COBURN):

S. Res. 452. A resolution supporting increased market access for exports of United States beef and beef products to Japan; to the Committee on Finance.

By Mr. UDALL of New Mexico (for himself, Mr. BROWN of Ohio, Mr. BURRIS, Mr. WYDEN, Mr. AKAKA, Mr. MENENDEZ, Mr. TESTER, Mr. BEGICH, Mr. DURBIN, and Mr. MERKLEY):

S. Res. 453. A resolution supporting the goals and ideals of "National Public Health Week"; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 148

At the request of Mr. KOHL, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 148, a bill to restore the rule that agreements between manufacturers and retailers, distributors, or wholesalers to set the minimum price below which the manufacturer's product or service cannot be sold violates the Sherman Act.

S. 259

At the request of Mr. BOND, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 259, a bill to establish a grant program to provide vision care to children, and for other purposes.

S. 653

At the request of Mr. CARDIN, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 704

At the request of Mr. HARKIN, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 704, a bill to direct the Comptroller General of the United States to conduct a study on the use of Civil Air Patrol personnel and resources to support homeland security missions, and for other purposes.

S. 750

At the request of Mrs. BOXER, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 750, a bill to amend the Public Health Service Act to attract and retain trained health care professionals and direct care workers dedicated to providing quality care to the growing population of older Americans.

S. 781

At the request of Mr. ROBERTS, the name of the Senator from Virginia [Mr. WARNER] was added as a cosponsor of S. 781, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 904

At the request of Mr. HARKIN, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 904, a bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin, and for other purposes.

S. 987

At the request of Mr. DURBIN, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 987, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 999

At the request of Mr. BINGAMAN, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 999, a bill to increase the number of well-trained mental health service professionals (including those based in schools) providing clinical mental health care to children and adolescents, and for other purposes.

S. 1038

At the request of Mrs. FEINSTEIN, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 1038, a bill to improve agricultural job opportunities, benefits, and security for aliens in the United States and for other purposes.

S. 1089

At the request of Mr. BAUCUS, the names of the Senator from Minnesota [Ms. KLOBUCHAR] and the Senator from New Mexico [Mr. UDALL] were added as cosponsors of S. 1089, a bill to facilitate the export of United States agricultural commodities and products to Cuba as authorized by the Trade Sanctions Reform and Export Enhancement Act of 2000, to

establish an agricultural export promotion program with respect to Cuba, to remove impediments to the export to Cuba of medical devices and medicines, to allow travel to Cuba by United States citizens and legal residents, to establish an agricultural export promotion program with respect to Cuba, and for other purposes.

S. 1171

At the request of Mr. PRYOR, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 1171, a bill to amend title XVIII of the Social Security Act to restore State authority to waive the 35-mile rule for designating critical access hospitals under the Medicare Program.

S. 1192

At the request of Mr. WYDEN, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 1192, a bill to restrict any State or local jurisdiction from imposing a new discriminatory tax on mobile wireless communications services, providers, or property.

S. 1516

At the request of Mr. FEINGOLD, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 1516, a bill to secure the Federal voting rights of persons who have been released from incarceration.

S. 1612

At the request of Mrs. LINCOLN, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 1612, a bill to amend the Internal Revenue Code of 1986 to improve the operation of employee stock ownership plans, and for other purposes.

S. 1652

At the request of Mr. HARKIN, the names of the Senator from Maine [Ms. SNOWE] and the Senator from South Dakota [Mr. JOHNSON] were added as cosponsors of S. 1652, a bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

S. 1700

At the request of Mr. LUGAR, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 1700, a bill to require certain issuers to disclose payments to foreign governments for the commercial development of oil, natural gas, and minerals, to express the sense of Congress that the President should disclose any payment relating to the commercial development of oil, natural gas, and minerals on Federal land, and for other purposes.

S. 1932

At the request of Mr. MCCAIN, the name of the Senator from Indiana [Mr. BAYH] was added as a cosponsor of S. 1932, a bill to amend the Elementary and Secondary Education Act of 1965 to allow members of the Armed Forces who served on active duty on or after September 11, 2001, to be eligible to participate in the Troops-to-Teachers Program, and for other purposes.

S. 2749

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 2749, a bill to amend the Richard B. Russell National School Lunch Act to improve access to nutritious meals for young children in child care.

S. 2750

At the request of Mr. SCHUMER, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 2750, a bill to amend the Public Health Service Act to authorize the Secretary of Health and Human Services to make grants to eligible States for the purpose of reducing the student-to-school nurse ratio in public secondary schools, elementary schools, and kindergarten.

S. 2758

At the request of Ms. STABENOW, the name of the Senator from New Mexico [Mr. UDALL] was added as a cosponsor of S. 2758, a bill to amend the Agricultural Research, Extension, and Education Reform Act of 1998 to establish a national food safety training, education, extension, outreach, and technical assistance program for agricultural producers, and for other purposes.

S. 2760

At the request of Mr. UDALL of New Mexico, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 2760, a bill to amend title 38, United States Code, to provide for an increase in the annual amount authorized to be appropriated to the Secretary of Veterans Affairs to carry out comprehensive service programs for homeless veterans.

S. 2908

At the request of Mr. KOHL, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 2908, a bill to amend the Energy Policy and Conservation Act to require the Secretary of Energy to publish a final rule that establishes a uniform efficiency descriptor and accompanying test methods for covered water heaters, and for other purposes.

S. 2989

At the request of Ms. LANDRIEU, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 2989, a bill to improve the Small Business Act, and for other purposes.

S. 3018

At the request of Mr. WYDEN, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of S. 3018, a bill to amend the Internal Revenue Code of 1986 to make the Federal income tax system simpler, fairer, and more fiscally responsible, and for other purposes.

S. 3036

At the request of Mr. BAYH, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 3036, a bill to establish the Office of the National Alzheimer's Project.

S. 3038

At the request of Mr. INHOFE, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 3038, a bill to amend the Safe Drinking Water Act to prevent the enforcement of certain national primary drinking water regulations unless sufficient funding is available.

S. 3047

At the request of Mr. ISAKSON, the name of the Senator from Ohio [Mr. VOINOVICH] was added as a cosponsor of S. 3047, a bill to terminate the Internal Revenue Code of 1986, and for other purposes.

S. 3056

At the request of Mr. WYDEN, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 3056, a bill to amend the Energy Policy Act of 2005 to repeal a section of that Act relating to exportation and importation of natural gas.

S. 3058

At the request of Mr. DORGAN, the names of the Senator from Maine [Ms. SNOWE] and the Senator from Pennsylvania [Mr. CASEY] were added as cosponsors of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3059

At the request of Mr. BINGAMAN, the name of the Senator from Indiana [Mr. BAYH] was added as a cosponsor of S. 3059, a bill to improve energy efficiency of appliances, lighting, and buildings, and for other purposes.

S. 3065

At the request of Mr. LIEBERMAN, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 3065, a bill to amend title 10, United States Code, to enhance the readiness of the Armed Forces by replacing the current policy concerning homosexuality in the Armed Forces, referred to as "Don't Ask, Don't Tell", with a policy of nondiscrimination on the basis of sexual orientation.

S. 3095

At the request of Mr. INHOFE, the name of the Senator from Georgia [Mr. ISAKSON] was added as a cosponsor of S. 3095, a bill to reduce the deficit by establishing discretionary caps for non-security spending.

S. 3098

At the request of Mr. MERKLEY, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 3098, a bill to prohibit proprietary trading and certain relationships with hedge funds and private equity funds, to address conflicts of interest with respect to certain securitizations, and for other purposes.

SENATE RESOLUTION 409

At the request of Mr. FEINGOLD, the name of the Senator from Massachusetts [Mr.

KERRY] was added as a cosponsor of Senate Resolution 409, a resolution calling on members of the Parliament in Uganda to reject the proposed "Anti-Homosexuality Bill", and for other purposes.

SENATE RESOLUTION 432

At the request of Mr. CRAPO, the name of the Senator from Mississippi [Mr. WICKER] was added as a cosponsor of Senate Resolution 432, a bill supporting the goals and ideals of the Year of the Lung 2010.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. ROCKEFELLER,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed services be authorized to meet during the session of the Senate on March 11, 2010, at 9 a.m.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on March 11, 2010, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works be authorized to meet during the session of the Senate on March 11, 2010, at 10 a.m., in room 406 of the Dirksen Senate Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on March 11, 2010, at 2:30 p.m.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "A Fair Share for All: Pay Equity in the New American Workplace" on March 11, 2010. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on March 11, 2010, at 10 a.m. in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

AD HOC SUBCOMMITTEE ON STATE, LOCAL, AND PRIVATE SECTOR PREPAREDNESS AND INTEGRATION

The Ad Hoc Subcommittee on State, Local, and Private Sector Preparedness and Integration of the Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 11, 2010, at 11 a.m. to conduct a hearing entitled, "New Border War: Corruption of U.S. Officials by Drug Cartels."

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on March 11, 2010, at 2:30 p.m.

SUBCOMMITTEE ON COMMUNICATIONS, TECHNOLOGY, AND THE INTERNET

The Subcommittee on Communications, Technology, and the Internet of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 11, 2010, at 10 a.m., in room 253 of the Russell Senate Office Building.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 9:33 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4573. An act to urge the Secretary of the Treasury to instruct the United States Executive Directors at the International Monetary Fund, the World Bank, the Inter-American Development Bank, and other multilateral development institutions to use the voice, vote, and influence of the United States to cancel immediately and completely Haiti's debts to such institutions, and for other purposes.

The President pro tempore reported that he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 3433. An act to amend the North American Wetlands Conservation Act to establish requirements regarding payment of the non-Federal share of the costs of wetlands conservation projects in Canada that are funded under that Act, and for other purposes.

At 11:51 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4621. An act to protect the integrity of the constitutionally mandated United States census and prohibit deceptive mail practices that attempt to exploit the decennial census.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 249. Concurrent resolution commemorating the 45th anniversary of Bloody Sunday and the role that it played in ensuring the passage of the Voting Rights Act of 1965.

HOUSE BILL AND CONCURRENT RESOLUTION REFERRED

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

H.R. 4621. An act to protect the integrity of the constitutionally-mandated United States census and prohibit deceptive mail practices that attempt to exploit the decennial census; to the Committee on Homeland Security and Governmental Affairs.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 249. Concurrent resolution commemorating the 45th anniversary of Bloody Sunday and the role that it played in ensuring the passage of the Voting Rights Act of 1965; to the Committee on the Judiciary.

IRAN REFINED PETROLEUM SANCTIONS ACT

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That the Committee on Banking, Housing, and Urban Affairs be discharged from the further consideration of the bill (H.R. 2194) to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on passage of the bill.

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That an amendment (Numbered 3466, in the nature of a substitute) be proposed on behalf of Mr. DODD, and agreed to; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Ordered further, That the Senate insist on its amendment, and ask a conference with the House of Representatives thereon; and that the chair be authorized to appoint conferees on the part of the Senate, in a ratio of 4 majority- to 3 minority-party Senators, without further intervening action or debate.

The ACTING PRESIDENT pro tempore, as authorized, appointed Mr. DODD, Mr. KERRY, Mr. LIEBERMAN, Mr. MENENDEZ, Mr. SHELBY, Mr. BENNETT, and Mr. LUGAR.

RELATIVE TO A TAX ON BONUSES FROM CERTAIN TARP RECIPIENTS

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (H.R. 1586) to impose an additional

tax on bonuses received from certain TARP recipients; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3456, proposed by Mr. LIEBERMAN (for himself, Ms. COLLINS, Mrs. FEINSTEIN, Mr. BYRD, Mr. ENSIGN, and Mr. VOINOVICH), to amendment No. 3452 (in the nature of a substitute), proposed by Mr. ROCKEFELLER, to the bill.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3452 (in the nature of a substitute) to the bill.

On motion by Mr. VITTER (for himself, Mr. CORNYN, Mr. WICKER, and Mr. COCHRAN) to amend the pending amendment (in the nature of a substitute), in title VII, at the end thereof, by adding certain words (being amendment No. 3458).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3452 (in the nature of a substitute) to the bill.

On motion by Mr. DEMINT (for himself, Mr. MCCAIN, Mr. COBURN, Mr. GRASSLEY, Mr. FEINGOLD, Mr. LEMIEUX, Mrs. MCCASKILL, Mr. ENSIGN, Mr. CORNYN, Mr. RISCH, and Mr. GRAHAM) to amend the pending amendment (in the nature of a substitute), at the appropriate place, by inserting certain words (being amendment No. 3454).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3452 (in the nature of a substitute) to the bill.

On motion by Mr. FEINGOLD (for himself, Mr. COBURN, Mr. SHERROD BROWN, and Mr. MCCAIN) to amend the pending amendment (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 3470).

By unanimous consent, on the request of Mr. FEINGOLD,

Ordered, That, following the remarks by Mr. ENSIGN and Mr. SHERROD BROWN, the Senate recess until 2 p.m.

RECESS

Pursuant to the order of today,

At 12:34 p.m.,

The PRESIDING OFFICER (Mrs. HAGAN in the chair) declared the Senate recessed until 2 p.m.

AT 2 P.M.

The PRESIDING OFFICER (Mr. BURRIS in the chair) called the Senate to order.

RELATIVE TO A TAX ON BONUSES FROM CERTAIN TARP RECIPIENTS

The Senate resumed consideration of bill H.R. 1586.

The question being on agreeing to amendment No. 3470 to amendment No. 3452 (in the nature of a substitute) to the bill.

Pending debate,

Mr. MCCAIN asked unanimous consent that the pending amendments be laid aside; and that it be in order for him to propose amendment No. 3475.

Mr. DORGAN objected.

The question being on agreeing to amendment No. 3470 to amendment No. 3452 (in the nature of a substitute) to the bill.

Pending debate,

By unanimous consent, on the request of Mr. ROCKEFELLER,

Ordered, That amendment No. 3453 be modified.

The question being on agreeing to amendment No. 3470 to amendment No. 3452 (in the nature of a substitute) to the bill.

By unanimous consent, on the request of Mr. ROCKEFELLER,

Ordered, That the following be the only first-degree amendments in order to be proposed to the bill:

An amendment, intended to be proposed by Mr. BAUCUS, relevant to any on the list;

An amendment, intended to be proposed by Mr. BEGICH, relative to Alaska Native training;

An amendment, intended to be proposed by Mr. BEGICH, relative to oxygen cylinders;

An amendment, intended to be proposed by Mr. BEGICH, relative to NextGen avionics;

An amendment, intended to be proposed by Mr. BINGAMAN, relative to EAS;

An amendment, intended to be proposed by Ms. CANTWELL, relative to increasing number of beyond-perimeter exemptions at DCA;

An amendment (Numbered 3477), intended to be proposed by Ms. CANTWELL, relative to bond financing fixed wing emergency medical aircraft;

An amendment, intended to be proposed by Ms. CANTWELL, relative to study natural soundscape preservation;

An amendment, intended to be proposed by Ms. CANTWELL, relative to required navigation performance improvements;

An amendment, intended to be proposed by Ms. CANTWELL, relative to implementation of NextGen;

An amendment, intended to be proposed by Ms. CANTWELL, relative to rollover treatment IRAs airline carrier bankruptcy;

An amendment, intended to be proposed by Ms. CANTWELL, relative to shipping investment withdrawal rules;

An amendment, intended to be proposed by Mr. CARDIN, relative to worker safety;

An amendment, intended to be proposed by Mr. CARDIN, relative to a passenger bill of rights;

An amendment, intended to be proposed by Mr. CARDIN, relative to EAS;

A relevant amendment, intended to be proposed by Mr. CARDIN;

An amendment, intended to be proposed by Mr. DURBIN, relative to a study on airline and intercity rail codeshare arrangements;

An amendment, intended to be proposed by Mr. DURBIN, relative to developing best practices/metrics/design/maintenance;

An amendment, intended to be proposed by Mr. FEINGOLD, relative to transportation earmarks;

An amendment, intended to be proposed by Mr. FEINGOLD, relative to airport development funds;

An amendment, intended to be proposed by Mrs. FEINSTEIN, relative to cabin air quality;

An amendment, intended to be proposed by Ms. LANDRIEU, relative to passenger rights;

An amendment (Numbered 3473), intended to be proposed by Mr. LAUTENBERG, relative to a Newark Airport traffic study;

An amendment (Numbered 3484), intended to be proposed by Mr. LAUTENBERG, relative to transportation terminal fees;

An amendment, intended to be proposed by Mr. LIEBERMAN, relative to D.C. schools;

An amendment, intended to be proposed by Mr. MENENDEZ, relative to transparency of fees;

An amendment, intended to be proposed by Mr. MENENDEZ, relative to fuel surcharges;

An amendment, intended to be proposed by Mr. MENENDEZ, relative to monitoring of air noise in New York City and New Jersey airspace;

An amendment, intended to be proposed by Mr. MENENDEZ, relative to a pilot distraction study;

An amendment, intended to be proposed by Mr. BEN NELSON, relative to passenger fare charges;

An amendment (Numbered 3479), intended to be proposed by Mr. BILL NELSON, relative to general aviation/military airport program;

Two relevant amendments, to any amendment on the list, to be proposed by Mr. ROCKEFELLER;

An amendment (Numbered 3467), intended to be proposed by Mr. REID, relative to Clark County lands;

An amendment (Numbered 3468), intended to be proposed by Mr. REID, relative to an airport improvement land lease;

An amendment (Numbered 3469), intended to be proposed by Mr. REID, relative to flood mitigation;

A relevant amendment, to any amendment on the list, to be proposed by Mr. REID;

An amendment (Numbered 3478), intended to be proposed by Mr. SCHUMER, relative to rules relocation;

An amendment (Numbered 3480), intended to be proposed by Mr. SCHUMER, relative to transferring off-peak slots;

An amendment, intended to be proposed by Mr. SCHUMER, relative to pilot qualifications;

An amendment, intended to be proposed by Mrs. SHAHEEN, relative to an expansion of a New Hampshire site;

An amendment, intended to be proposed by Mr. SPECTER, relative to qualified shipyards loan guarantees;

Three amendments, intended to be proposed by Mr. WARNER, relative to DCA slots/perimeter rules;

An amendment, intended to be proposed by Mr. WARNER, relative to a volunteer pilot organization (medical airlift);

An amendment, intended to be proposed by Mr. WYDEN, relative to regulating air tours in national parks;

An amendment (Numbered 3453), intended to be proposed by Mr. SESSIONS;

An amendment (Numbered 3458), intended to be proposed by Mr. VITTER;

An amendment (Numbered 3454), intended to be proposed by Mr. DEMINT;

An amendment (Numbered 3472), intended to be proposed by Mr. MCCAIN, relative to bicycle storage facilities;

An amendment, intended to be proposed by Mr. MCCAIN, relative to Grand Canyon overflights;

An amendment, intended to be proposed by Mr. MCCAIN, relative to NextGen;

An amendment, intended to be proposed by Mr. MCCAIN, relative to an earmarks moratorium;

An amendment (Numbered 3476) intended to be proposed by Mr. ENSIGN, relative to DCA perimeter rules;

Six amendments, intended to be proposed by Mr. JOHANNS, relative to the FAA;

An amendment (Numbered 3464) intended to be proposed by Mr. INHOFE, relative to volunteer pilots;

An amendment, intended to be proposed by Mr. COBURN, relative to an audit of airports with 10,000 enplanements;

An amendment, intended to be proposed by Mr. COBURN, relative to Offset National Park Tour Management Plans;

An amendment, intended to be proposed by Mr. COBURN, relative to repealing an essential air service alternative program;

An amendment, intended to be proposed by Mr. COBURN, relative to reforming an essential air service alternative program;

An amendment, intended to be proposed by Mr. COBURN, relative to prioritizing aviation national priorities over earmarks;

An amendment, intended to be proposed by Mr. COBURN, relative to capping subsidy rate per passenger for certain programs;

An amendment, intended to be proposed by Ms. COLLINS, relative to an FAA hearing in Maine;

An amendment, intended to be proposed by Ms. MURKOWSKI, relative to an FAA trainee program;

An amendment, intended to be proposed by Ms. MURKOWSKI, relative to flight service stations;

An amendment, intended to be proposed by Mr. BUNNING, relative to pilots;

An amendment (Numbered 3457), intended to be proposed by Mr. CRAPO, relative to Boise TRACON;

An amendment (Numbered 3474), intended to be proposed by Mr. BARRASSO;

An amendment (Numbered 3462), intended to be proposed by Mr. BENNETT;

An amendment (Numbered 3481), intended to be proposed by Mrs. HUTCHISON;

Two relevant amendments, intended to be proposed by Mrs. HUTCHISON;

A relevant amendment, intended to be proposed by Mr. GRASSLEY;

A relevant amendment, intended to be proposed by Mr. MCCONNELL;

An amendment (Numbered 3494), intended to be proposed by Mr. WICKER, relative to Amtrak technicals.

Ordered further, That each be subject to second-degree amendment if relevant to the amendment intended to be amended; that managers' amendments, cleared by the managers and leaders, be in order; that, if proposed, said managers' amendments be agreed to, and a motion to reconsider be made and laid on the table; that, upon disposition of amendments, amendment No. 3452 (in the nature of a substitute), as may be amended, be agreed to; that a motion to reconsider be made and laid on the table; that the bill, as amended, be read the third time; and that the Senate then vote on passage of the bill, as amended.

Ordered further, That, upon disposition of the bill, an amendment to the title be proposed and agreed to; and that a motion to reconsider be made and laid on the table.

The question being on agreeing to amendment No. 3470 to amendment No. 3452 (in the nature of a substitute) to the bill.

HOUSE AMENDMENTS TO SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 2847

On the request of Mr. DURBIN,

The PRESIDING OFFICER (Mr. BURRIS in the chair) laid before the Senate the amendments received from the House of Representatives for concurrence to amendment of the Senate to the amendment of the House to the amendment of the Senate to the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes.

On motion by Mr. DURBIN that the Senate concur in the amendments of the House of Representatives to amendment of the Senate to the amendment of the House to the amendment of the Senate to the bill.

Mr. DURBIN presented a motion to bring to a close debate on the pending motion to concur; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendments to the Senate amendment to the House amendment to the Senate amendment to bill H.R. 2847:

BYRON L. DORGAN, CARL LEVIN, DIANNE FEINSTEIN, JACK REED, MARK R. WARNER, PATRICK J. LEAHY, BEN CARDIN, DEBBIE STABENOW, DANIEL K. AKAKA, ROBERT P. CASEY, JR., MICHAEL F. BENNET, MARIA CANTWELL, JAY ROCKEFELLER, BARBARA BOXER, CHUCK SCHUMER, PATTY MURRAY, CHRISTOPHER DODD.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived; and that the Senate vote on the question of agreeing to the motion at 5:30 p.m. on Monday, March 15, 2010.

On motion by Mr. DURBIN that the Senate concur in the amendments of the House of Representatives to amendment of the Senate to the amendment of the House to the amendment of the Senate to the bill, with an amendment (Numbered 3498).

On motion by Mr. DURBIN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion.

On motion by Mr. DURBIN to amend the pending amendment, at the end thereof, by adding certain words (being amendment No. 3499).

On motion by Mr. DURBIN to refer the House amendment to the Committee on Appropriations, with instructions that the committee report the amendment back forthwith with an amendment (Numbered 3500).

On motion by Mr. DURBIN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

On motion by Mr. DURBIN to amend the instructions (designated No. 3500) contained in the motion to refer, at the end thereof, by inserting certain words (being amendment No. 3501).

On motion by Mr. DURBIN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

On motion by Mr. DURBIN to amend the pending amendment, at the end thereof, by adding certain words (being amendment No. 3502).

PREVENT ALL CIGARETTE TRAFFICKING ACT

By unanimous consent, on the request of Mr. DURBIN,

The Senate proceeded to consider the bill (S. 1147) to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, and for other purposes.

The question being on the reported amendment (in the nature of a substitute) to the bill.

The reported amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2 p.m. on Monday, March 15, 2010; that, on Monday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that the Senate then proceed to a period for the transaction of morning business until 3 p.m., with Senators permitted to speak for 10 minutes each therein; and that, following morning business, the Senate resume consideration of the House amendments to the Senate amendment to the House amendment to the Senate amendment to bill H.R. 2847.

ADJOURNMENT

By unanimous consent, on the request of Mr. DURBIN,

At 7:18 p.m.,

The Senate adjourned, under its order of today, until 2 p.m. on Monday, March 15, 2010.

MONDAY, MARCH 15, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, March 15, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of Thursday, March 11, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Thursday, March 11, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Thursday, March 11, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 2865. A bill to reauthorize the Congressional Award Act (2 U.S.C. 801 et seq.), and for other purposes (Rept. No. 111-163).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1789. A bill to restore fairness to Federal cocaine sentencing.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Ms. KLOBUCHAR (for herself, Mrs. GILLIBRAND, and Mr. BEGICH):

S. 3110. A bill to improve consumer protection for purchasers of broadband services by requiring consistent use of broadband service terminology by providers, requiring clear and conspicuous disclosure to consumers about the actual broadband speed that may reasonably be expected, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LEAHY (for himself and Mr. CORNYN):

S. 3111. A bill to establish the Commission on Freedom of Information Act Processing Delays; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself and Mr. ENZI):

S. 3112. A bill to remove obstacles to legal sales of United States agricultural commodities to Cuba and to end certain travel restrictions to Cuba; to the Committee on Foreign Relations.

By Mr. LEAHY (for himself and Mr. LEVIN):

S. 3113. A bill to amend the Immigration and Nationality Act to reaffirm the United States' historic commitment to protecting refugees who are fleeing persecution or torture; to the Committee on the Judiciary.

By Mrs. GILLIBRAND:

S. 3114. A bill to improve communication to consumers when there is a food recall; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself and Mr. BURR):

S. 3115. A bill to amend the National Telecommunications and Information Administration Organization Act to enhance and promote the Nation's public safety and citizen activated emergency response capabilities through the use of 9-1-1 services, to further upgrade public safety answering point capabilities and related functions in receiving 9-1-1 calls, and to support in the construction and operation of a ubiquitous and reliable citizen activated system; to the Committee on Commerce, Science, and Transportation.

By Mr. KERRY:

S. 3116. A bill to amend the Whale Conservation and Protection Study Act to promote international whale conservation, protection, and research, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN (for himself and Ms. SNOWE):

S. 3117. A bill to strengthen the capacity of eligible institutions to provide instruction in nanotechnology; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. BROWN of Ohio:

S. Res. 454. A resolution supporting the goals of World Tuberculosis Day to raise awareness about tuberculosis; to the Committee on Foreign Relations.

By Mrs. BOXER (for herself, Mr. BROWNBACK, Mr. SPECTER, Ms. SNOWE, Mr. SCHUMER, Mrs. GILLIBRAND, Ms. MIKULSKI, Mr. CARDIN, and Mr. LEVIN):

S. Res. 455. A resolution honoring the life, heroism, and service of Harriet Tubman; considered and agreed to.

ADDITIONAL COSPONSORS

S. 362

At the request of Mr. ROCKEFELLER, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 362, a bill to amend title 38, United States Code, to improve the collective bargaining rights and procedures for review of adverse actions of certain employees of the Department of Veterans Affairs, and for other purposes.

S. 437

At the request of Mr. SPECTER, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 437, a bill to amend the Internal Revenue Code of 1986 to allow the deduction of attorney-advanced expenses and court costs in contingency fee cases.

S. 493

At the request of Mr. CASEY, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 493, a bill to amend the Internal Revenue Code of 1986 to provide for the establishment of ABLE accounts for the care of family members with disabilities, and for other purposes.

S. 649

At the request of Mr. KERRY, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 649, a bill to require an inventory of radio spectrum bands managed by the National Telecommunications and Information Administration and the Federal Communications Commission.

S. 654

At the request of Mr. BUNNING, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 654, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care.

S. 678

At the request of Mr. LEAHY, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 678, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 695

At the request of Ms. SNOWE, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 695, a bill to authorize the Secretary of Commerce to reduce the matching requirement for participants in the Hollings Manufacturing Partnership Program.

S. 850

At the request of Mr. KERRY, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 850, a bill to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks.

S. 1606

At the request of Mr. WHITEHOUSE, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 1606, a bill to require foreign manufacturers of products imported into the United States to establish registered agents in the United States who are authorized to accept service of process against such manufacturers, and for other purposes.

S. 1611

At the request of Mr. GREGG, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 1611, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 1683

At the request of Mr. BENNET, the name of the Senator from Indiana [Mr. BAYH] was added as a cosponsor of S. 1683, a bill to apply recaptured taxpayer investments toward reducing the national debt.

S. 1765

At the request of Mr. CARDIN, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 1765, a bill to amend the Hate Crime Statistics Act to include crimes against the homeless.

S. 1789

At the request of Mr. DURBIN, the names of the Senator from Iowa [Mr. GRASSLEY] and the Senator from California [Mrs. FEINSTEIN] were added as cosponsors of S. 1789, a bill to restore fairness to Federal cocaine sentencing.

S. 1939

At the request of Mrs. GILLIBRAND, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 1939, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 2805

At the request of Mr. SPECTER, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 2805, a bill to amend the Food and Nutrition Act of 2008 to increase the amount made available to purchase commodities for the emergency food assistance program in fiscal year 2010.

S. 2862

At the request of Ms. SNOWE, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 2862, a bill to amend the Small Business Act to improve the Office of International Trade, and for other purposes.

S. 2908

At the request of Mr. KOHL, the name of the Senator from Tennessee [Mr. ALEXANDER] was added as a cosponsor of S. 2908, a bill to amend the Energy Policy and Conservation Act to require the Secretary of Energy to publish a final rule that establishes a uniform efficiency descriptor and accompanying test methods for covered water heaters, and for other purposes.

S. 3028

At the request of Mr. KERRY, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 3028, a bill to amend title XVIII of the Social Security Act to eliminate the 190-day lifetime limit on inpatient psychiatric hospital services under the Medicare program.

S. 3036

At the request of Mr. BAYH, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 3036, a bill to establish the Office of the National Alzheimer's Project.

S. 3058

At the request of Mr. DORGAN, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3065

At the request of Mr. LIEBERMAN, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 3065, a bill to amend title 10, United States Code, to enhance the readiness of the Armed Forces by replacing the current policy concerning homosexuality in the Armed Forces, referred to as "Don't Ask, Don't Tell", with a policy of nondiscrimination on the basis of sexual orientation.

S. 3079

At the request of Mr. MERKLEY, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 3079, a bill to assist in the creation of new jobs by providing financial incentives for owners of commercial buildings and multifamily residential buildings to retrofit their buildings with energy efficient building equipment and materials and for other purposes.

S. 3108

At the request of Mr. MENENDEZ, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 3108, a bill to amend title 31 of the United States Code to require that Federal children's programs be separately displayed and analyzed in the President's budget.

SENATE CONCURRENT RESOLUTION 54

At the request of Mr. NELSON of Florida, the names of the Senator from Georgia [Mr. ISAKSON], the Senator from Idaho [Mr. RISCH], the Senator from Pennsylvania [Mr. CASEY], the Senator from Connecticut [Mr. LIEBERMAN] and the Senator from Arizona [Mr. KYL] were added as cosponsors of Senate Concurrent Resolution 54, a concurrent resolution recognizing the life of Orlando Zapata Tamayo, who died on February 23, 2010, in the custody of the Government of Cuba, and calling for a continued focus on the promotion of internationally recognized human rights, listed in the Universal Declaration of Human Rights, in Cuba.

SENATE RESOLUTION 412

At the request of Mrs. GILLIBRAND, the name of the Senator from Indiana [Mr. BAYH] was added as a cosponsor of Senate Resolution 412, a resolution designating September 2010 as "National Childhood Obesity Awareness Month".

SENATE RESOLUTION 451

At the request of Mr. BURR, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of Senate Resolution 451, a resolution expressing support for designation of a "Welcome Home Vietnam Veterans Day".

SENATE RESOLUTION 452

At the request of Mr. BINGAMAN, his name was added as a cosponsor of Senate Resolution 452, a resolution supporting increased market access for exports of United States beef and beef products to Japan.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 2:11 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3650. An act to establish a National Harmful Algal Bloom and Hypoxia Program, to develop and coordinate a comprehensive and integrated strategy to address harmful algal blooms and hypoxia, and to provide for the development and implementation of comprehensive regional action plans to reduce harmful algal blooms and hypoxia.

H.R. 4506. An act to authorize the appointment of additional bankruptcy judges, and for other purposes.

At 3:08 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that Mr. SCHIFF, Ms. ZOE LOFGREN, of California, Mr. JOHNSON of Georgia, Mr. GOODLATTE, and Mr. SENSENBRENNER are appointed managers on the part of the House to conduct the trial of impeachment of G. Thomas Porteous, Jr., a Judge for the United States District Court for the Eastern District of Louisiana, that a message be sent to the Senate to inform the Senate of these appointments, and that the managers on the part of the House may exhibit the articles of impeachment to the Senate and take all other actions necessary in connection with preparation for, and conduct of, the trial, which may include the following: (1) Employing legal, clerical, and other necessary assistants and incurring such other expenses as may be necessary, to be paid from amounts available to the Committee on the Judiciary under House Resolution 15, One Hundred Eleventh Congress, agreed to January 13, 2009, or any other applicable expense resolution on vouchers approved by the Chairman of the Committee on the Judiciary. (2) Sending for persons and papers, and filing with the Secretary of the Senate, on the part of the House of Representatives, any subsequent pleadings which they consider necessary.

HOUSE BILL REFERRED

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

H.R. 4506. An act to authorize the appointment of additional bankruptcy judges, and for other purposes; to the Committee on the Judiciary.

HOUSE BILL PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 3650. An act to establish a National Harmful Algal Bloom and Hypoxia Program, to develop and coordinate a comprehensive and integrated strategy to address harmful algal blooms and hypoxia, and to provide for the development and implementation of comprehensive regional action plans to reduce harmful algal blooms and hypoxia.

HOUSE AMENDMENTS TO SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 2847

Pursuant to the order of Thursday, March 11, 2010,

The PRESIDING OFFICER (Mr. BURRIS in the chair) laid before the Senate its pending business, viz, the amendments received from the House of Representatives for concurrence to the amendment of the Senate to the amendment of the House to the amendment of the Senate to the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; and

The Senate resumed consideration of the amendment.

The question being on agreeing to amendment No. 3502, proposed by Mr. DURBIN, to amendment No. 3501, proposed by Mr. DURBIN, to the instructions (designated amendment No. 3500) contained in the motion, by Mr. DURBIN, to refer the House amendment to the Committee on Appropriations.

Pending debate,

The hour of 5:30 p.m. having arrived,

Pursuant to the order of Thursday, March 11, 2010,

The PRESIDING OFFICER laid before the Senate the motion, presented by Mr. DURBIN on Thursday, March 11, 2010, to bring to a close debate on the motion to concur in the House amendments to the Senate amendment to the House amendment to the Senate amendment to bill H.R. 2847.

Pursuant to the order of Thursday, March 11, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the affirmative---
yeas... 61, nays... 30

[Rollcall Vote No. 49 Leg.]

YEAS --- 61

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Burr, Burris, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Harkin, Inhofe, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 30

Alexander, Barrasso, Brownback, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, Ensign, Enzi, Graham, Grassley, Hutchison, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Thune, Vitter, Wicker.

So the motion was agreed to; three-fifths of Senators duly chosen and sworn having voted in the affirmative.

The motion having been agreed to,

The pending motion to refer with instructions (designated No. 3500), and amendments Numbered 3501 and 2502 thereto, being inconsistent with cloture, fell.

The question being on agreeing to amendment No. 3499 to amendment No. 3498 contained in the motion to concur, with amendment, in the House amendments to the Senate amendment to the House amendment to the Senate amendment to the bill.

Mr. REID asked unanimous consent that the Senate vote by 12 noon on tomorrow.

Mr. MCCONNELL objected.

The question being on agreeing to amendment No. 3499 to amendment No. 3498 contained in the motion to concur, with amendment, in the House amendments to the Senate amendment to the House amendment to the Senate amendment to the bill.

Pending debate,

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, notwithstanding rule XXII of the Standing Rules of the Senate, the Senate resume consideration of the pending House amendment to the Senate amendment to the House amendment to the Senate amendment to bill H.R. 2847 at 2:15 p.m. on tomorrow; and that time during morning business, recess, or adjournment be counted against the time for debate pursuant to rule XXII of the Standing Rules of the Senate.

Ordered further, That when the Senate convenes at 9:30 a.m. on Wednesday, March 17, 2010, time for debate pursuant to rule XXII of the Standing Rules of the Senate be concluded; that the motion to concur with amendment No. 3498 be withdrawn; that no amendment or motion, except for a motion by Mr. DEMINT, under rule V of the Standing Rules of the Senate, to suspend rule XXII of the Standing Rules of the Senate for purpose of proposing an amendment be in order; that it be in order for Mr. DEMINT to so make a motion to; that, if a motion is made, Mr. DEMINT be recognized to speak for 10 minutes thereon; and that, upon disposition of the motion, the Senate vote on the question of agreeing to the motion to concur in the House amendments to the Senate amendment to the House amendment to the Senate amendment to the bill.

ORDER NOTIFYING HOUSE RELATIVE TO EXHIBITING ARTICLES OF IMPEACHMENT AGAINST JUDGE G. THOMAS PORTEOUS, JR.

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That the Secretary of the Senate inform the House of Representatives that the Senate is ready to receive the managers appointed by the House for the purpose of exhibiting articles of impeachment against G. Thomas Porteous, Jr., Judge of the of the United States District Court for the Eastern District of Louisiana, agreeable to the notice communicated to the Senate and at the hour of 2 p.m., on Wednesday, March 17, 2010, the Senate will receive the honorable managers on the part of the House of Representatives in order that they may present and exhibit the said articles of impeachment against the said G. Thomas Porteous, Jr., Judge of the of the United States District Court for the Eastern District of Louisiana.

HONORING THE LIFE, HEROISM, AND SERVICE OF HARRIET TUBMAN

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER (Mr. MERKLEY in the chair) laid before the Senate the resolution (S. Res. 455) honoring the life, heroism, and service of Harriet Tubman, submitted today by Mrs. BOXER (for herself, Mr. BROWNBACK, Mr. SPECTER, Ms. SNOWE, Mr. SCHUMER, Mrs. GILLIBRAND, Ms. MIKULSKI, Mr. CARDIN, and Mr. LEVIN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING AND CONGRATULATING THE CITY OF COLORADO SPRINGS, COLORADO

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the concurrent resolution (S. Con. Res. 53) recognizing and congratulating the City of Colorado Springs, Colorado, as the new official site of the National Emergency Medical Services Memorial Service and the National Emergency Medical Services Memorial.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HOUSE BILL READ THE FIRST TIME

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 2314) to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity, received from the House of Representatives for concurrence on Wednesday, February 24, 2010, and remaining undisposed of; which was read the first time.

Mr. SHERROD BROWN asked unanimous consent that the bill be read the second time.

Mr. SHERROD BROWN objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

APPOINTMENT BY THE PRESIDING OFFICER

THE PRESIDENT'S EXPORT COUNCIL

The PRESIDING OFFICER, pursuant to Executive Order No. 12131, reappointed Ms. STABENOW, and Mr. SHERROD BROWN, and appointed Mr. WYDEN to the President's Export Council.

ORDERS FOR ADJOURNMENT UNTIL 10:15 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10:15 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that the Senate then proceed to a period for the transaction of morning business until 12:30 p.m., with Senators permitted to speak for 10 minutes each therein; that the time until 10:30 a.m. therein be equally divided and controlled for debate between the two leaders, or their designees; that time from 10:30 a.m. until 12:30 p.m. be equally divided controlled for debate between the two leaders, or their designees; and that the majority control the first half therein, and the minority control the second half therein.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 2:15 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mr. SHERROD BROWN,

At 8:05 p.m.,

The Senate adjourned, under its order of today, until 10:15 a.m. on tomorrow.

TUESDAY, MARCH 16, 2010

Mrs. JEANNE SHAHEEN, from the State of New Hampshire, called the Senate to order at 10:15 a.m., the Chaplain offered a prayer, and Mrs. SHAHEEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, March 16, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. SHAHEEN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

HOUSE BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 2314) to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity, received from the House of Representatives for concurrence on Wednesday, February 24, 2010, and read the first time on yesterday; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5034. A communication from the Chief of Research and Analysis, Food and Nutrition Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "The Emergency Food Assistance Program: Amendments to Requirements Regarding the Submission of State Plans and Allowability of Certain Administrative Costs" (RIN0584-AD94), received in the Office of the President of the Senate on March 10, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5035. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (4) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-5036. A communication from the Director, Pentagon Renovation and Construction Program Office, Department of Defense, transmitting, pursuant to law, the Office's Annual Report for the year ending March 1, 2010; to the Committee on Armed Services.

EC-5037. A communication from the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, a biennial report entitled "Implementation of the Deep Sea Coral Research and Technology Program"; to the Committee on Commerce, Science, and Transportation.

EC-5038. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations; (Birmingham, Alabama)" (MB Docket No. 10-21), received in the Office of the President of the Senate on March 11, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5039. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Port Angeles, Washington)" (MB Docket No. 08-228), received in the Office of the President of the Senate on March 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5040. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Inseason Closure of the Recreational Fishery for Greater Amberjack in Federal Waters of the Gulf of Mexico" (RIN0648-XS50), received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5041. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Suspension of Minimum Atlantic Surfclam Size Limit for Fishing Year 2010" (RIN0648-XS18), received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5042. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Amendment 15B to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region" (RIN0648-AW12), received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5043. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Correcting Amendment to Implement Recordkeeping and Reporting Revisions" (RIN0648-AY37), received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5044. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled

"Reopening of the Commercial Fishery for Gulf Group King Mackerel in the Florida East Coast Subzone for the 2009-2010 Fishing Year" (RIN0648-XU38), received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5045. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Coast Groundfish; Biennial Specifications and Management Measures; Inseason Adjustments" (RIN0648-AY40), received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5046. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Trade Regulation Rule Relating to Power Output Claims for Amplifiers Utilized in Home Entertainment Products" (RIN3084-AB09), received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5047. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Pot Gear in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XU65), received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5048. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Closed Directed Fishing for Pacific Cod, Jig and Hook-and-Line Vessels, Bering Sea, Bogoslof Area" (RIN0648-XU64), received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5049. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Closed Directed Fishing for Pacific Cod, Offshore Component, Central Gulf of Alaska, A Season" (RIN0648-XU63), received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5050. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Closed Directed Fishing for Pacific Cod, Non-American Fisheries Act Crab Vessels, Offshore Component, Western Gulf of Alaska" (RIN0648-XU62), received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5051. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Correction" (RIN0648-XU17), received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5052. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Public Assistance Eligibility" ((44 CFR Part 206)(Docket No. FEMA-2006-0028)), received in the Office of the President of the Senate on March 10, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5053. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Docket No. FEMA-2008-0020)), received in the Office of the President of the Senate on March 10, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5054. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Australia; to the Committee on Banking, Housing, and Urban Affairs.

EC-5055. A communication from the Assistant General Counsel for Legislation and Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program for Certain Commercial and Industrial Equipment: Test Procedure for Metal Halide Lamp Ballasts (Active and Standby Modes) and Proposed Information Collection; Comment Request; Certification, Compliance, and Enforcement Requirements for Consumer Products and Certain Commercial and Industrial Equipment; Final Rule and Notice" (RIN1904-AB87), received in the Office of the President of the Senate on March 12, 2010; to the Committee on Energy and Natural Resources.

EC-5056. A communication from the Assistant General Counsel for Legislation and Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Weatherization Assistance for Low-Income Persons: Maintaining the Privacy of Applicants for and Recipients of Services" (RIN1904-AC16), received in the Office of the President of the Senate on March 12, 2010; to the Committee on Energy and Natural Resources.

EC-5057. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Topeka, Kansas, Flood Risk Management Project; to the Committee on Environment and Public Works.

EC-5058. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the transfer of Phalanx Close-In Weapon System Block 1B Baseline 1 systems, including spare and repair parts, installation, and maintenance to the United Arab Emirates in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-5059. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Japan relative to the design, manufacture, and repair of the Long Range Chinook Helicopter Variants (CH-47JA+) and the modification of CH-47JA helicopters in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-5060. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to overseas surplus property; to the Committee on Foreign Relations.

EC-5061. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Classification of Benzoyl Peroxide as Safe and Effective and Revision of Labeling to Drug Facts Format; Topical Acne Drug Products for Over-The-Counter Human Use; Final Rule" ((RIN0910-AG00)(Docket Nos. FDA-1981-N-0114 and FDA-1992-N-0049)), received in the Office of the President of the

Senate on March 10, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5062. A communication from the Acting Director, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Part 4022), received in the Office of the President of the Senate on March 10, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5063. A communication from the Acting Director, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "USERRA Benefits Under Title IV of ERISA" (RIN1212-AB19), received in the Office of the President of the Senate on March 10, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5064. A communication from the Chief Human Capital Officer, Corporation for National and Community Service, transmitting, pursuant to law, a report relative to a vacancy in the position of Chief Executive Officer of the Corporation for National and Community Service, received in the Office of the President of the Senate on March 11, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5065. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's Fiscal Year 2009 Performance and Accountability Report; to the Committee on Homeland Security and Governmental Affairs.

EC-5066. A communication from the Chief Privacy Officer, Department of Homeland Security, transmitting, pursuant to law, a report entitled "Privacy Office Fourth Quarter Fiscal Year 2009 Report to Congress"; to the Committee on Homeland Security and Governmental Affairs.

EC-5067. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Office of Community Oriented Policing Services (COPS Office) Annual Report for Fiscal Year 2009; to the Committee on the Judiciary.

EC-5068. A communication from the Director of Regulations Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "VA Acquisition Regulation: Supporting Veteran-Owned and Service-Disabled Veteran-Owned Small Businesses" (RIN2900-AM92), received in the Office of the President of the Senate on March 10, 2010; to the Committee on Veterans' Affairs.

EC-5069. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone of Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska" (RIN0648-XU73), received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-90. A message from the Secretary-General of the United Nations petitioning support for Nuclear Disarmament and Non-Proliferation; to the Committee on Foreign Relations.

Mr. JOSEPH R. BIDEN, Jr.

President, Senate, United States of America, Washington, DC.

DEAR MR. JOSEPH R. BIDEN, JR., We stand at a watershed moment for the achievement of international security through a world free of nuclear weapons. For several years now, momentum has been building towards this goal, due in no small part to the diligent efforts of civil society and parliamentarians.

I have tried to do my part to revitalize the peace and disarmament agenda. In October 2008, I presented a five-point proposal for nuclear disarmament. Greatly encouraged by the support that has been expressed for my initiative, I welcomed, in particular, the call by the Inter-Parliamentary Union in April 2009 for parliaments to instruct their Governments to support this proposal. I salute the Parliamentary Network for Nuclear Non-Proliferation and Disarmament for its related efforts and for its work towards building support for a nuclear weapon convention.

Since 2008, we have seen progress. The Russian Federation and the United States have negotiated on further reductions of their strategic nuclear arsenals. The Security Council held a historic summit on nuclear disarmament and non-proliferation. Treaties establishing nuclear-weapon-free zones have entered into force in Africa and Central Asia. Calls for global nuclear disarmament have emanated from many quarters and detailed plans have been proposed containing practical ideas to achieve the goal of global zero.

In order to sustain this momentum ahead of the 2010 Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons, I have proposed an Action Plan on Nuclear Disarmament and Non-Proliferation. My plan is founded on a fundamental principle: nuclear disarmament and nuclear non-proliferation are mutually reinforcing and inseparable. In my action plan, I promised to explore ways to encourage greater involvement by civil society and parliamentarians.

Parliamentarians and parliaments play a key role in the success of disarmament and non-proliferation efforts. Parliaments support the implementation of treaties and global agreements contributing to the rule of law and promoting adherence to commitments. They adopt legislation that increases transparency and accountability, thus building trust, facilitating verification and creating conditions that are conducive to the further pursuit of disarmament.

At a time when the international community is facing unprecedented global challenges, parliamentarians can take on leading roles in ensuring sustainable global security, while reducing the diversion of precious resources from human needs. As parliaments set the fiscal priorities for their respective countries, they can determine how much to invest in the pursuit of peace and cooperative security. Towards this end, parliaments can establish the institutional infrastructures to support the development of necessary practical measures.

I would therefore like to take this opportunity to encourage all parliamentarians to join in efforts to achieve a nuclear-weapon-free world. In particular, I call upon parliamentarians to increase their support for peace and disarmament, to bring disarmament and non-proliferation treaties into force, and to start work now on the legislative agendas needed to achieve and sustain the objective of nuclear disarmament.

I look forward to opportunities to work with you to advance global nuclear disarmament and non-proliferation.

Yours sincerely,

BAN KI-MOON.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

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

H.R. 885. A bill to elevate the Inspector General of certain Federal entities to an Inspector General appointed pursuant to section 3 of the Inspector General Act of 1978.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. KERRY:

S. 3118. A bill to amend title 38, United States Code, to provide that monetary benefits paid to veterans by States and municipalities shall be excluded from consideration as income for purposes of

pension benefits paid by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mrs. GILLIBRAND (for herself, Mr. LIEBERMAN, Mr. DODD, and Mr. SCHUMER):

S. 3119. A bill to amend and reauthorize certain provisions relating to Long Island Sound restoration and stewardship; to the Committee on Environment and Public Works.

By Mr. SPECTER (for himself and Mr. DURBIN):

S. 3120. A bill to encourage the entry of felony warrants into the National Crime Information Center database by States and provide additional resources for extradition; to the Committee on the Judiciary.

By Mr. BURR (for himself and Mrs. HAGAN):

S. 3121. A bill to amend title 10, United States Code, to authorize the Secretary of the Army to lease portions of the Airborne and Special Operations Museum facility to the Airborne and Special Operations Museum Foundation to support operation of the Museum; to the Committee on Armed Services.

By Mr. ENSIGN (for himself, Mr. RISCH, Mr. VITTER, Mr. BARRASSO, Mr. BENNETT, and Mr. ENZI):

S. 3122. A bill to require the Attorney General of the United States to compile, and make publicly available, certain data relating to the Equal Access to Justice Act, and for other purposes; to the Committee on the Judiciary.

By Mr. LEAHY (for himself, Mr. SPECTER, Mr. HARKIN, Mr. BENNET, Mrs. SHAHEEN, Mr. CASEY, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Mr. BROWN of Ohio, Mr. UDALL of New Mexico, Mr. DURBIN, Mrs. MURRAY, Mr. SCHUMER, and Mr. SANDERS):

S. 3123. A bill to amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to carry out a program to assist eligible schools and nonprofit entities through grants and technical assistance to implement farm to school programs that improve access to local foods in eligible schools; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. KLOBUCHAR (for herself and Mr. HARKIN):

S. 3124. A bill to amend the Richard B. Russell National School Lunch Act to improve child health and nutrition and reduce administrative burdens for child care sponsors and providers; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. NELSON of Florida:

S. 3125. A bill to amend the Internal Revenue Code of 1986 to extend the financing of the Superfund; to the Committee on Finance.

By Ms. KLOBUCHAR:

S. 3126. A bill to amend the Richard B. Russell National School Lunch Act to promote the health and wellbeing of schoolchildren in the United States through effective local wellness policies, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. GILLIBRAND:

S. 3127. A bill to amend the Child Nutrition Act of 1966 to require regular updating of the supplemental foods provided under the special supplemental nutrition program for women, infants, and children; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. GILLIBRAND:

S. 3128. A bill to amend the Richard B. Russell National School Lunch Act to ensure the categorical eligibility of foster children for free school lunches and breakfasts; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. GILLIBRAND:

S. 3129. A bill to amend the Child Nutrition Act of 1966 to allow States to certify children for participation in special supplemental nutrition program for women, infants, and children for a period of 1 year; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BENNET:

S. 3130. A bill to provide that, if comprehensive health care reform legislation provides Americans access to quality, affordable health care is not enacted by June 30, 2010, then Members of Congress may not participate or be enrolled in a Federal employees health benefits plan under chapter 89 of title 5, United States Code; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. WEBB (for himself and Mr. WARNER):

S. Res. 456. A resolution congratulating Radford University on the 100th anniversary of the university; considered and agreed to.

ADDITIONAL COSPONSORS

S. 132

At the request of Mrs. FEINSTEIN, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 132, a bill to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to expand and improve gang prevention programs, and for other purposes.

S. 259

At the request of Mr. BOND, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 259, a bill to establish a grant program to provide vision care to children, and for other purposes.

S. 493

At the request of Mr. CASEY, the name of the Senator from Georgia [Mr. ISAKSON] was added as a cosponsor of S. 493, a bill to amend the Internal Revenue Code of 1986 to provide for the establishment of ABLE accounts for the care of family members with disabilities, and for other purposes.

S. 565

At the request of Mr. DURBIN, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 565, a bill to amend title XVIII of the Social Security Act to provide continued entitlement to coverage for immunosuppressive drugs furnished to beneficiaries under the Medicare Program that have received a kidney transplant and whose entitlement to coverage would otherwise expire, and for other purposes.

S. 700

At the request of Mr. BINGAMAN, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 700, a bill to amend title II of the Social Security Act to phase out the 24-month waiting period for disabled individuals to become eligible for Medicare benefits, to eliminate the waiting period for individuals with life-threatening conditions, and for other purposes.

S. 730

At the request of Mr. ENSIGN, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of S. 730, a bill to amend the Harmonized Tariff Schedule of the United States to modify the tariffs on certain footwear, and for other purposes.

S. 752

At the request of Mr. DURBIN, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 752, a bill to reform the financing of Senate elections, and for other purposes.

S. 1102

At the request of Mr. LIEBERMAN, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 1102, a bill to provide benefits to domestic partners of Federal employees.

S. 1492

At the request of Ms. MIKULSKI, the names of the Senator from Illinois [Mr. BURRIS] and the Senator from Oregon [Mr. MERKLEY] were added as cosponsors of S. 1492, a bill to amend the Public Health Service Act to fund breakthroughs in Alzheimer's disease research while providing more help to

caregivers and increasing public education about prevention.

S. 1619

At the request of Mr. DODD, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 1619, a bill to establish the Office of Sustainable Housing and Communities, to establish the Interagency Council on Sustainable Communities, to establish a comprehensive planning grant program, to establish a sustainability challenge grant program, and for other purposes.

S. 1639

At the request of Mr. BINGAMAN, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 1639, a bill to amend the Internal Revenue Code of 1986 to improve and extend certain energy-related tax provisions, and for other purposes.

S. 1660

At the request of Ms. KLOBUCHAR, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 1660, a bill to amend the Toxic Substances Control Act to reduce the emissions of formaldehyde from composite wood products, and for other purposes.

S. 1683

At the request of Mr. BENNET, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 1683, a bill to apply recaptured taxpayer investments toward reducing the national debt.

S. 1764

At the request of Mr. LAUTENBERG, the name of the Senator from Louisiana [Mr. VITTER] was added as a cosponsor of S. 1764, a bill to clarify the application of section 14501(d) of title 19, United States Code, to prevent the imposition of unreasonable transportation fees.

S. 1789

At the request of Mr. DURBIN, the name of the Senator from Texas [Mr. CORNYN] was added as a cosponsor of S. 1789, a bill to restore fairness to Federal cocaine sentencing.

S. 2870

At the request of Mr. INOUYE, the name of the Senator from West Virginia [Mr. ROCKEFELLER] was added as a cosponsor of S. 2870, a bill to establish uniform administrative and enforcement procedures and penalties for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes, and for other purposes.

S. 2975

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 2975, a bill to prohibit the manufacture, sale, or distribution in commerce of children's jewelry containing cadmium, barium, or antimony, and for other purposes.

S. 3003

At the request of Mr. DODD, the name of the Senator from Indiana [Mr. BAYH] was added as a cosponsor of S. 3003, a bill to enhance Federal efforts focused on public awareness and education about the risks and dangers associated with Shaken Baby Syndrome.

S. 3027

At the request of Ms. KLOBUCHAR, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 3027, a bill to prevent the inadvertent disclosure of information on a computer through certain "peer-to-peer" file sharing programs without first providing notice and obtaining consent from an owner or authorized user of the computer.

S. 3035

At the request of Mr. BAUCUS, the names of the Senator from Idaho [Mr. CRAPO] and the Senator from North Dakota [Mr. CONRAD] were added as cosponsors of S. 3035, a bill to require a report on the establishment of a Polytrauma Rehabilitation Center or Polytrauma Network Site of the Department of Veterans Affairs in the northern Rockies or Dakotas, and for other purposes.

S. 3058

At the request of Mr. DORGAN, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3065

At the request of Mr. LIEBERMAN, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3065, a bill to amend title 10, United States Code, to enhance the readiness of the Armed Forces by replacing the current policy concerning homosexuality in the Armed Forces, referred to as "Don't Ask, Don't Tell", with a policy of nondiscrimination on the basis of sexual orientation.

S. 3084

At the request of Ms. KLOBUCHAR, the name of the Senator from Virginia [Mr. WARNER] was added as a cosponsor of S. 3084, a bill to increase the competitiveness of United States businesses, particularly small and medium-sized manufacturing firms, in interstate and global commerce, foster job creation in the United States, and assist United States businesses in developing or expanding commercial activities in interstate and global commerce by expanding the ambit of the Hollings Manufacturing Extension Partnership program and the Technology Innovation Program to include projects that have potential for commercial exploitation in nondomestic markets, providing for an increase in related resources of the Department of Commerce, and for other purposes.

S. 3113

At the request of Mr. LEAHY, the names of the Senator from Illinois [Mr. DURBIN], the Senator from Hawaii [Mr. AKAKA] and the Senator from Illinois [Mr. BURRIS] were added as cosponsors of S. 3113, a bill to amend the Immigration and Nationality Act to reaffirm the United States' historic commitment to protecting refugees who are fleeing persecution or torture.

SENATE RESOLUTION 204

At the request of Mr. VITTER, the name of the Senator from Alabama [Mr. SESSIONS] was added as a cosponsor of Senate Resolution 204, a resolution designating March 31, 2010, as "National Congenital Diaphragmatic Hernia Awareness Day".

SENATE RESOLUTION 412

At the request of Mrs. GILLIBRAND, the names of the Senator from Oregon [Mr. WYDEN] and the Senator from Virginia [Mr. WARNER] were added as cosponsors of Senate Resolution 412, a resolution designating September 2010 as "National Childhood Obesity Awareness Month".

SENATE RESOLUTION 447

At the request of Ms. MIKULSKI, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of Senate Resolution 447, a resolution expressing the sense of the Senate that the United States Postal Service should issue a semipostal stamp to support medical research relating to Alzheimer's disease.

SENATE RESOLUTION 452

At the request of Mr. JOHANNS, the names of the Senator from Georgia [Mr. ISAKSON] and the Senator from South Dakota [Mr. JOHNSON] were added as cosponsors of Senate Resolution 452, a resolution supporting increased market access for exports of United States beef and beef products to Japan.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mrs. HUTCHISON,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on March 16, 2010, at 9:30 a.m.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on March 16, 2010, at 9:30 a.m.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on March 16, 2010, at 2:30 p.m.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

The Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on March 16, 2010, at 2 p.m. to conduct a hearing entitled, "Assessing Foster Care and Family Services in the District of Columbia: Challenges and Solutions."

SUBCOMMITTEE ON WATER AND POWER

The Subcommittee on Water and Power be authorized to meet during the session of the Senate on March 16, 2010, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 10:54 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2377. An act to direct the Secretary of Education to establish and administer an awards program recognizing excellence exhibited by public school system employees providing services to students in pre-kindergarten through higher education.

HOUSE BILL REFERRED

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

H.R. 2377. An act to direct the Secretary of Education to establish and administer an awards program recognizing excellence exhibited by public school system employees providing services to students in pre-kindergarten through higher education; to the Committee on Health, Education, Labor, and Pensions.

RECESS

Pursuant to the order of yesterday, as modified,

At 12:39 p.m.,

The PRESIDING OFFICER (Mr. BEGICH in the chair) declared the Senate recessed until 2:15 p.m.

AT 2:15 P.M.

The PRESIDING OFFICER called the Senate to order.

RELATIVE TO A TAX ON BONUSES FROM CERTAIN TARP RECIPIENTS

Pursuant to the order of yesterday,

The PRESIDING OFFICER laid before the Senate its pending business, viz, the bill (H.R. 1586) to impose an additional tax on bonuses received from certain TARP recipients; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3470, proposed by Mr. FEINGOLD (for himself, Mr. COBURN, Mr. SHERROD BROWN, Mr. MCCAIN, and Mrs. MCCASKILL), to amendment No. 3452 (in the nature of a substitute), proposed by Mr. ROCKEFELLER, to the bill.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3452 (in the nature of a substitute) to the bill.

On motion by Mr. MCCAIN, by unanimous consent, to amend the pending amendment (in the nature of a substitute) on various pages and lines by striking certain words and inserting other words (being amendments en bloc and designated Numbers 3472, 3475, 3527, and 3528).

The question being on agreeing to amendment No. 3528 to amendment No. 3452 (in the nature of a substitute) to the bill.

Pending debate,

By unanimous consent, on the request of Mr. ROCKEFELLER,

Ordered, That the question recur on agreeing to amendment No. 3454; that there be 60 minutes for debate thereon; that Mr. INOUYE, or his designee, control 15 minutes therein; that Mr. COCHRAN, or his designee, control 15 minutes therein; that Mr. DEMINT, or his designee, control 30 minutes therein; and that, upon conclusion of said debate, the Senate vote in relation to the amendment.

Ordered further, That amendments Numbered 3470, and 3458, be modified; that, upon disposition of amendment No. 3454, the Senate vote in relation to the following amendments in the following order: amendment No. 3470, as modified; amendment No. 3458, as modified; and amendment No. 3456; that there be 2 minutes, equally divided and controlled in the usual form, for debate prior to each vote; that each vote following the first be 10 minutes in duration; and that no amendment be in order to the amendments prior to the votes.

Pursuant to the foregoing order,

The question recurring on agreeing to amendment No. 3454, proposed by Mr. DEMINT (for himself, Mr. MCCAIN, Mr. COBURN, Mr. GRASSLEY, Mr. FEINGOLD, Mr. LEMIEUX, Mrs. MCCASKILL, Mr. ENSIGN, Mr. CORNYN, Mr. RISCH, and Mr. GRAHAM), to amendment No. 3452 (in the nature of a substitute) to the bill.

After debate,

On motion by Mr. ROCKEFELLER to lay the pending amendment on the table.

On motion by Mr. ROCKEFELLER,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---yeas... 68, nays... 29

[Rollcall Vote No. 50 Leg.]

YEAS --- 68

Akaka, Alexander, Baucus, Begich, Bennet, Bingaman, Bond, Boxer, Brown (OH), Bunning, Burris, Cantwell, Cardin, Carper, Casey, Cochran, Collins, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Gregg, Hagan, Harkin, Hutchison, Inhofe, Inouye, Johnson, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, Lugar, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Roberts, Rockefeller, Sanders, Schumer, Shaheen, Shelby, Snowe, Specter, Stabenow, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wicker, Wyden.

NAYS --- 29

Barrasso, Bayh, Brown (MA), Brownback, Burr, Chambliss, Coburn, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Hatch, Isakson, Johanns, Kaufman, Kyl, LeMieux, McCain, McCaskill, McConnell, Risch, Sessions, Thune, Vitter.

So the motion was agreed to.

On motion by Mr. COCHRAN to reconsider the vote agreeing to the motion.

On motion by Mr. BAUCUS,

The motion to reconsider was laid on the table.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3470, as modified, to amendment No. 3452 (in the nature of a substitute) to the bill.

After debate,

On motion by Mrs. HUTCHISON,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment, as modified.

The question being taken.

It was determined in the affirmative---yeas... 87, nays... 11

[Rollcall Vote No. 51 Leg.]

YEAS --- 87

Akaka, Barrasso, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Brownback, Bunning, Burr, Burris, Cantwell, Cardin, Carper, Casey, Chambliss, Coburn, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dodd, Dorgan, Durbin, Ensign, Enzi, Feingold, Feinstein, Franken, Gillibrand, Graham, Grassley, Gregg, Hagan, Harkin, Hatch, Hutchison, Inouye, Isakson, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Kyl, Lautenberg, Leahy, LeMieux, Lieberman, Lincoln, Lugar, McCain, McCaskill,

McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Risch, Roberts, Sanders, Schumer, Sessions, Shaheen, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Vitter, Warner, Webb, Whitehouse, Wyden.

NAYS --- 11

Alexander, Bond, Brown (MA), Cochran, Inhofe, Landrieu, Levin, Rockefeller, Shelby, Voinovich, Wicker.

So the amendment, as modified, was agreed to.

On motion by Mrs. MURRAY to reconsider the vote agreeing to the amendment, as modified.

On motion by Ms. STABENOW,

The motion to reconsider was laid on the table.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3458, as modified, proposed by Mr. VITTER (for himself, Mr. CORNYN, Mr. WICKER, and Mr. COCHRAN), to amendment No. 3452 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. VITTER,

Ordered, That Mrs. HUTCHISON and Ms. LANDRIEU be added as cosponsors of the pending amendment.

The question being on agreeing to amendment No. 3458, as modified, to amendment No. 3452 (in the nature of a substitute), as amended, to the bill.

After debate,

Mr. BINGAMAN raised a point of order, viz, that the pending amendment, as modified, violates section 311(a)(2)(A) of the Congressional Budget Act, and therefore is not in order.

On motion by Mr. VITTER, under section 904 of the Congressional Budget Act and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and Law for consideration of the pending amendment.

On motion by Mr. VITTER,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion.

The question being taken.

It was determined in the negative---
yeas... 41, nays... 57

[Rollcall Vote No. 52 Leg.]

YEAS --- 41

Alexander, Barrasso, Bayh, Begich, Bond, Brownback, Bunning, Burr, Chambliss, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Hagan, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, Landrieu, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

NAYS --- 57

Akaka, Baucus, Bennet, Bingaman, Boxer, Brown (MA), Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Coburn, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Gregg, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The question recurring on the point of order raised by Mr. BINGAMAN.

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) held the point of order well-taken, and the amendment, as modified, not in order.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3456, proposed by Mr. LIEBERMAN (for himself, Ms. COLLINS, Mrs. FEINSTEIN, Mr. BYRD, Mr. ENSIGN, Mr. VOINOVICH, and Mr. KYL), to amendment No. 3452 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the negative---
yeas... 42, nays... 55

[Rollcall Vote No. 53 Leg.]

YEAS --- 42

Alexander, Barrasso, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feinstein, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lieberman, Lugar, McCain, McConnell, Murkowski, Nelson (FL), Risch, Roberts, Sessions, Thune, Vitter, Voinovich, Warner, Wicker.

NAYS --- 55

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Webb, Whitehouse, Wyden.

So the amendment was not agreed to.

The question recurring on agreeing to amendment No. 3528 to amendment No. 3452 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. ROCKEFELLER,

Ordered, That the question recur on agreeing to amendment No. 3472; that the amendment be agreed to; and that a motion to reconsider be made and laid on the table.

The question being on agreeing to amendment No. 3528 to amendment No. 3452 (in the nature of a substitute), as amended, to the bill.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3452 (in the nature of a substitute), as amended, to the bill.

Mr. ROCKEFELLER proposed the following amendments on various pages and lines on behalf of the Senators indicated; each was modified, as indicated, and agreed to: Mr. BENNETT (for himself, and Mr. HATCH), amendment No. 3462; Mr. REID (for himself, and Mr. ENSIGN), amendment No. 3467; Mr. LAUTENBERG, amendment No. 3473, as modified; Mr. BARRASSO (for himself, and Mr. ENZI), amendment No. 3474, as modified; Mr. DURBIN, amendment No. 3482, as modified; Mr. SCHUMER (for himself, Mrs. GILLIBRAND, Mr. LIEBERMAN, Mr. LEAHY, Ms. COLLINS, Mr. WYDEN, Mr. SCOTT BROWN, Mr. MERKLEY, Mr. BURRIS, and Mr. RISCH), amendment No. 3486, as modified; Mr. BINGAMAN (for himself, Ms. SNOWE, Mr. HARKIN, Mr. CONRAD, Mr. BURRIS, and Mr. JOHNSON), amendment No. 3487; Mr. CARDIN (for himself, Mr. CASEY, and Ms. MIKULSKI), amendment No. 3497; Mr. MENENDEZ (for himself, Mr. SCHUMER, Mrs. GILLIBRAND, and Mr. LAUTENBERG), amendment No. 3503; Mr. MENENDEZ (for himself, and Mr. LAUTENBERG), amendment No. 3504; Mr. JOHANNS, amendments Numbered 3508, 3509, and 3510; and Mr. COBURN, amendment No. 3531.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The question recurring on agreeing to amendment No. 3528 to amendment No. 3452 (in the nature of a substitute), as amended, to the bill.

Pending debate,

ORDER FOR CONSIDERATION OF HOUSE MESSAGE ON BILL H.R. 2847 ON TOMORROW

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That when the Senate resumes consideration of the House message on the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes, on tomorrow, there be 10 minutes, equally divided and controlled, for debate between Mr. GREGG and Mr. SCHUMER, or their designees; that, if Mr. GREGG raises a point of order, and Mr. SCHUMER moves to waive, and if the motion to waive is agreed to, no further debate on the motion to concur be in order; and that the

Senate then vote on the question of agreeing to the motion to concur.

Ordered further, That the order of yesterday, providing for Mr. DEMINT to move to suspend, be vitiated; and that remaining provisions of the order remain in effect.

ORDER FOR FURTHER CONSIDERATION OF BILL H.R. 1586

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That, upon disposition of the House message on bill H.R. 2847, the Senate resume consideration of bill H.R. 1586.

COMMEMORATING BLOODY SUNDAY

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the concurrent resolution (H. Con. Res. 249) commemorating the 45th anniversary of Bloody Sunday and the role that it played in ensuring the passage of the Voting Rights Act of 1965.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CONGRATULATING RADFORD UNIVERSITY

On the request of Mr. KAUFMAN,

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) laid before the Senate the resolution (S. Res. 456) congratulating Radford University on the 100th anniversary of the university, submitted today by Mr. WEBB (for himself and Mr. WARNER), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

PROVIDING IMPROVEMENTS FOR OPERATIONS OF FEDERAL COURTS

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the bill (S. 1782) to provide improvements for the operations of the Federal courts, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

On motion by Mr. KAUFMAN (for Mr. WHITEHOUSE) to strike all after the enacting clause and insert, in lieu thereof, other words (being amendment No. 3540, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate resume consideration of the House amendments to the Senate amendment to the House amendment to the Senate amendment to bill H.R. 2847, as pursuant to the order of yesterday, as modified.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 2 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mr. KAUFMAN,

At 8:36 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

WEDNESDAY, MARCH 17, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, March 17, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. TOM UDALL took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

HOUSE AMENDMENTS TO SENATE AMENDMENT TO HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 2847

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its unfinished business, viz, the amendments received from the House of Representatives for concurrence to the amendment of the Senate to the amendment of the House to the amendment of the Senate to the bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; and

The Senate resumed consideration of the House amendment.

The question being on agreeing to amendment No. 3499 to amendment No. 3498 contained in the motion to concur in the House amendments to the Senate amendment to the House amendment to the Senate amendment to the bill.

Pursuant to the order of yesterday,

The motion, by Mr. DURBIN, that the Senate concur, with amendment No. 3498, in the House amendments to the Senate amendment to the House amendment to the Senate amendment was withdrawn (taking with it amendment No. 3499 thereto).

The question being on agreeing to the motion to concur in the House amendments

to the Senate amendment to the House amendment to the Senate amendment to the bill.

Pending debate,

Mr. GREGG raised a point of order, viz, that the pending House amendments violate section 311(a)(2)(A) of the Congressional Budget Act of 1974, and therefore are not in order.

On motion by Mr. SCHUMER, under section 904(b) of the Congressional Budget Act, and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act for consideration of the pending House amendments.

On motion by Mr. SCHUMER,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

After debate,

The question being taken.

It was determined in the affirmative---yeas... 63, nays... 34

[Rollcall Vote No. 54 Leg.]

YEAS --- 63

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inhofe, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS --- 34

Alexander, Barrasso, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Thune, Vitter, Wicker.

So the motion was agreed to; three-fifths of the Senators duly chosen and sworn having voted in the affirmative.

On motion by Mrs. MURRAY to reconsider the vote agreeing to the motion.

On motion by Mrs. MURRAY,

The motion to reconsider was laid on the table.

The question being on agreeing to the motion to concur in House amendments to the Senate amendment to the House amendment to the Senate amendment to the bill.

On motion by Mrs. MURRAY,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion.

The question being taken.

It was determined in the affirmative---yeas... 68, nays... 29

[Rollcall Vote No. 55 Leg.]

YEAS --- 68

Akaka, Alexander, Baucus, Bayh, Begich, Bennet, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Burr, Burris, Cantwell, Cardin, Carper, Casey, Cochran, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inhofe, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS --- 29

Barrasso, Brownback, Bunning, Chambliss, Coburn, Corker, Cornyn, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Isakson, Johanns, Kyl, Lugar, McCain, McConnell, Nelson (NE), Risch, Roberts, Sessions, Shelby, Thune, Vitter, Wicker.

So it was

Resolved, That the Senate concur in the House amendments to the Senate amendment to the House amendment to the Senate amendment to the bill.

On motion by Mr. ROCKEFELLER to reconsider the vote agreeing to the motion.

On motion by Mr. ROCKEFELLER,

The motion to reconsider was laid on the table.

AMENDMENT NO. 3467 TO BILL H.R. 1586 MODIFIED

By unanimous consent, on the request of Mr. ROCKEFELLER,

Ordered, That amendment No. 3467, agreed to on yesterday, be modified.

AUTHORIZING SIGNING OF ENROLLED BILLS AND JOINT RESOLUTIONS

By unanimous consent, on the request of Mr. ROCKEFELLER,

Ordered, That the majority leader be authorized to sign duly enrolled bills and joint resolutions on today and tomorrow.

RECESS

By unanimous consent, on the request of Mr. ROCKEFELLER,

At 12:27 p.m.,

The Senate recessed until 2 p.m.

AT 2 P.M.

The ACTING PRESIDENT pro tempore called the Senate to order.

QUESTION OF A QUORUM

Mr. REID raised a question as to the presence of a quorum.

Whereupon,

The ACTING PRESIDENT pro tempore directed the roll to be called.

Pending ascertainment of a quorum.

When

The PRESIDING OFFICER (Mr. INOUYE in the chair) announced that a quorum was present.

IMPEACHMENT OF G. THOMAS PORTEOUS, JR.

Pursuant to the order of Monday, March 15, 2010,

The Senate received the managers appointed by the House of Representatives for the purpose of exhibiting articles of impeachment against G. Thomas Porteous, Jr., United States District Judge for the Eastern District of Louisiana.

Upon conclusion of the proceedings,

RELATIVE TO A TAX ON BONUSES FROM CERTAIN TARP RECIPIENTS

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (H.R. 1586) to impose an additional tax on bonuses received from certain TARP recipients; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3528, proposed by Mr. MCCAIN (for himself, Mr. REID, Mr. KYL, and Mr. ENSIGN), to amendment No. 3452 (in the nature of a substitute), as amended, to the bill.

Pending debate,

ORDER FOR EXECUTIVE SESSION

By unanimous consent, on the request of Mr. WHITEHOUSE,

As in executive session,

Ordered, That, at 3 p.m., the Senate proceed to executive session to consider the nomination of O. Rogeriee Thompson, of Rhode Island, to be United States Circuit Judge for the First Circuit; that there be 30 minutes equally divided and controlled, for debate between Mr. WHITEHOUSE and Mr. SESSIONS, or their designees; that Mr. REED control five minutes; that, at 3:30 p.m., the Senate vote on confirmation of the nomination; that, following the vote, a motion to reconsider be made and laid on the table; that the President be immediately notified of the Senate's action; and that the Senate resume its legislative session.

RELATIVE TO A TAX ON BONUSES FROM CERTAIN TARP RECIPIENTS

The Senate resumed consideration of bill H.R. 1586.

The question being on agreeing to amendment No. 3528 to amendment No.

3452 (in the nature of a substitute), as amended, to the bill.

Pending debate,

EXECUTIVE SESSION

Pursuant to the order of today,

The Senate proceeded to executive session; and after the consideration of executive business (involving one roll call vote).

LEGISLATIVE SESSION

Pursuant to the order of today,

The Senate resumed its legislative session.

RELATIVE TO A TAX ON BONUSES FROM CERTAIN TARP RECIPIENTS

The Senate resumed consideration of bill H.R. 1586.

The question being on agreeing to amendment No. 3528 to amendment No. 3452 (in the nature of a substitute), as amended, to the bill.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing on amendment No. 3452 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. PRYOR for Mr. REID (for himself and Mr. PRYOR) to further amend the pending amendment (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 3548).

Pending debate,

By unanimous consent, on the request of Mr. SANDERS,

Ordered, That amendment No. 3548 be reflected as having been proposed by Mr. PRYOR.

The question being on agreeing to amendment No. 3548 to amendment No. 3452 (in the nature of a substitute), as amended, to the bill.

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5070. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Tetraethoxysilane, Polymer with Hexamethyldisiloxane; Tolerance Exemption" (FRL No. 8814-3), received in the Office of the President of the Senate on March 11, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5071. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "S-Abscisic Acid, (S)-5-(1-hydroxy-2,6,6-trimethyl-4-oxo-1-cyclohex-2-enyl)-3-methyl-penta-(2Z,4E)-dienoic Acid; Amendment to an Exemption from the Requirement of a Tolerance" (FRL No. 8814-5), received in the Office of the President of the Senate on March 11, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5072. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Hexythiazox; Pesticide Tolerances" (FRL No. 8813-7), received in the Office of the President of the Senate on March 11, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5073. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Agricultural Inspection and AQI User Fees Along the U.S./Canada Border" (Docket No. APHIS-2006-0096), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5074. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Delaware; Amendment to Electric Generating Unit Multi-Pollutant Regulation" (FRL No. 9127-2), received in the Office of the President of the Senate on March 11, 2010; to the Committee on Environment and Public Works.

EC-5075. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Hazardous Waste Technical Corrections and Clarifications Rules" (FRL No. 9127-9), received in the Office of the President of the Senate on March 11, 2010; to the Committee on Environment and Public Works.

EC-5076. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Mandatory Reporting of Greenhouse Gases: Minor Harmonizing Changes to the General Provisions" (FRL No. 9127-6), received in the Office of the President of the Senate on March 11, 2010; to the Committee on Environment and Public Works.

EC-5077. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Transportation Conformity Rule PM2.5 and PM10 Amendments" (FRL No. 9127-7), received in the Office of the President of the Senate on March 11, 2010; to the Committee on Environment and Public Works.

EC-5078. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Chile Earthquake Occurring in February 2010 Designated as a Qualified Disaster under § 139 of the Internal Revenue Code" (Notice 2010-26), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Finance.

EC-5079. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Deemed Dispositions by Individuals Emigrating from Canada" (Rev. Proc. 2010-19), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Finance.

EC-5080. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5081. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5082. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to

the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010-0037 - 2010-0046); to the Committee on Foreign Relations.

EC-5083. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Name Change of Two DHS Components" (CBP Dec. 10-03), received in the Office of the President of the Senate on March 10, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5084. A communication from the Chairman, Office of General Counsel, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled "Funds Received in Response to Solicitations; Allocation of Expenses by Separate Segregated Funds and Nonconnected Committees" (Notice 2010-08), received in the Office of the President of the Senate on March 15, 2010; to the Committee on Rules and Administration.

EC-5085. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the redesignating the Air Force's Small Diameter Bomb Increment I (SDB I) Program as an ACAT II program; to the Committee on Armed Services.

EC-5086. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 10-011, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-5087. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 10-002, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-5088. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the U.S. engagement with Iran; to the Committee on Armed Services.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mrs. GILLIBRAND:

S. 3131. A bill to direct the Secretary of the Interior to conduct a special resource study to evaluate resources in the Hudson River Valley in the State of New York to determine the suitability and feasibility of establishing the site as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HARKIN:

S. 3132. A bill to amend the Child Nutrition Act of 1966 to promote and support breastfeeding through the special supplemental nutrition program for women, infants, and children; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CASEY (for himself, Mr. SCHUMER, and Mr. SPECTER):

S. 3133. A bill to provide for the construction, renovation, and improvement of medical school facilities, and other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER (for himself, Ms. STABENOW, Mr. GRAHAM, Mr. BROWNBACK, Mr. BROWN of Ohio, Ms. SNOWE, Mr. FEINGOLD, Mr. SPECTER, Mr. CASEY, Mr. BAYH, Mr. LEVIN, Mr. CARDIN, Mrs. GILLIBRAND, Mr. WEBB, Mr. REED, Mrs. LINCOLN, and Ms. COLLINS):

S. 3134. A bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes; to the Committee on Finance.

By Mr. DURBIN:

S. 3135. A bill to enhance global healthcare cooperation and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 457. A resolution to provide for issuance of a summons and for related procedures concerning the articles of impeachment against G. Thomas Porteous, Jr; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 458. A resolution to provide for the appointment of a committee to receive and to report evidence with respect to articles of impeachment against Judge G. Thomas Porteous, Jr; considered and agreed to

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. Res. 459. A resolution congratulating KICY Radio for 50 years of service to western Alaska and the Russian Far East; considered and agreed to.

By Mr. LEAHY (for himself and Mr. SANDERS):

S. Res. 460. A resolution recognizing the importance of the Long Trail and the Green Mountain Club on the 100th anniversary of the Long Trail; considered and agreed to.

ADDITIONAL COSPONSORS

S. 334

At the request of Mr. LUGAR, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 334, a bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Moldova.

S. 704

At the request of Mr. HARKIN, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 704, a bill to direct the Comptroller General of the United States to conduct a study on the use of Civil Air Patrol personnel and resources to support homeland security missions, and for other purposes.

S. 910

At the request of Mr. WARNER, the name of the Senator from Idaho [Mr. RISCH] was added as a cosponsor of S. 910, a bill to amend the Emergency Economic Stabilization Act of 2008, to provide for additional monitoring and accountability of the Troubled Asset Relief Program.

S. 1255

At the request of Mr. SCHUMER, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 1255, a bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to extend the authorized time period for rebuilding of certain overfished fisheries, and for other purposes.

S. 1408

At the request of Mr. MENENDEZ, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of S. 1408, a bill to amend the Internal Revenue Code of 1986 to encourage alternative energy investments and job creation.

S. 1481

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 1481, a bill to amend section 811 of the Cranston-Gonzalez National Affordable Housing Act to improve the program under such section for supportive housing for persons with disabilities.

S. 1553

At the request of Mr. GRASSLEY, the name of the Senator from Georgia [Mr. ISAKSON] was added as a cosponsor of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National

Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1611

At the request of Mr. DODD, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 1611, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 1966

At the request of Mr. DODD, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 1966, a bill to provide assistance to improve the health of newborns, children, and mothers in developing countries, and for other purposes.

S. 2743

At the request of Ms. SNOWE, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 2743, a bill to amend title 10, United States Code, to provide for the award of a military service medal to members of the Armed Forces who served honorably during the Cold War, and for other purposes.

S. 2755

At the request of Mr. MENENDEZ, the name of the Senator from Idaho [Mr. RISCH] was added as a cosponsor of S. 2755, a bill to amend the Internal Revenue Code of 1986 to provide an investment credit for equipment used to fabricate solar energy property, and for other purposes.

S. 2835

At the request of Mr. KERRY, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 2835, a bill to reduce global warming pollution through international climate finance, investment, and for other purposes.

S. 2847

At the request of Mr. WHITEHOUSE, the name of the Senator from Missouri [Mrs. MCCASKILL] was added as a cosponsor of S. 2847, a bill to regulate the volume of audio on commercials.

S. 2974

At the request of Mr. LUGAR, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 2974, a bill to establish the Return of Talent Program to allow aliens who are legally present in the United States to return temporarily to the country of citizenship of the alien if that country is engaged in post-conflict or natural disaster reconstruction, and for other purposes.

S. 3036

At the request of Mr. BAYH, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 3036, a bill to establish the Office of the National Alzheimer's Project.

S. 3059

At the request of Mr. BINGAMAN, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 3059, a bill to improve energy efficiency of appliances, lighting, and buildings, and for other purposes.

SENATE JOINT RESOLUTION 28

At the request of Mr. DODD, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of Senate Joint Resolution 28, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

SENATE RESOLUTION 412

At the request of Mrs. GILLIBRAND, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of Senate Resolution 412, a resolution designating September 2010 as "National Childhood Obesity Awareness Month".

SENATE RESOLUTION 451

At the request of Mr. BURR, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of Senate Resolution 451, a resolution expressing support for designation of a "Welcome Home Vietnam Veterans Day".

SENATE RESOLUTION 452

At the request of Mr. JOHANNS, the names of the Senator from Michigan [Ms. STABENOW] and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of Senate Resolution 452, a resolution supporting increased market access for exports of United States beef and beef products to Japan.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. ROCKEFELLER,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on March 17, 2010, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works be authorized to meet during the session of the Senate on March 17, 2010, at 10:30 a.m., in room 406 of the Dirksen Senate Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on March 17, 2010, at 10 a.m.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "Reauthorization: The Obama Administration's ESEA Reauthorization Priorities" on March 17, 2010. The hearing will commence at 10 a.m. in room 216 of the Hart Senate Office Building.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 17, 2010, at 10 a.m. to conduct a hearing entitled "The Lessons and Implications of the Christmas Day Attack: Intelligence Reform and Interagency Integration."

SUBCOMMITTEE ON ADMINISTRATIVE OVERSIGHT AND THE COURTS

The Subcommittee on Administrative Oversight and the Courts, be authorized to meet during the session of the Senate, on March 17, 2010, at 10 a.m. in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Could Bankruptcy Reform Help Preserve Small Business Jobs?"

SUBCOMMITTEE ON CONSUMER PROTECTION, PRODUCT SAFETY, AND INSURANCE

The Subcommittee on Consumer Protection, Product Safety, and Insurance of the Committee on Commerce, Science, and Transportation be authorized to hold a meeting during the session of the Senate on March 17, 2010, at 3 p.m., in room 253 of the Russell Senate Office Building.

SUBCOMMITTEE ON NATIONAL PARKS

The Subcommittee on National Parks be authorized to meet during the session of the Senate on March 17, 2010, at 3:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

SUBCOMMITTEE ON STRATEGIC FORCES

The Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on March 17, 2010, at 2:30 p.m.

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging be authorized to meet during the session of the Senate on March 17, 2010, at 2:30 p.m. until 5 p.m. in Dirksen 562 for the purpose of conducting a hearing.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives, as indicated:

At 11:08 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4628. A bill to designate the facility of the United States Postal Service located at 216 Westwood Avenue in Westwood, New Jersey, as the "Sergeant Christopher R. Hrbek Post Office Building".

At 2:10 p.m., a message from the House of Representatives, delivered by Mr. Schiff, a manager on the part of the House to conduct the trial of the impeachment of G. Thomas Porteous, Jr., a Judge for the United States District Court for the Eastern District of Louisiana, announcing that the House has agreed to the following resolutions:

H. Res. 1031. Resolution impeaching G. Thomas Porteous, Jr., judge of the United States District Court for the Eastern District of Louisiana, for high crimes and misdemeanors.

H. Res. 1165. Resolution appointing managers on the part of the House to conduct the trial of the impeachment of G. Thomas Porteous, Jr., a Judge for the United States District Court for the Eastern District of Louisiana.

At 4:36 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 2847. An act making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes.

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the ACTING PRESIDENT pro tempore, Mr. REID, pursuant to the order of today, March 17, 2010.

At 6:20 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4851. An act to provide a temporary extension of certain programs, and for other purposes.

H.R. 4853. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

HOUSE BILL REFERRED

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

H.R. 4628. An act to designate the facility of the United States Postal Service located at 216 Westwood Avenue in Westwood, New Jersey, as the "Sergeant Christopher R. Hrbek Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

CONGRATULATING KICY RADIO FOR 50 YEARS OF SERVICE

On the request of Mr. DURBIN,

The PRESIDING OFFICER (Mr. BEGICH in the chair) laid before the Senate the resolution (S. Res. 459) congratulating KICY Radio for 50 years of service to western Alaska and the Russian Far East, submitted today by Ms. MURKOWSKI (for herself and Mr. BEGICH), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE IMPORTANCE OF THE LONG TRAIL AND THE GREEN MOUNTAIN CLUB

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 460) recognizing the importance of the Long Trail and the Green Mountain Club on the 100th anniversary of the Long Trail, submitted today by Mr. LEAHY (for himself and Mr. SANDERS), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CONGRESSIONAL AWARD PROGRAM REAUTHORIZATION ACT

By unanimous consent, on the request of Mr. DURBIN,

The Senate proceeded to consider the bill (S. 2865) to reauthorize the Congressional Award Act (2 U.S.C. 801 et seq.), and for other purposes.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

FAIR SENTENCING ACT

By unanimous consent, on the request of Mr. DURBIN,

The Senate proceeded to consider the bill (S. 1789) to restore fairness to Federal cocaine sentencing.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

The reported amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDER FOR FURTHER CONSIDERATION OF BILL H.R. 1586

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That when the Senate resumes consideration of bill H.R. 1586 on tomorrow, there be a period of concurrent debate on amendments Numbered 3453 and 3548 until 11:30 a.m.; that time therein be equally divided and controlled for debate between Mr. SESSIONS and Mr. PRYOR, or their designees; that no amendment be in order to the amendments prior to a vote in relation thereto; that, upon conclusion of said period for concurrent debate, the amendments be laid aside, to recur at 2 p.m.; that, at 2 p.m., the question be on agreeing to amendment No. 3453; that there be 2 minutes, equally divided and controlled in the usual form, for debate thereon; that, upon conclusion of debate, the Senate vote in relation to the amendment; that, following the vote, the question recur on agreeing to amendment No. 3548; that there be 2 minutes, equally divided and controlled in the usual form, for debate thereon; and that, upon conclusion of debate, the Senate vote in relation to the amendment.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be

deemed expired, and the times for the two leaders be reserved; that there then be a period of one hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; that the minority control the first half therein, and the majority control the second half therein; and that, following morning business, the Senate resume consideration of bill H.R. 1586, as pursuant to the order of today.

ADJOURNMENT

By unanimous consent, on the request of Mr. DURBIN,

At 7:20 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

THURSDAY, MARCH 18, 2010

Mrs. KIRSTEN E. GILLIBRAND, from the State of New York, called the Senate to order at 9:31 a.m., the Chaplain offered a prayer, and Mrs. GILLIBRAND led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, March 18, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. GILLIBRAND took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5089. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class D and E Airspace; Brunswick, ME" ((RIN2120-AA66)(Docket No. FAA-2009-0981)), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5090. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Lima, OH" ((RIN2120-AA66)(Docket No. FAA-2009-0929)), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5091. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Stamford, TX" ((RIN2120-AA66)(Docket No. FAA-2009-0876)), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5092. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Langdon, ND" ((RIN2120-AA66)(Docket No. FAA-2009-0535)), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5093. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Llano, TX" ((RIN2120-AA66)(Docket No. FAA-2009-0858)), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5094. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (106); Amdt. No. 3362" (RIN2120-AA65), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5095. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (74); Amdt. No. 3363" (RIN2120-AA65), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5096. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Relief for U.S. Military and Civilian Personnel Who are Assigned Outside the United States in Support of U.S. Armed Forces Operations" (RIN2120-AJ54), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5097. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Aircraft Noise Certification Documents for International Operations" (RIN2120-AJ31), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5098. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Part 95 Instrument Flight Rules (11); Amdt. No. 486" (RIN2120-AA63), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5099. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone of Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XU22), received in the Office of the President of the Senate on March 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5100. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Free Annual File

Disclosures" (RIN3084-AA94), received in the Office of the President of the Senate on March 11, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5101. A communication from the Chief Counsel, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Seaway Regulations and Rules: Periodic Update, Various Categories" (RIN2135-AA30), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5102. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety Requirements for Operators of Small Passenger-Carrying Commercial Motor Vehicles Used in Interstate Commerce" (RIN2126-AA98), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5103. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-1A11 (CL-600), CL-600-2A12 (CL-601), and CL-600-2B16 (CL-601-3A, CL-601-3R, and CL-604) Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2009-1021)), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5104. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE SYSTEMS (Operations) Limited Model ATP Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0130)), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5105. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; ATR - GIE Avions de Transport Régional Model ATR42 and ATR72 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0155)), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5106. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A340-541 and -642 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0128)), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5107. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A340-200 and A340-300 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0131)), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5108. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Corporation Model MD-90-30 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0783)), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5109. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; PILATUS AIRCRAFT LTD. Model PC-12/47E Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1158)), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5110. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dowty Propellers Models R354/4-123-F/13, R354/4-123-F/20, R375/4-123-F/21, R389/4-123-F/25, R389/4-123-F/26, and R390/4-123-F/27 Propellers" ((RIN2120-AA64)(Docket No. FAA-2008-0545)), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5111. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Hawker Beechcraft Corporation (Type Certificate Previously Held by Raytheon Aircraft Company) Models B300 and B300C Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2009-1180)), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5112. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model DHC-8-100 and DHC-8-200 Series Airplanes, and Model DHC-8-301, -311, and -315 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0712)), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5113. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747-400, 747-400D, 747-400F, 747SR, and 747SP Series Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2009-0718)), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5114. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 and 440) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0178)), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5115. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier Model DHC-8-102, DHC-8-103, DHC-8-106, DHC-8-201, and DHC-8-202 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0609)), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5116. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 737-100, -200, -200C, -300, -400, and -500 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0452)), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5117. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law,

the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 747-100, 747-200B, 747-300, and 747 SR Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2008-0376)), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. DODD (for himself and Ms. COLLINS):

S. 3136. A bill to amend the Internal Revenue Code of 1986 to extend and increase the exclusion for benefits provided to volunteers firefighters and emergency medical responders; to the Committee on Finance

By Mr. UDALL of Colorado (for himself, Mr. BENNET, and Mr. MERKLEY):

S. 3137. A bill to amend the Internal Revenue Code of 1986 to provide that solar electric property need not be located on the property with respect to which it is generating electricity in order to qualify for the residential energy efficient property credit; to the Committee on Finance.

By Mr. CARDIN:

S. 3138. A bill to promote documentary films that convey a diversity of views about life in the United States and bring insightful foreign perspectives to United States audiences; to the Committee on Foreign Relations.

By Mr. CRAPO:

S. 3139. A bill to amend title 32, United States Code, to authorize the Secretary of Defense to cover a larger share of expenses under the National Guard Youth Challenge Program in the case of a State program during its first three years of operation; to the Committee on Armed Services.

By Mr. SPECTER (for himself and Mr. CASEY):

S. 3140. A bill to grant the Secretary of Health and Human Services authority to design, construct, and operate facilities for the purpose of developing and producing biological products in order to meet critical national needs for such biological products, in response to potential bioterrorist attacks or naturally occurring pathogens; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BINGAMAN (for himself, Mr. MENENDEZ, Mr. KERRY, Ms. CANTWELL, Ms. STABENOW, and Mr. SCHUMER):

S. 3141. A bill to amend the Internal Revenue Code of 1986 to provide special rules for treatment of low-income housing credits, and for other purposes; to the Committee on Finance.

By Mr. LAUTENBERG (for himself and Mr. MENENDEZ):

S. 3142. A bill to authorize the Secretary of Education to make grants to support fire safety education programs on college campuses; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COBURN:

S. 3143. A bill to provide that Members of Congress shall not receive a pay increase until the annual Federal budget deficit is eliminated; read the first time.

By Mrs. BOXER (for herself and Mrs. HAGAN):

S. 3144. A bill to amend the Richard B. Russell National School Lunch Act to improve the health and well-being of school children, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. VITTER:

S. Res. 461. A resolution expressing the sense of the Senate that Congress should reject any proposal for the creation of a system of global taxation and regulation; to the Committee on Finance.

By Mr. BURR (for himself and Ms. LANDRIEU):

S. Res. 462. A resolution recognizing Thursday, April 22, 2010, as "Take Our Daughters and Sons To Work Day"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 211

At the request of Mrs. MURRAY, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 211, a bill to facilitate nationwide availability of 2-1-1 telephone service for information and referral on human services and volunteer services, and for other purposes.

S. 714

At the request of Mr. WEBB, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 714, a bill to establish the National Criminal Justice Commission.

S. 1329

At the request of Mr. KOHL, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 1329, a bill to authorize the Attorney General to award grants to State courts to develop and implement State courts interpreter programs.

S. 1425

At the request of Mr. DURBIN, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 1425, a bill to increase the United States financial and programmatic contributions to promote economic opportunities for women in developing countries.

S. 1553

At the request of Mr. GRASSLEY, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1558

At the request of Mrs. LINCOLN, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 1558, a bill to amend title 37, United States Code, to provide travel and transportation allowances for members of the reserve components for long distance and certain other travel to inactive duty training.

S. 1611

At the request of Mr. GREGG, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 1611, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 1743

At the request of Mrs. LINCOLN, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 1743, a bill to amend the Internal Revenue Code of 1986 to expand the rehabilitation credit, and for other purposes.

S. 2749

At the request of Mrs. GILLIBRAND, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 2749, a bill to amend the Richard B. Russell National School Lunch Act to improve access to nutritious meals for young children in child care.

S. 2960

At the request of Mr. LEAHY, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 2960, a bill to exempt aliens who are admitted as refugees or granted asylum and are employed overseas by the Federal Government from the 1-year physical presence requirement for adjustment of status to that of aliens lawfully admitted for permanent residence, and for other purposes.

S. 2982

At the request of Mr. KERRY, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 2982, a bill to combat international violence against women and girls.

S. 3033

At the request of Mr. DURBIN, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 3033, a bill to amend title 11, United States Code, to improve protections for employees and retirees in business bankruptcies.

S. 3058

At the request of Mr. DORGAN, the names of the Senator from Rhode Island [Mr. WHITEHOUSE], the Senator from North Carolina [Mrs. HAGAN] and the Senator from Mississippi [Mr. WICKER] were added as cosponsors of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3122

At the request of Mr. ENSIGN, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of S. 3122, a bill to require the Attorney General of the United States to compile, and make publicly available, certain data relating to the Equal Access to Justice Act, and for other purposes.

SENATE RESOLUTION 92

At the request of Mr. UDALL of Colorado, his name was added as a cosponsor of Senate Resolution 92, a resolution honoring the accomplishments and legacy of Cesar Estrada Chavez.

SENATE RESOLUTION 409

At the request of Mr. FEINGOLD, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of Senate Resolution 409, a resolution calling on members of the Parliament in Uganda to reject the proposed "Anti-Homosexuality Bill", and for other purposes.

SENATE RESOLUTION 418

At the request of Mr. CASEY, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of Senate Resolution 418, a resolution commemorating the life of the late Cynthia DeLores Tucker.

At the request of Mr. SPECTER, his name was added as a cosponsor of Senate Resolution 418, supra.

SENATE RESOLUTION 451

At the request of Mr. BURR, the names of the Senator from Florida [Mr. LEMIEUX], the Senator from New Hampshire [Mrs. SHAHEEN], the Senator from Montana [Mr. TESTER] and the Senator from Mississippi [Mr. WICKER] were added as cosponsors of Senate Resolution 451, a resolution expressing support for designation of a "Welcome Home Vietnam Veterans Day".

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. DORGAN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on March 18, 2010, at 9:30 a.m.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 18, 2010, at 10 a.m., in room 253 of the Russell Senate Office Building.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works be authorized to meet during the session of the Senate on March 18, 2010, at 10 a.m., in room 406 of the Dirksen Office Building.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs be authorized to meet during the session of the Senate on March 18, 2010, at 2:15 p.m., in room 628 of the Dirksen Senate Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on March 18, 2010, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs be authorized to meet during the session of the Senate on March 18, 2010. The Committee will meet in room SDG-50 in the Dirksen Senate Office Building beginning at 9:30 a.m.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on March 18, 2010, at 2:30 p.m.

SUBCOMMITTEE ON SCIENCE AND SPACE

The Subcommittee on Science and Space of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 18, 2010, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 11:12 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 1147. An act to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 946. An act to enhance citizen access to Government information and services by establishing that Government documents issued to the public must be written clearly, and for other purposes.

H.R. 1387. An act to amend title 44, United States Code, to require preservation of certain electronic records by Federal agencies, to require a certification and reports relating to Presidential records, and for other purposes.

H.R. 3954. An act to release Federal reversionary interests retained on certain lands acquired in the State of Florida under the Bankhead-Jones Farm Tenant Act, to authorize the interchange of National Forest System land and State land in Florida, to authorize an additional conveyance under the Florida National Forest Land Management Act of 2003, and for other purposes.

H.R. 4825. An act to direct unused appropriations for Members' Representational Allowances to be deposited in the Treasury and used for deficit reduction or to reduce the Federal debt.

HOUSE BILLS REFERRED

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

H.R. 1387. An act to amend title 44, United States Code, to require preservation of certain electronic records by Federal agencies, to require a certification and reports relating to Presidential records, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3954. An act to release Federal reversionary interests retained on certain lands acquired in the State of Florida under the Bankhead-Jones Farm Tenant Act, to authorize the interchange of National Forest System land and State land in Florida, to authorize an additional conveyance under the Florida National Forest Land Management Act of 2003, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 4825. To direct unused appropriations for Members' Representational Allowances to be deposited in the Treasury and used for deficit reduction or to reduce the Federal debt; to the Committee on Rules and Administration.

HOUSE BILL PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 946. An act to enhance citizen access to Government information and services by establishing that Government documents issued to the public must be written clearly, and for other purposes.

RELATIVE TO A TAX ON BONUSES FROM CERTAIN TARP RECIPIENTS

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (H.R. 1586) to impose an additional tax on bonuses received from certain TARP recipients; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3548, proposed by Mr. PRYOR, to amendment No. 3452 (in the nature of a substitute), as amended, proposed by Mr. ROCKEFELLER, to the bill.

Pending debate,

The hour of 2 p.m. having arrived,

Pursuant to the order of yesterday,

The question recurring on agreeing to amendment No. 3453, as modified, proposed by Mr. SESSIONS (for himself, Mrs. MCCASKILL, Ms. KLOBUCHAR, and Mr. BEGICH), to amendment No. 3452 (in the nature of a substitute), as amended, to the bill.

After debate,

Mr. INOUYE raised a point of order, viz, that the pending amendment, as modified, violates provisions of section 306 of the Congressional Budget Act, and therefore is not in order.

On motion by Mr. SESSIONS, under section 904 of the Congressional Budget Act and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and Law, and budget resolutions, for consideration of the pending amendment, as modified.

On motion by Mr. SESSIONS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

The question being taken.

It was determined in the negative---
yeas... 56, nays... 40

[Rollcall Vote No. 57 Leg.]

YEAS --- 56

Alexander, Barrasso, Bayh, Begich, Bennet, Bond, Brown (MA), Brownback, Bunning, Burr, Cantwell, Carper, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Isakson, Johanns, Klobuchar, Kyl, LeMieux, Lieberman, Lincoln, Lugar, McCain, McCaskill, McConnell, Murkowski, Nelson (NE), Nelson (FL), Risch, Roberts, Sessions, Shaheen, Shelby, Snowe, Thune, Udall (CO), Vitter, Voinovich, Warner, Webb, Wicker.

NAYS --- 40

Akaka, Baucus, Bingaman, Boxer, Brown (OH), Burris, Cardin, Casey, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Harkin, Inouye, Johnson, Kaufman, Kerry, Kohl, Landrieu, Lautenberg, Leahy, Levin, Menendez, Merkley, Mikulski, Murray, Pryor, Reed, Reid, Sanders, Schumer, Specter, Stabenow, Tester, Udall (NM), Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The question recurring on the point of order raised by Mr. INOUYE.

The PRESIDING OFFICER (Mr. BURRIS in the chair) held the point of order well-taken, and the amendment not in order.

The question recurring on agreeing to amendment No. 3548 to amendment No. 3452 (in the nature of a substitute), as amended, to the bill.

After debate,

Mr. SESSIONS raised a point of order, viz, that the pending amendment violates provisions of section 306 of the Congressional Budget Act, and therefore is not in order.

On motion by Mr. PRYOR, under section 904 of the Congressional Budget Act and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and Law, and Budget resolutions, for consideration of the pending amendment.

On motion by Mr. PRYOR,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

The question being taken.

It was determined in the negative---
yeas... 27, nays... 70

[Rollcall Vote No. 58 Leg.]

YEAS --- 27

Akaka, Baucus, Bayh, Begich, Bennet, Boxer, Brown (OH), Carper, Casey, Dodd, Dorgan, Durbin, Feinstein, Hagan, Harkin, Johnson, Kaufman, Kerry, Kohl, Landrieu, Lincoln, Menendez, Merkley, Pryor, Specter, Tester, Wyden.

NAYS --- 70

Alexander, Barrasso, Bingaman, Bond, Brown (MA), Brownback, Bunning, Burr, Burris, Cantwell, Cardin, Chambliss, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Franken, Gillibrand, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Klobuchar, Kyl, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lugar, McCain, McCaskill, McConnell, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Reed, Reid, Risch, Roberts, Sanders, Schumer, Sessions, Shaheen, Shelby, Snowe, Stabenow, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Whitehouse, Wicker.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The question recurring on the point of order raised by Mr. SESSIONS.

The PRESIDING OFFICER held the point of order well-taken, and the amendment not in order.

The question recurring on agreeing to amendment No. 3528, proposed by Mr. MCCAIN (for himself, Mr. REID, Mr. KYL, and Mr. ENSIGN), to amendment No. 3452 (in the nature of a substitute), as amended, to the bill.

Pending debate,

Mr. INHOFE called for the regular order with respect to amendment No. 3475.

Whereupon,

The question being on agreeing to amendment No. 3475, proposed by Mr. MCCAIN (for himself and Mr. BAYH), to amendment No. 3452 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. INHOFE (for himself, Mr. SESSIONS, and Mr. CHAMBLISS) to insert, in lieu of the language proposed to be inserted by the pending amendment, other words (being amendment No. 3549, in the nature of a substitute).

Pending debate

By unanimous consent, on the request of Mr. DORGAN,

Ordered, That the time until 4:15 p.m. be equally divided and controlled for debate in the usual form; that, at 4:15 p.m., the Senate vote in relation to the following amendments in the following order: amendment No. 3549, and amendment No. 3475; that there be 2 minutes, equally divided and controlled, for debate prior to the votes; that the second vote be 10 minutes in duration; and that no amendment be in order to the amendments prior to the votes.

The question being on agreeing to amendment No. 3549 (in the nature of a substitute) to amendment No. 3475 to amendment No. 3452 (in the nature of a substitute), as amended, to the bill.

After debate,

Mr. DORGAN raised a point of order, viz, that the pending amendment (in the nature of a substitute) violates provisions of section 306 of the Congressional Budget Act, and therefore is not in order.

On motion by Mr. INHOFE, under section 904 of the Congressional Budget Act and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and Law, and budget resolutions, for consideration of the pending amendment (in the nature of a substitute).

On motion by Mr. INHOFE,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

The question being taken.

It was determined in the negative---
yeas... 41, nays... 56

[Rollcall Vote No. 59 Leg.]

YEAS --- 41

Alexander, Barrasso, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl,

LeMieux, Lugar, McCain, McCaskill, McConnell, Murkowski, Pryor, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Wicker.

NAYS --- 56

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Reed, Reid, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The question recurring on the point of order raised by Mr. DORGAN.

The PRESIDING OFFICER (Mrs. SHAHEEN in the chair) held the point of order well-taken, and the amendment (in the nature of a substitute) not in order.

The question being on agreeing to amendment No. 3475 to amendment No. 3452 (in the nature of a substitute), as amended, to the bill.

After debate,

On motion by Mr. VOINOVICH,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the negative---
yeas... 26, nays... 70

[Rollcall Vote No. 60 Leg.]

YEAS --- 26

Barrasso, Bayh, Brownback, Burr, Chambliss, Coburn, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Hatch, Isakson, Johanns, Kyl, LeMieux, McCain, McCaskill, Risch, Sessions, Thune, Vitter.

NAYS --- 70

Akaka, Alexander, Baucus, Begich, Bennet, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Bunning, Burris, Cantwell, Cardin, Carper, Casey, Cochran, Collins, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Gregg, Hagan, Harkin, Hutchison, Inhofe, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, Lugar, McConnell, Menendez, Merkley, Mikulski, Murkowski, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Roberts, Sanders, Schumer, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wicker, Wyden.

So the amendment was not agreed to.

The question recurring on agreeing to amendment No. 3528 to amendment No. 3452 (in the nature of a substitute), as amended, to the bill.

Pending debate,

RECOGNIZING THE LIFE OF ORLANDO ZAPATA TAMAYO

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on Foreign Relations be discharged from the further consideration of the concurrent resolution (S. Con. Res. 54) recognizing the life of Orlando Zapata Tamayo, who died on February 23, 2010, in the custody of the Government of Cuba, and calling for a continued focus on the promotion of internationally recognized human rights, listed in the Universal Declaration of Human Rights, in Cuba.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto.

The question being on agreeing to the accompanying preamble.

On motion by Mr. REID (for Mr. BILL NELSON) to amend the preamble by inserting certain words (being amendment No. 3552).

The amendment was agreed to.

The preamble, as amended, was agreed to.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING "TAKE OUR DAUGHTERS AND SONS TO WORK DAY"

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 462) recognizing Thursday, April 22, 2010, as "Take Our Daughters and Sons To Work Day", submitted today by Mr. BURR (for himself and Ms. LANDRIEU), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

BILL READ THE FIRST TIME

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the bill (S. 3143) to provide that Members of Congress shall not receive a pay increase until the annual Federal budget deficit is eliminated, introduced today by Mr. COBURN, and at the desk; which was read the first time.

Mr. REID asked unanimous consent that the bill be read the second time.

Mr. REID objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

BILL READ THE FIRST TIME

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 4851) to provide a temporary extension of certain programs, and for other purposes, received from the House of Representatives for concurrence on yesterday, and remaining undisposed of; which was read the first time.

Mr. REID asked unanimous consent that the bill be read the second time.

Mr. REID objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

BILL READ THE FIRST TIME

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 4853) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes, received from the House of Representatives for concurrence on yesterday, and remaining undisposed of; which was read the first time.

Mr. REID asked unanimous consent that the bill be read the second time.

Mr. REID objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of bill H.R. 1586.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 7:43 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

FRIDAY, MARCH 19, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, March 19, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3143) to provide that Members of Congress shall not receive a pay increase until the annual Federal budget deficit is eliminated, introduced on yesterday by Mr. COBURN, and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

HOUSE BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 4851) to provide a temporary extension of certain programs, and for other purposes, received from the House of Representatives for concurrence on yesterday, and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

HOUSE BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 4853) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes, received from the House of Representatives for concurrence on yesterday, and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

OBJECTION TO CONSIDERATION OF BILL H.R. 4851

Mr. REID asked unanimous consent that the Senate proceed to consider the bill (H.R. 4851) to provide a temporary extension of certain programs, and for other purposes; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. KYL objected.

RELATIVE TO A TAX ON BONUSES FROM CERTAIN TARP RECIPIENTS

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (H.R. 1586) to impose an additional tax on bonuses received from certain TARP recipients; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3528, proposed by Mr. MCCAIN (for himself, Mr. REID, Mr. KYL, and Mr. ENSIGN), to amendment No. 3452 (in the nature of a substitute), as amended, proposed by Mr. ROCKEFELLER, to the bill.

Pending debate,

By unanimous consent, on the request of Mr. DORGAN,

Ordered, That time from when the Senate resumes consideration of bill H.R. 1586 on Monday, March 22, 2010 until 4:30 p.m. be equally divided and controlled for only debate between Mr. ROCKEFELLER and Mrs. HUTCHISON, or their designees; that, at 4:30 p.m., an amendment (Numbered 3476) be proposed by Mr. ENSIGN, and modified; that time until 5:30 p.m. be equally divided and controlled for debate thereon between Mr. WARNER and Mr. KYL, or their designees; that, at 5:30 p.m., the Senate vote in relation to the amendment, as modified; that the amendment, as modified, receive a minimum of 60 yea votes to be agreed to; that if the amendment so receives 60 yea votes, a motion to reconsider be considered made and laid on the table; that, if the Senate fails to agree to the amendment with a minimum of 60 yea votes, the amendment be withdrawn; that it be in order for the amendment to be withdrawn prior to the vote; that, upon disposition of the amendment, as modified, no further amendment be in order; that amendment No. 3527 then be withdrawn; that the Senate then vote in relation to amendment No. 3528; that, upon disposition of the amendment, a managers' amendment, agreed to by the managers and leaders, be proposed and agreed to; that a motion to reconsider be made and laid on the table; that the amendment (in the nature of a substitute), as amended, be agreed to; that a motion to reconsider be made and laid on the table; that the bill, as amended, then be read the third time; that the Senate then vote on passage of the bill, as amended; that, upon passage, an amendment to the title be proposed and agreed to; and that a motion to reconsider be made and laid on the table.

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. DORGAN,

Ordered, That, effective immediately, there be a period for the transaction of morning

business, with Senators permitted to speak for 10 minutes each therein.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, Friday, March 19, 2010, she had presented to the President of the United States the following enrolled bill:

S. 1147. A bill to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, and for other purposes.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-91. A resolution adopted by the Senate of the Commonwealth of Puerto Rico urging the Federal Deposit Insurance Corporation (FDIC) to show temperance in the application of asset valuation rules to minority-owned banks established in Puerto Rico, to establish effective measures so as to expedite the granting of credit, and to help local banks in their financial recovery and capitalization; to the Committee on Banking, Housing, and Urban Affairs.

SENATE RESOLUTION NO. 860

During the last year, the finances of a significant number of banking institutions around the world were severely impacted as a result of the worldwide economic crisis. Puerto Rico was not the exception in this serious and complex financial problem. We see more often news reporting such problems and governments assessing financial proposals and alternatives to provide mechanisms so as to address and stop the loss suffered by this sector, as well as strengthening their economies by promoting and revitalizing banking activities. Certainly, success in the recovery of the global economy lies in achieving the delicate balance between the needs and rules of the different economies, their applicability to consumers, and their implementation by the regulating bodies of such governments.

The press in Puerto Rico recently published data furnished by the Federal Deposit Insurance Corporation, known as the FDIC, reporting that as of September 30, 2009, local banks maintained a diminishing trend by reporting a reduction in their total assets equal to 9%, and a net loss, as of such date, of approximately $147 million. They also reported on the efforts made by the Administration of Governor Luis Fortuño to reach financing agreements that would allow the Government of Puerto Rico to purchase assets from domestic banks through the "Troubled Asset Relief Program" (TARP) in order for them to lower their loan-in-default reserves and grant new loans.

The importance of the Banking Industry in the economy of Puerto Rico is unquestionable. Banks in Puerto Rico generate over 15,000 direct jobs and countless indirect jobs by financing the business activity in Puerto Rico. Furthermore, in the beginning of this decade, banks were major taxpayers into the treasury of Puerto Rico, with taxes over $200 million. In light of the difficult financial situation faced by banks, the FDIC has decided to establish stringent regulatory examinations that contravene the public policy of President Barack Obama and Governor Luis Fortuño of reactivating and making regional and national economies feasible. Specifically, in times requiring that temperance be shown in the valuation of assets, the FDIC, through its examiners, is suggesting proposals whose effect would be detrimental to the value of assets used as collateral for loans in the banks of Puerto Rico. This could entail significant increases in the loan reserve of financial institutions in Puerto Rico and a potential reduction on the net worth of domestic banks. Therefore, this would cause a reduction in the lending and economic activity in Puerto Rico.

It is necessary to mention that, according to FDIC data, most banks in Puerto Rico are among the top twenty largest minority-owned banks of the Nation. For example, Banco Popular of Puerto Rico holds the first position; First Bank of Puerto Rico holds the second position; Westernbank of Puerto Rico holds the third position; R-G Premier Bank of Puerto Rico holds the eight position; and Eurobank holds the thirteenth position, respectively.

As in Puerto Rico, this issue has been experienced at the national level, as recently stated by Congressman Barney Frank, Representative for the 4th congressional district of the State of Massachusetts and Chairman of the House Financial Services Committee, in a letter addressed to the members of the Federal Reserve System, the Office of the Comptroller of the Currency, the Office of the Thrift Supervision, the Federal Deposit Insurance Corporation, and the National Credit Union Administration. In said letter, Congressman Frank calls on them to show temperance in the application of the rules that govern national banks and urges federal regulating entities to take into account safety and soundness standards established by them.

Said official also recognized that one of the challenges currently faced by national banks is how to respond to the call from the United States Congress to stimulate the national economy by establishing measures so as to promote lending activities and to work with troubled borrowers facing foreclosure proceedings, while dealing with the directives from federal government regulators. It has been proven on different occasions that the construction and execution of these regulatory standards do not allow for the expected market stimulus, since the same are counter to the message of Congress. Such has been the case when regulatory agencies representatives have intervened with community banks, such as those of Puerto Rico, requiring compliance with even more stringent directives in the banking industry, which preclude banks from recovering their assets promptly and efficiently.

On the other hand, on October 30, 2009, federal regulators established a new policy on commercial loan restructuring. The new policy establishes, among other things, temperance and prudence in the decision-making process regarding loan restructuring, the timely identification of losses, and the proper classification of loans. The new policy establishes that the classification of a loan should not be based solely on the fact that the value of the collateral has declined, in absence of other adverse factors. Loan restructurings are generally in the best interest of both the banking institutions and the borrowers. Furthermore, the new policy establishes that examiners should give a reasonable amount of deference to collateral valuation assumptions when these are made by qualified appraisers or banking institutions. This practice by the FDIC is not consistent with the principles of this new policy.

For all of the above, the Senate of Puerto Rico concludes that the application by the FDIC of stringent asset valuation rules would have a severe impact on the participation of minority-owned banks and would substantially reduce the access of minority populations to credit and financial sources. Thus, the FDIC is hereby urged to show temperance in its practices with minority-owned banks established in Puerto Rico; to establish effective measures so as to expedite the granting of credit; and to help domestic banks in their financial recovery and capitalization.

Be it Resolved by the Senate of Puerto Rico:

Section 1.—To urge the Federal Deposit Insurance Corporation (FDIC) to show temperance in the application of asset valuation rules to minority-owned banks established in Puerto Rico, to establish effective measures so as to expedite the granting of credit, and to help local banks in their financial recovery and capitalization.

Section 2.—This Resolution shall be officially notified, in both official languages, to the Honorable Sheila C. Bair, Chairman of the Federal Deposit Insurance Corporation, Federal Deposit Insurance Corporation 550 17th Street NW, Washington, D.C. 20429; to the Honorable Ben S. Bernanke, Chairman of the Board of Governors of the Federal Reserve System, Board of Governors of the Federal Reserve System 20th Street and Constitution Avenue NW, Washington, D.C.

20220; and to the Honorable Timothy F. Geithner, Secretary of the United States Department of the Treasury, Department of the Treasury 1500 Pennsylvania Avenue NW, Washington, D.C. 20220.

Section 3.—Furthermore, the Office of the Secretary of the Senate of Puerto Rico is hereby directed to remit a copy of this Resolution, in both official languages, to: the Honorable Barack H. Obama, President of the United States; to the Honorable Joseph R. Biden, Vice President of the United States; to the Honorable Barney Frank, Chairman of the Committee on Financial Services of the United States House of Representatives, U. S. House Financial Services Committee, 2129 Rayburn House Office Building, Washington, D.C. 20515; to the Honorable Christopher J. Dodd, Chairman of the Committee on Banking, Housing, and Urban Affairs of the United States Senate, U.S. Senate Committee on Banking, Housing and Urban Affairs, 534 Dirksen Senate Office Building, Washington, D.C. 20510; and to all other members of the United States Congress.

Section 4.—This Resolution shall be made public by forwarding a copy thereof to the state and national media.

Section 5.—This Resolution shall take effect immediately after its approval by the Senate of Puerto Rico.

POM-92. A resolution adopted by the Senate of the General Assembly of the State of Tennessee urging Congress to stimulate markets for recycled materials, recycling, and source reduction and the development of comprehensive solid waste management plans; to the Committee on Environment and Public Works.

SENATE RESOLUTION NO. 176

Whereas, recognizing the need to manage solid waste in an environmentally, economically, and politically acceptable manner, states are enacting comprehensive solid waste management plans; and

Whereas, in the long run, source reduction and recycling offer the most economically and environmentally sound methods for dealing with a significant percentage of the solid waste stream; and

Whereas, the Senate of the One Hundred Sixth General Assembly of the State of Tennessee believes that properly designed and operated landfills will continue to be a component of any comprehensive solid waste management plan; and

Whereas, the volume of waste to be landfilled should be reduced and minimized through environmentally sound methods such as source separation to retrieve recyclable or reusable materials; and

Whereas, yard waste and some biodegradable materials should be composted rather than landfilled, and source separation should occur in all waste streams; and

Whereas, solid waste incinerators without energy recovery and landfilling should be limited, whenever practical, to non-toxic and non-hazardous materials that cannot be treated by any other economically and environmentally sound method; and

Whereas, with respect to waste-to-energy or resource recovery facilities, their capacity should be designed for the solid waste volume remaining after source separation, toxic materials removal, recycling, and pollution prevention measures have been implemented; and

Whereas, the states are in need of the full cooperation and assistance of the federal government to accomplish their diverse solid waste management objectives: Now, therefore, be it

Resolved by the Senate of the One Hundred Sixth General Assembly of the State of Tennessee, That recognizing the importance of a state-federal partnership and in support of the objectives of the Resource Conservation and Recovery Act (RCRA), the Senate of the One Hundred Sixth General Assembly of the State of Tennessee hereby urges the United States Congress to stimulate markets for recycled materials, recycling, and source reduction and the development of comprehensive solid waste management plans. Be it further

Resolved, That the Senate of the One Hundred Sixth General Assembly of the State of Tennessee urges the federal government to significantly increase technical assistance to state and local governments in developing comprehensive source reduction, source separation, reuse, and recycling programs while fully recognizing the primacy of state and local governments in solid waste management. The development of solid waste management plans is a state and local government responsibility and the federal government should restrict its role to reviewing these plans by setting performance standards. Be it further

Resolved, That the Senate of the One Hundred Sixth General Assembly of the State of Tennessee urges that regulation, tariffs, and transportation policies be revised to remove artificial price supports in order to create regulatory parity between recyclable and reusable material and virgin material. Be it further

Resolved, That the Senate of the One Hundred Sixth General Assembly of the State of Tennessee urges the full implementation of the provisions of RCRA requiring the federal government to promulgate regulations for federal procurement of recycled products. The federal government should give priority consideration to the purchase of reusable and recycled products and allow a temporary price differential, where applicable, for goods made from recycled materials. Be it further

Resolved, That the Senate of the One Hundred Sixth General Assembly of the State of Tennessee urges Congress to provide the states with the greatest authority possible to manage solid waste. Such an authorization should allow states to restrict imported waste and allow restrictions on the exportation of waste, including the imposition of differential fees. Be it further

Resolved, That it is the sense of the Senate of the One Hundred Sixth General Assembly of the State of Tennessee that funds received from any permits authorized by federal law and issued by states for purposes of management of solid waste should be expended as determined by state legislatures. Be it further

Resolved, that an enrolled copy of this resolution be transmitted to the Speaker and the Clerk of the U.S. House of Representatives; the President and the Secretary of the U.S. Senate; each member of Tennessee's Congressional delegation; and the Honorable Barack Obama, President of the United States.

INTRODUCTION OF A BILL

The following bill was introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. AKAKA:

S. 3145. A bill to amend section 1004 of title 39, United States Code, to include that it is a policy of the Postal Service to ensure reasonable and sustainable workloads and schedules for supervisory and management employees and to clarify provisions relating to consultation and changes or terminations in certain proposals; to the Committee on Homeland Security and Governmental Affairs.

ADDITIONAL COSPONSORS

S. 1275

At the request of Mr. WARNER, the name of the Senator from Colorado [Mr. UDALL] was added as a cosponsor of S. 1275, a bill to establish a National Foundation on Physical Fitness and Sports to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports.

S. 1343

At the request of Mr. BROWN of Ohio, the name of the Senator from New Mexico [Mr. UDALL] was added as a cosponsor of S. 1343, a bill to amend the Richard B. Russell National School Lunch Act to improve and expand direct certification procedures for the national school lunch and school breakfast programs, and for other purposes.

S. 1791

At the request of Mr. BROWN of Ohio, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 1791, a bill to establish the Honorable

Stephanie Tubbs Jones Fire Suppression Demonstration Incentive Program within the Department of Education to promote installation of fire sprinkler systems, or other fire suppression or prevention technologies, in qualified student housing and dormitories, and for other purposes.

S. 2749

At the request of Mrs. GILLIBRAND, the name of the Senator from New Mexico [Mr. UDALL] was added as a cosponsor of S. 2749, a bill to amend the Richard B. Russell National School Lunch Act to improve access to nutritious meals for young children in child care.

S. 3035

At the request of Mr. BAUCUS, the name of the Senator from Idaho [Mr. RISCH] was added as a cosponsor of S. 3035, a bill to require a report on the establishment of a Polytrauma Rehabilitation Center or Polytrauma Network Site of the Department of Veterans Affairs in the northern Rockies or Dakotas, and for other purposes.

S. 3122

At the request of Mr. ENSIGN, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of S. 3122, a bill to require the Attorney General of the United States to compile, and make publicly available, certain data relating to the Equal Access to Justice Act, and for other purposes.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10:10 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 1147. An act to prevent tobacco smuggling, to ensure the collection of all tobacco taxes, and for other purposes.

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the PRESIDENT pro tempore.

At 11:35 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1769. An act to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers, and for other purposes.

H.R. 3509. An act to reauthorize State agricultural mediation programs under title V of the Agricultural Credit Act of 1987.

H.R. 3542. An act to direct the Architect of the Capitol to fly the flag of a State over the Capitol each year on the anniversary of the date of the State's admission to the Union.

H.R. 4214. An act to designate the facility of the United States Postal Service located at 45300 Portola Avenue in Palm Desert, California, as the "Roy Wilson Post Office".

H.R. 4252. An act to direct the Secretary of the Interior to conduct a study of water resources in the Rialto-Colton Basin in the State of California, and for other purposes.

HOUSE BILLS REFERRED

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

H.R. 3509. An act to reauthorize State agricultural mediation programs under title V of the Agricultural Credit Act of 1987; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 3542. An act to direct the Architect of the Capitol to fly the flag of a State over the Capitol each year on the anniversary of the date of the State's admission to the Union; to the Committee on Rules and Administration.

H.R. 4214. An act to designate the facility of the United States Postal Service located at 45300 Portola Avenue in Palm Desert, California, as the "Roy Wilson Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4252. An act to direct the Secretary of the Interior to conduct a study of water resources in the Rialto-Colton Basin in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

HOUSE BILL PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1769. An act to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers, and for other purposes.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. DORGAN,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. DORGAN,

The Senate resumed its legislative session.

EXPRESSING SUPPORT FOR DESIGNATION OF A "WELCOME HOME VIETNAM VETERANS DAY"

By unanimous consent, on the request of Mr. DORGAN,

Ordered, That the Committee on Veterans' Affairs be discharged from the further consideration of the resolution (S. Res. 451) expressing support for designation of a "Welcome Home Vietnam Veterans Day".

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR RECESS UNTIL 2 P.M. ON MONDAY, MARCH 22, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DORGAN,

Ordered, That, when the Senate concludes its business on today, it recess until 2 p.m. on Monday, March 22, 2010; that, on Monday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, and the times for the two leaders be reserved; that the Senate then proceed to a period for the transaction of morning business until 3 p.m., with Senators permitted to speak for 10 minutes therein; that the time for debate therein be equally divided and controlled for debate between the two leaders, or their designees; and that, following morning business, the Senate resume consideration of bill H.R. 1586, as pursuant to the order of today.

RECESS

By unanimous consent, on the request of Mr. DORGAN,

At 12:46 p.m.,

The Senate recessed, under its order of today, until 2 p.m. on Monday, March 22, 2010.

MONDAY, MARCH 22, 2010

(Legislative day of Friday, March 19, 2010)

The ACTING PRESIDENT pro tempore (Mr. WARNER) called the Senate to order at 2:01 p.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

THE JOURNAL

Pursuant to the order of Friday, March 19, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

LEADER TIME RESERVED

Pursuant to the order of Friday, March 19, 2010,

The times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Friday, March 19, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. 479. A bill to amend the Chesapeake Bay Initiative Act of 1998 to provide for the continuing authorization of the Chesapeake Bay Gateways and Watertrails Network (Rept. No. 111-164).

S. 690. A bill to amend the Neotropical Migratory Bird Conservation Act to reauthorize the Act (Rept. No. 111-165).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

H.R. 1741. To require the Attorney General to make competitive grants to eligible State, tribal, and local governments to establish and maintain certain protection and witness assistance programs.

S. 1376. A bill to restore immunization and sibling age exemptions for children adopted by United States citizens under the Hague Convention on Intercountry Adoption to allow their admission to the United States.

S. 2772. A bill to establish a criminal justice reinvestment grant program to help States and local jurisdictions reduce spending on corrections, control growth in the prison and jail populations, and increase public safety.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. CRAPO (for himself, Mrs. LINCOLN, Mr. BURR, Mr. BROWNBACK, Ms. COLLINS, Ms. SNOWE, Mr. COCHRAN, Mr. CORNYN, Mr. TESTER, and Mr. RISCH):

S. 3146. A bill to amend the Internal Revenue Code to provide a tax credit to individuals who enter into agreements to protect the habitats of endangered and threatened species, and for other purposes; to the Committee on Finance.

By Mr. VITTER:

S. 3147. A bill to repeal the Patient Protection and Affordable Care Act; to the Committee on Finance.

By Mr. WEBB:

S. 3148. A bill to amend the Internal Revenue Code of 1986 to provide for the treatment of Department of Defense health coverage as minimal essential coverage; to the Committee on Finance.

By Mr. NELSON of Florida:

S. 3149. A bill to amend the Internal Revenue Code of 1986 to limit certain executive compensation paid by systemically significant financial institutions; to the Committee on Finance.

By Mr. BEGICH (for himself and Mrs. MURRAY):

S. 3150. A bill to increase the mileage reimbursement rate for members of the armed services during permanent change of station and to authorize the transportation of additional motor vehicles of members on change of permanent station to or from nonforeign areas outside the continental United States; to the Committee on Armed Services.

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

S. 3151. A bill to establish the Office for Global Women's Issues and the Women's Development Advisor to facilitate interagency coordination and the integration of gender considerations into the strategies, programming, and associated outcomes of the Department of State and the United States Agency for International Development, and for other purposes; to the Committee on Foreign Relations.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ (for himself, Mr. CORNYN, Mr. WEBB, Mr. LIEBERMAN, Mr. BYRD, Mr. BURRIS, Mr. LAUTENBERG, Mr. HATCH, Mr. KAUFMAN, Mr. MCCAIN, Mr. MERKLEY, Mr. FEINGOLD, Mrs. BOXER, Mr. BROWN of Ohio, Ms. KLOBUCHAR, Mr. LEVIN, Mr. CASEY, and Mr. CARDIN):

S. Res. 463. A resolution recognizing the cultural and historical significance of Nowruz, expressing appreciation to Iranian-Americans for their contributions to society, and wishing Iranian-Americans and the people of Iran a prosperous new year; considered and agreed to.

By Mr. SPECTER (for himself, Ms. SNOWE, Mr. DURBIN, Mr. BENNETT, Mr. CASEY, Mr. LIEBERMAN, Mr. CARPER, Mr. MENENDEZ, Mrs. SHAHEEN, Mr. WHITEHOUSE, Mr. KERRY, Mr. COCHRAN, Mrs. FEINSTEIN, Mr. LEMIEUX, Mr. RISCH, Mr. INOUYE, Mr. FEINGOLD, Mr. LEVIN, Mr. DODD, Ms. MIKULSKI, Mr. BINGAMAN, Mr. LUGAR, Mr. CARDIN, Mr. LAUTENBERG, Mr. NELSON of Florida, Mr. REED, Mr. BAYH, Mr. KOHL, Mr. CHAMBLISS, Mr. ISAKSON, and Mr. REID):

S. Res. 464. A resolution recognizing the 189th anniversary of the independence of Greece and celebrating Greek and American democracy; considered and agreed to.

ADDITIONAL COSPONSORS

S. 448

At the request of Mr. SPECTER, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 448, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 504

At the request of Mr. ROBERTS, the name of the Senator from Georgia [Mr. ISAKSON] was added as a cosponsor of S. 504, a bill to redesignate the Department of the Navy as the Department of the Navy and Marine Corps.

S. 653

At the request of Mr. CARDIN, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 729

At the request of Mr. DURBIN, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 729, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

S. 990

At the request of Ms. STABENOW, the name of the Senator from New Mexico [Mr. UDALL] was added as a cosponsor of S. 990, a bill to amend the Richard B. Russell National School Lunch Act to expand access

to healthy afterschool meals for school children in working families.

S. 1343

At the request of Mr. BROWN of Ohio, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 1343, a bill to amend the Richard B. Russell National School Lunch Act to improve and expand direct certification procedures for the national school lunch and school breakfast programs, and for other purposes.

S. 1606

At the request of Mr. WHITEHOUSE, the name of the Senator from Missouri [Mrs. MCCASKILL] was added as a cosponsor of S. 1606, a bill to require foreign manufacturers of products imported into the United States to establish registered agents in the United States who are authorized to accept service of process against such manufacturers, and for other purposes.

S. 1611

At the request of Mr. DODD, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 1611, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 1683

At the request of Mr. BENNET, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of S. 1683, a bill to apply recaptured taxpayer investments toward reducing the national debt.

S. 1741

At the request of Mrs. GILLIBRAND, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 1741, a bill to authorize States or political subdivisions thereof to regulate fuel economy and emissions standards for taxicabs.

S. 1791

At the request of Mr. BROWN of Ohio, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 1791, a bill to establish the Honorable Stephanie Tubbs Jones Fire Suppression Demonstration Incentive Program within the Department of Education to promote installation of fire sprinkler systems, or other fire suppression or prevention technologies, in qualified student housing and dormitories, and for other purposes.

S. 1820

At the request of Mr. DURBIN, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 1820, a bill to amend the Federal Water Pollution Control Act to establish national standards for discharges from cruise vessels.

S. 1966

At the request of Mr. DODD, the name of the Senator from Missouri [Mrs. MCCASKILL] was added as a cosponsor of S. 1966, a bill to provide assistance to improve the health of newborns, children, and mothers in developing countries, and for other purposes.

S. 2758

At the request of Ms. STABENOW, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 2758, a bill to amend the Agricultural Research, Extension, and Education Reform Act of 1998 to establish a national food safety training, education, extension, outreach, and technical assistance program for agricultural producers, and for other purposes.

S. 2870

At the request of Mr. INOUYE, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 2870, a bill to establish uniform administrative and enforcement procedures and penalties for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes, and for other purposes.

S. 2876

At the request of Ms. LANDRIEU, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of S. 2876, a bill to amend the Internal Revenue Code of 1986 to clarify the capital gain or loss treatment of the sale or exchange of mitigation credits earned by restoring wetlands, and for other purposes.

S. 2975

At the request of Mr. SCHUMER, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 2975, a bill to prohibit the manufacture, sale, or distribution in commerce of children's jewelry containing cadmium, barium, or antimony, and for other purposes.

S. 3104

At the request of Mr. LUGAR, the name of the Senator from Virginia [Mr. WEBB] was added as a cosponsor of S. 3104, a bill to permanently authorize Radio Free Asia, and for other purposes.

S. 3123

At the request of Mr. LEAHY, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of S. 3123, a bill to amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to carry out a program to assist eligible schools and nonprofit entities through grants and technical assistance to implement farm to school programs that improve access to local foods in eligible schools.

S. 3143

At the request of Mr. COBURN, the names of the Senator from Arizona [Mr. MCCAIN] and the Senator from South Carolina [Mr. DEMINT] were added as cosponsors of S. 3143, a bill to provide that Members of Congress shall not receive a pay increase until the annual Federal budget deficit is eliminated.

SENATE RESOLUTION 409

At the request of Mr. FEINGOLD, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of Senate Resolution 409, a resolution calling on members of the Parliament in Uganda to reject the proposed "Anti-Homosexuality Bill", and for other purposes.

SENATE RESOLUTION 453

At the request of Mr. UDALL of New Mexico, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of Senate Resolution 453, a resolution supporting the goals and ideals of "National Public Health Week".

AUTHORITY FOR COMMITTEE TO MEET

By unanimous consent, on the request of Mr. ROCKEFELLER,

Ordered, That the following committee be authorized to meet during the session of the Senate:

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 22, 2010, at 5 p.m.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 2:06 p.m., a message from the House, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2788. An act to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California.

H.R. 3644. An act to direct the National Oceanic and Atmospheric Administration to establish education and watershed programs which advance environmental literacy, including preparedness and adaptability for the likely impacts of climate change in coastal watershed regions.

H.R. 3671. An act to promote Department of the Interior efforts to provide a scientific basis for the management of sediment and nutrient loss in the Upper Mississippi River Basin, and for other purposes.

H.R. 4003. An act to direct the Secretary of the Interior to conduct a special resource study to evaluate resources in the Hudson River Valley in the State of New York to determine the suitability and feasibility of establishing the site as a unit of the National Park System, and for other purposes.

H.R. 4395. An act to revise the boundaries of the Gettysburg National Military Park to

include the Gettysburg Train Station, and for other purposes.

H.R. 4840. An act to designate the facility of the United States Postal Service located at 1979 Cleveland Avenue in Columbus, Ohio, as the "Clarence D. Lumpkin Post Office".

H.R. 4887. An act to amend the Internal Revenue Code of 1986 to ensure that health coverage provided by the Department of Defense is treated as minimal essential coverage.

The message also announced that the House agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 244. Concurrent resolution expressing support for designation of a National Day of Recognition for Long-Term Care Physicians.

At 3:21 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3590. An act entitled The Patient Protection and Affordable Care Act.

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the VICE PRESIDENT.

HOUSE BILLS AND CONCURRENT RESOLUTION REFERRED

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

H.R. 2788. An act to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California; to the Committee on Energy and Natural Resources.

H.R. 3644. An act to direct the National Oceanic and Atmospheric Administration to establish education and watershed programs which advance environmental literacy, including preparedness and adaptability for the likely impacts of climate change in coastal watershed regions; to the Committee on Commerce, Science, and Transportation.

H.R. 3671. An act to promote Department of the Interior efforts to provide a scientific basis for the management of sediment and nutrient loss in the Upper Mississippi River Basin, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 4003. An act to direct the Secretary of the Interior to conduct a special resource study to evaluate resources in the Hudson River Valley in the State of New York to determine the suitability and feasibility of establishing the site as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 4395. An act to revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 4840. An act to designate the facility of the United States Postal Service located at 1979 Cleveland Avenue in Columbus, Ohio, as the "Clarence D. Lumpkin Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4887. An act to amend the Internal Revenue Code of 1986 to ensure that health coverage provided by the Department of Defense is treated as minimal essential coverage; to the Committee on Finance.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 244. Expressing support for designation of a National Day of Recognition for Long-Term Care Physicians; to the Committee on the Judiciary.

RELATIVE TO A TAX ON BONUSES FROM CERTAIN TARP RECIPIENTS

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (H.R. 1586) to impose an additional tax on bonuses received from certain TARP recipients; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3528, proposed by Mr. MCCAIN (for himself, Mr. REID, Mr. KYL, and Mr. ENSIGN), to amendment No. 3452 (in the nature of a substitute), as amended, proposed by Mr. ROCKEFELLER, to the bill.

After debate,

By unanimous consent, on the request of Mrs. HUTCHISON,

Ordered, That amendment No. 3528 be withdrawn.

The question then being on agreeing to amendment No. 3527, proposed by Mr. MCCAIN, to amendment No. 3452 (in the nature of a substitute), as amended, to the bill.

The pending amendment was laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3452 (in the nature of a substitute), as amended, to the bill.

The hour of 4:30 p.m. having passed,

Pursuant to the order of Friday, March 19, 2010, as modified,

On motion by Mrs. HUTCHISON for Mr. ENSIGN (for himself, Mr. KYL, Mr. MCCAIN, and Mr. COBURN) to further amend the pending amendment (in the nature of a substitute) in title VII, at the end thereof, by adding certain words (being amendment No. 3476).

Pursuant to the order of Friday, March 19, 2010,

The amendment was modified.

The question then being on agreeing to amendment No. 3476, as modified, to amendment No. 3452 (in the nature of a substitute), as amended, to the bill.

After debate,

By unanimous consent, on the request of Mr. ENSIGN,

Ordered, That the pending amendment, as modified, be withdrawn.

The question recurring on agreeing to amendment No. 3427 to amendment No. 3452 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. ROCKEFELLER,

Ordered, That, notwithstanding the order of March 19, 2010 that the amendment be withdrawn, it instead be modified, and agreed to.

The question being on agreeing to amendment No. 3452 (in the nature of a substitute), as amended, to the bill.

Mr. ROCKEFELLER proposed the following amendments on various pages and lines on behalf of the Senators indicated; each was modified, as indicated, and agreed to: Mr. REID, amendment No. 3469, as modified; Mr. WARNER, amendment No. 3488; Mr. BEGICH (for himself and Ms. MURKOWSKI), amendment No. 3492; Mr. WICKER, amendment No. 3494; Ms. CANTWELL, amendment No. 3511; Mr. BILL NELSON, amendment No. 3479, as modified; Mr. DURBIN, amendment No. 3483, as modified; Mr. MENENDEZ (for himself, Mr. SCHUMER, Ms. LANDRIEU, and Mr. WEBB), amendment No. 3506, as modified; Mr. FEINGOLD, amendment No. 3514, as modified; Ms. MURKOWSKI, amendment No. 3520, as modified; Mr. COBURN, amendment No. 3538, as modified; Mrs. HUTCHISON (for herself, Mr. ROCKEFELLER, Mr. DORGAN, and Mr. KERRY), amendment No. 3543; Mrs. FEINSTEIN, amendment No. 3541, as modified; Mr. COBURN, amendment No. 3539, as modified; Mr. COBURN, amendment No. 3532; Ms. CANTWELL, amendment 3525, as modified; Mr. WYDEN (for himself and Mr. MERKLEY), amendment No. 3534, as modified.

Pursuant to the order of Friday, March 19, 2010,

A motion to reconsider was deemed made and laid on the table.

The question being on agreeing to amendment No. 3452 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of Friday, March 19, 2010,

The amendment (in the nature of a substitute), as amended, was agreed to.

Pursuant to the order of Friday, March 19, 2010,

A motion to reconsider was deemed made and laid on the table.

The question being on passage of the bill, as amended.

In further pursuance of the order of Friday, March 19, 2010,

The bill, as amended, was read the third time.

On motion by Mr. ROCKEFELLER,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the passage of the bill, as amended.

On the question, Shall it pass?

It was determined in the affirmative---yeas... 93, nays... 0

[Rollcall Vote No. 61 Leg.]

YEAS --- 93

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Brownback, Bunning, Burr, Burris, Cantwell, Cardin, Carper, Casey, Chambliss, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, Dodd, Dorgan, Durbin, Ensign, Enzi, Feingold, Feinstein, Franken, Gillibrand, Graham, Grassley, Gregg, Hagan, Harkin, Hatch, Hutchison, Inhofe, Inouye, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lincoln, Lugar, McCain, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Risch, Roberts, Rockefeller, Schumer, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Vitter, Voinovich, Warner, Webb, Whitehouse, Wyden.

So it was

Resolved, That the bill, as amended, do pass.

Pursuant to the order of Friday, March 19, 2010,

The title was amended, on motion by Mr. ROCKEFELLER (for himself and Mrs. HUTCHISON), so as to read: "An act to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide for modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes."

Pursuant to the order of Friday, March 19, 2010,

A motion to reconsider was made and laid on the table.

By unanimous consent, on the request of Mr. ROCKEFELLER,

Ordered, That amendment No. 3479, previously agreed to, be modified.

Pending debate,

RECOGNIZING THE CULTURAL AND HISTORICAL SIGNIFICANCE OF NOWRUZ, AND WISHING IRANIAN-AMERICANS AND THE PEOPLE OF IRAN A PROSPEROUS NEW YEAR

On the request of Mr. ROCKEFELLER,

The PRESIDING OFFICER (Mrs. SHAHEEN in the chair) laid before the Senate the resolution (S. Res. 463) recognizing the cultural and historical significance of Nowruz, expressing appreciation to Iranian-Americans for their contributions to society, and wishing Iranian-Americans and the people of Iran a prosperous new year, submitted today by Mr. MENENDEZ (for himself, Mr. CORNYN, Mr. WEBB, Mr. LIEBERMAN, Mr. BYRD, Mr. BURRIS, Mr. LAUTENBERG, Mr. HATCH, Mr. KAUFMAN, Mr. MCCAIN, Mr. MERKLEY, Mr. FEINGOLD, Mrs. BOXER, Mr. SHERROD BROWN, Ms. KLOBUCHAR, Mr. LEVIN, Mr. CASEY, and Mr. CARDIN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE 189TH ANNIVERSARY OF THE INDEPENDENCE OF GREECE AND CELEBRATING GREEK AND AMERICAN DEMOCRACY

On the request of Mr. ROCKEFELLER,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 464) recognizing the 189th anniversary of the independence of Greece and celebrating Greek and American democracy, submitted today by Mr. SPECTER (for himself, Ms. SNOWE, Mr. DURBIN, Mr. BENNETT, Mr. CASEY, Mr. LIEBERMAN, Mr. CARPER, Mr. MENENDEZ, Mrs. SHAHEEN, Mr. WHITEHOUSE, Mr. KERRY, Mr. COCHRAN, Mrs. FEINSTEIN, Mr. LEMIEUX, Mr. RISCH, Mr. INOUYE, Mr. FEINGOLD, Mr. LEVIN, Mr. DODD, Ms. MIKULSKI, Mr. BINGAMAN, Mr. LUGAR, Mr. CARDIN, Mr. LAUTENBERG, Mr. BILL NELSON, Mr. REED, Mr. BAYH, Mr. KOHL, Mr. CHAMBLISS, Mr. ISAKSON, and Mr. REID), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR RECESS UNTIL 2:15 P.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. ROCKEFELLER,

Ordered, That, when the Senate concludes its business on today, it recess until 2:15 p.m. on tomorrow; and that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, and the times for the two leaders be reserved.

RECESS

By unanimous consent, on the request of Mr. ROCKEFELLER,

At 6:33 p.m.,

The Senate recessed, under its order of today, until 2:15 p.m. on tomorrow.

TUESDAY, MARCH 23, 2010

(Legislative day of Friday, March 19, 2010)

Mr. MARK BEGICH, from the State of Alaska, called the Senate to order at 2:16 p.m., the Chaplain offered a prayer, and Mr. BEGICH led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, March 23, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK BEGICH, a Senator from the State of Alaska, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. BEGICH took the chair.

BILL READ THE FIRST TIME

On the request of Mr. REID,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 4872) to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13), received from the House of Representatives for concurrence on today, and at the desk; which was read the first time.

BILL READ THE FIRST TIME

On the request of Mr. MCCONNELL,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3152) to repeal the Patient Protection and Affordable Care Act, introduced today by Mr. DEMINT (for himself, Mr. BENNETT, Mr. VITTER, Mr. RISCH, Mrs. HUTCHISON, Mr. CRAPO, Mr. BOND, Mr. LEMIEUX, Mr. CHAMBLISS, Mr.

INHOFE, Mr. ROBERTS, Mr. GRAHAM, and Mr. ENSIGN), and at the desk; which was read the first time.

BILL READ THE FIRST TIME

On the request of Mr. MCCONNELL,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3153) to provide a fully offset temporary extension of certain programs so as not to increase the deficit, and for other purposes, introduced today by Mr. GRASSLEY, and at the desk; which was read the first time.

Mr. MCCONNELL asked unanimous consent that the bills be read the second time.

Mr. MCCONNELL objected.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the three bills would lie over awaiting their second readings on the next legislative day.

MOTION TO ADJOURN UNTIL 3:05 P.M. TODAY

On motion by Mr. REID that the Senate adjourn until 3:05 p.m. on today.

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 57, nays... 39

[Rollcall Vote No. 62 Leg.]

YEAS --- 57

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Warner, Webb, Whitehouse, Wyden.

NAYS --- 39

Alexander, Barrasso, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to; and

At 3:12 p.m.,

The Senate adjourned until 3:13 p.m.

TUESDAY, MARCH 23, 2010

Mr. MARK BEGICH, from the State of Alaska, called the Senate to order at 3:13 p.m.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, March 23, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK BEGICH, a Senator from the State of Alaska, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. BEGICH took the chair.

THE JOURNAL

By unanimous consent, on the request of Mr. REID,

Ordered, That the Journal of proceedings of the Senate be approved to date.

MORNING HOUR EXPIRED

By unanimous consent, on the request of Mr. REID,

Ordered, That the morning hour be expired.

HOUSE BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate bill H.R. 4872, received from the House of Representatives for concurrence on today (legislative day of Friday, March 19, 2010), and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate bill S. 3152, introduced on today (legislative day of Friday, March 19, 2010) by Mr. DEMINT (for himself, Mr. BENNETT, Mr. VITTER, Mr. RISCH, Mrs. HUTCHISON, Mr. CRAPO, Mr. BOND, Mr. LEMIEUX, Mr. CHAMBLISS, Mr. INHOFE, Mr. ROBERTS, Mr. GRAHAM, and Mr. ENSIGN), and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate bill S. 3153, introduced on today (legislative day of Friday, March 19, 2010) by Mr. GRASSLEY, and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

MOTION TO PROCEED TO CONSIDER BILL H.R. 4872

On motion by Mr. REID that the Senate proceed to consider bill H.R. 4872.

The question being on agreeing to the motion.

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion.

The question being taken.

It was determined in the affirmative---
yeas... 56, nays... 40

[Rollcall Vote No. 63 Leg.]

YEAS --- 56

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Warner, Webb, Whitehouse, Wyden.

NAYS --- 40

Alexander, Barrasso, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

On motion by Mrs. MURRAY to reconsider the vote agreeing to the motion.

On motion by Mrs. BOXER,

The motion to reconsider was laid on the table.

Whereupon,

HEALTH CARE AND EDUCATION RECONCILIATION ACT

The PRESIDING OFFICER (Mrs. GILLIBRAND in the chair) laid before the Senate the bill (H.R. 4872) to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); and

The Senate proceeded to consider the bill.

The question being on passage of the bill.

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That the first two hours be equally divided and controlled for debate; that the majority control the first half hour therein, and the minority control the next half hour therein; and that the next hour be like controlled in alternating fashion.

The question being on passage of the bill.

Pending debate,

On motion by Mr. GREGG (for himself and Mr. COBURN) to amend the bill, in subtitle B of title I, at the end thereof, by adding certain words (being amendment No. 3567).

Pending debate,

The pending amendment was laid aside, by unanimous consent.

The question being on passage of the bill.

On motion by Mr. MCCAIN (for himself, Mr. BURR, and Mr. COBURN) to amend the bill, in subtitle F of title I, at the end thereof, by adding certain words (being amendment No. 3570).

Pending debate,

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That, when time for debate is concluded on a motion to be made by Mr. CRAPO, the motion be laid aside; and that it recur at a time to be determined by the leader.

The pending amendments were laid aside, by unanimous consent.

The question being on passage of the bill.

On motion by Mr. CRAPO to commit the bill to the Committee on Finance with instructions to report the same back within 3 days with changes that provide that the combined effect of this Act, and the Patient Protection and Affordable Care Act, shall not result in an increase in Federal tax liability for any individual with adjusted gross income of less than $200,000 or any married couple with adjusted gross income of less than $250,000.

Pending debate,

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That, when time for debate is concluded on a motion to be made by Mr. ENZI, the motion be laid aside; and that it recur at a time to be determined by the leaders.

The pending amendments were laid aside, by unanimous consent.

The question being on passage of the bill.

On motion by Mr. ENZI to commit the bill to the Committee on Finance with instructions to report the same back within 1 day with changes that strike the employer mandate that will lower wages and increase unemployment and add an offset.

Pending debate,

By unanimous consent, on the request of Mr. BARRASSO,

Ordered, That, when time for debate is concluded on an amendment by him, the amendment be laid aside; and that it recur at a time to be determined by the leaders.

The pending amendments and motions were laid aside, by unanimous consent.

The question being on passage of the bill.

On motion by Mr. BARRASSO (for himself, Mr. HATCH, and Mr. COBURN) to amend the bill, in subtitle B of title II, at the end thereof, by adding certain words (being amendment No. 3582).

Pending debate,

By unanimous consent, on the request of Mr. GRASSLEY,

Ordered, That Mr. ROBERTS be added as a cosponsor of amendment No. 3564.

Pending debate,

By unanimous consent, on the request of Mr. GRASSLEY,

Ordered, That he be recognized to propose an amendment; that the amendment be laid aside; and that it recur at a time to be determined by the leaders.

The pending amendments and motions were laid aside, by unanimous consent.

The question being on passage of the bill.

On motion by Mr. GRASSLEY (for himself and Mr. ROBERTS) to amend the bill, in subtitle A of title I, at the end thereof, by adding certain words (being amendment No. 3564).

Pending debate,

Mr. GREGG, by unanimous consent, modified his pending amendment No. 3567.

The question being on agreeing to amendment No. 3564 to the bill.

Pending debate,

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That he be recognized for 20 minutes; that Mr. SHERROD BROWN be recognized to speak for 10 minutes; and that time be counted against statutory time for debate on the bill.

The question being on agreeing to amendment No. 3564 to the bill.

Pending debate,

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5118. A communication from the Chief of Research and Analysis, Food and Nutrition Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "School Food Safety Program Based on Hazard Analysis and Critical Control Point Principles" (RIN0584-AD65), received in the Office of the President of the Senate on March 19, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5119. A communication from the Regulatory Officer, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Adjustment of Appendices to the Dairy Tariff-Rate Import Quota Licensing Regulation for the 2008 Tariff-Rate Quota Year" (7 CFR Part 6), received in the Office of the President of the Senate on March 19, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5120. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Principal Deputy Under Secretary of Defense (Acquisition and Technology), received in the Office of the President of the Senate on March 22, 2010; to the Committee on Armed Services.

EC-5121. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of the Army (Acquisitions, Logistics, and Technology), received in the Office of the President of the Senate on March 22, 2010; to the Committee on Armed Services.

EC-5122. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary of the Air Force, received in the Office of the President of the Senate on March 22, 2010; to the Committee on Armed Services.

EC-5123. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of the Air Force (Installations, Environment, and Logistics), received in the Office of the President of the Senate on March 22, 2010; to the Committee on Armed Services.

EC-5124. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel of the Department of the Navy, received in the Office of the President of the Senate on March 22, 2010; to the Committee on Armed Services.

EC-5125. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of the Navy (Installations and Environment), received in the Office of the President of the Senate on March 22, 2010; to the Committee on Armed Services.

EC-5126. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Principal Deputy Under Secretary of Defense (Comptroller), received in the Office of the President of the Senate on March 22, 2010; to the Committee on Armed Services.

EC-5127. A communication from the Assistant Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, a report relative to the quarterly reporting of withdrawals or diversions of equipment from Reserve component units; to the Committee on Armed Services.

EC-5128. A communication from the Assistant Secretary (Reserve Affairs), Department of Defense, transmitting, pursuant to law, a report relative to the annual National Guard and Reserve Equipment Report; to the Committee on Armed Services.

EC-5129. A communication from the Under Secretary of Defense, transmitting a report on the approved retirement of General Victor E. Renuart, Jr., United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-5130. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Cuban Assets Control Regulations" (31 CFR Part 515), received in the Office of the President of the Senate on March 17, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5131. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Cuban Assets Control Regulations; Sudanese Sanctions Regulations; Iranian Transactions Regulations" (31 CFR Parts 515, 538, and 560), received in the Office of the President of the Senate on March 17, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5132. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility for Failure to Enforce" ((44 CFR Part 64)(Docket No. FEMA-2008-0020)), received in the Office of the President of the Senate on March 17, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5133. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on March 19, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5134. A communication from the Principal Deputy General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Revisions to Form, Procedures, and Criteria for Certification of Qualifying Facility Status for a Small Power Production or Cogeneration Facility" (RIN 1902-AG92), received in the Office of the President of the Senate on March 19, 2010; to the Committee on Energy and Natural Resources.

EC-5135. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "James R. Thompson v. United States Court of Federal Claims No. 06-211 T" (AOD-2010-14), received in the Office of the President of the Senate on March 17, 2010; to the Committee on Finance.

EC-5136. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Interim Guidance on Measurement of Continuity of Interest in Reorganizations" (Notice No. 2010-25), received in the Office of the President of the Senate on March 19, 2010; to the Committee on Finance.

EC-5137. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates - April 2010" (Rev. Proc. 2010-11), received in the Office of the President of the Senate on March 19, 2010; to the Committee on Finance.

EC-5138. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 41 (b) Extraordinary Expenditures for Utilities" (UIL41.51-01), received in the Office of the President of the Senate on March 19, 2010; to the Committee on Finance.

EC-5139. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Smart Grid Investment Grants" (Rev. Proc. 2010-20), received in the Office of the President of the Senate on March 19, 2010; to the Committee on Finance.

EC-5140. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice No. 2010-24), received in the Office of the President of the Senate on March 16, 2010; to the Committee on Finance.

EC-5141. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Qualified School Construction Bond Allocations for 2010" (Rev. Proc. 2010-17), received in the Office of the President of the Senate on March 19, 2010; to the Committee on Finance.

EC-5142. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report on the Child Support Enforcement Program for fiscal year 2007; to the Committee on Finance.

EC-5143. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Prohibitions and Conditions for Importations of Burmese and Non-Burmese Covered Articles of Jadeite, Rubies, and Articles of Jewelry Containing Jadeite or Rubies" (CBP Dec. 10-04), received in the Office of the President of the Senate on March 18, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5144. A communication from the Assistant to the Board of Governors, Division of Consumer and Community Affairs, Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Truth in Lending" (Docket No. R-1370),

received in the Office of the President of the Senate on March 19, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5145. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Regulation of the Interstate Movement of Lemons from an Area Quarantined for Mediterranean Fruit Fly" (Docket No. APHIS-2009-0002), received in the Office of the President of the Senate on March 18, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5146. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Arkansas; Redesignation of the Crittenden County, Arkansas Portion of the Memphis, Tennessee-Arkansas 1997 8-Hour Ozone Nonattainment Area to Attainment" (FRL No. 9129-2), received in the Office of the President of the Senate on March 18, 2010; to the Committee on Environment and Public Works.

EC-5147. A communication from the Chairman of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Annual Submission of Tax Information for Use in the Revenue Shortfall Allocation Method" (STB Ex Parte No. 682), received in the Office of the President of the Senate on March 17, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5148. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Correction" ((RIN0648-AS71)(RIN0648-AU71)), received in the Office of the President of the Senate on March 17, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5149. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch by Vessels in the Amendment 80 Limited Access Fishery in the Eastern Aleutian District of the Bering Sea and Aleutian Islands Management Area" (RIN0648-XS90), received in the Office of the President of the Senate on March 17, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5150. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure" (RIN0648-XS51), received in the Office of the President of the Senate on March 17, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5151. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Halibut in the Gulf of Alaska" (RIN0648-XS89), received in the Office of the President of the Senate on March 17, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5152. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Buffalo and Centerville, Texas)" (MB Docket No. 09-187), received in the Office of the President of the Senate on March 18, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5153. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.622(i), Final DTV Table of Allotments, Television Broadcast Stations; Oklahoma City, Oklahoma" (MB Docket No. 10-19), received in the Office of the President of the Senate on March 18, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5154. A communication from the Regulatory Officer, Foreign Agricultural Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Trade Adjustment Assistance for Farmers" (RIN0551-AA80), received in the Office of the President of the Senate on March 17, 2010; to the Committee on Finance.

EC-5155. A communication from the Chairman, Medicare Payment Advisory Commission, transmitting, pursuant to law, a report entitled "Report to the Congress: Medicare Payment Policy"; to the Committee on Finance.

EC-5156. A communication from the President of the United States, transmitting, pursuant to law, a report relative to additions and deletions to the list of sites, facilities, locations, and activities in the United States declared in 2009 to the International Atomic Energy Agency; to the Committee on Foreign Relations.

EC-5157. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to the Korean Ministry of Defense relative to the continued manufacture of J79-GE-15A and -17A engines for the F-14 aircraft in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-5158. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services for the manufacture of MK73 Mod 3 Solid State Transmitters, subassemblies and associated components, and piece parts for the NATO Seasparrow Program for the United States, NATO Consortium Member Countries, and other approved non-NATO member countries in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-5159. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services for the manufacture in Spain of the MK47 40mm Automatic Grenade Launcher; to the Committee on Foreign Relations.

EC-5160. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services to support the Proton launch of the KA-SAT Commercial Communication Satellite from the Baikonur Cosmodrome in Kazakhstan in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-5161. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services to support the Proton launch of the SIRIUS XM-5 Commercial Communication Satellite from the Baikonur Cosmodrome in Kazakhstan in the amount of

$50,000,000 or more; to the Committee on Foreign Relations.

EC-5162. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including, technical data, and defense services to support the manufacture of F404, F414, and T64 aircraft engine components to supply General Electric Aviation's production lines in the United States; to the Committee on Foreign Relations.

EC-5163. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services for the manufacture of F110-GE-129 engines powering the Japanese Ministry of Defense's F-2 aircraft; to the Committee on Foreign Relations.

EC-5164. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Japan to provide continued support for the manufacture of engine fuel control devices for the Japanese Ministry of Defense's F-15J aircraft in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-5165. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services for the continued manufacture of Advanced Rail Launchers for end use on the F-35 Lightning II aircraft for the U.S. government; to the Committee on Foreign Relations.

EC-5166. A communication from the Secretary of the Treasury, transmitting, pursuant to Executive Order 13313 of July 31, 2003, the semiannual report detailing payments made to Cuba as a result of the provision of telecommunications services pursuant to Department of the Treasury specific licenses; to the Committee on Foreign Relations.

EC-5167. A communication from the General Counsel, Institute of Museum and Library Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Director of the Institute of Museum and Library Services, received in the Office of the President of the Senate on March 19, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5168. A communication from the Chief Human Capital Officer, Corporation for National and Community Service, transmitting, pursuant to law, a report relative to a vacancy in the position of Inspector General of the Corporation for National and Community Service, received in the Office of the President of the Senate on March 19, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5169. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Technical Amendment; Federal Emergency Management Agency's Claims Appeals" ((44 CFR Part 62)(Docket No. FEMA-2009-0009)), received in the Office of the President of the Senate on March 17, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5170. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2008-006, Enhanced Competition for Task- and Delivery-Order Contracts-Section 843 of the Fiscal Year 2008 National Defense Authorization Act" (RIN9000-AL05), received in the Office of the President of the Senate on March 22, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5171. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2008-040, Use of Standard Form 26 - Award/Contract" (RIN9000-AL48), received in the Office of the President of the Senate on March 22, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5172. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2008-012, Clarification of Submission of Cost or Pricing Data on Non-Commercial Modifications of Commercial Items" (RIN9000-AL12), received in the Office of the President of the Senate on March 22, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5173. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2009-035, Extend Use of Simplified Acquisition Procedures for Certain Commercial Items" (RIN9000-AL52), received in the Office of the President of the Senate on March 22, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5174. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 205-39; Introduction" (FAC 2005-39), received in the Office of the President of the Senate on March 22, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5175. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2008-015, Payments Under Fixed-Price Architect-Engineer Contracts" (RIN9000-AL26), received in the Office of the President of the Senate on March 22, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5176. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2008-036, Trade Agreements-Costa Rice, Oman, and Peru" (RIN9000-AL23), received in the Office of the President of the Senate on March 22, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5177. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Technical Amendment" (FAC 2005-39), received in the Office of the President of the Senate on March 22, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5178. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-39; Small Entity Compliance Guide" (Docket FAR 2010-0077), received in the Office of the President of the Senate on March 22, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5179. A communication from the Chairman and the General Counsel, National Labor Relations Board, transmitting, pursuant

to law, a report relative to the acquisitions made annually from entities that manufacture articles, materials, or supplies outside of the United States for fiscal year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-5180. A communication from the Secretary of Transportation, transmitting draft legislation to provide authority to compensate Federal employees for the two-day period in which authority to make expenditures from the Highway Trust Fund lapsed, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

EC-5181. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to the Tribal-State Road Maintenance Agreements; to the Committee on Indian Affairs.

EC-5182. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Missouri Advisory Committee; to the Committee on the Judiciary.

EC-5183. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Kansas Advisory Committee; to the Committee on the Judiciary.

EC-5184. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Pennsylvania Advisory Committee; to the Committee on the Judiciary.

EC-5185. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the District of Columbia Advisory Committee; to the Committee on the Judiciary.

EC-5186. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Nevada Advisory Committee; to the Committee on the Judiciary.

EC-5187. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants for Area Sources: Asphalt Processing and Asphalt Roofing Manufacturing; Technical Correction" (FRL No. 9128-1), received in the Office of the President of the Senate on March 18, 2010; to the Committee on Environment and Public Works.

EC-5188. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plans: Alaska" (FRL No. 9091-5), received in the Office of the President of the Senate on March 18, 2010; to the Committee on Environment and Public Works.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-93. A resolution adopted by the Commission of the City Lauderhill, Florida congratulating President Barack Obama on his award of the Nobel Peace Prize; to the Committee on the Judiciary.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. DEMINT (for himself, Mr. BENNETT, Mr. VITTER, Mr. RISCH, Mrs. HUTCHISON, Mr. CRAPO, Mr. BOND, Mr. LEMIEUX, Mr. CHAMBLISS, Mr. INHOFE, Mr. ROBERTS, Mr. GRAHAM, and Mr. ENSIGN):

S. 3152. A bill to repeal the Patient Protection and Affordable Care Act; read the first time.

By Mr. GRASSLEY:

S. 3153. A bill to provide a fully offset temporary extension of certain programs so as not to increase the deficit, and for other purposes; read the first time.

By Ms. MURKOWSKI (for herself, Mr. JOHNSON, Ms. LANDRIEU, and Mr. INOUYE):

S. 3154. A bill to amend the Public Health Service Act to reauthorize and extend the Fetal Alcohol Syndrome prevention and services program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND (for herself and Mr. HATCH):

S. 3155. A bill to require reporting on certain information and communications technologies of foreign countries, to develop action plans to improve the capacity of certain countries to combat cybercrime, and for other purposes; to the Committee on Foreign Relations.

By Mr. BROWNBACK (for himself and Ms. LANDRIEU):

S. 3156. A bill to develop a strategy for assisting stateless children from North Korea, and for other purposes; to the Committee on Foreign Relations.

By Mr. CASEY (for himself, Mr. BROWN of Ohio, Ms. STABENOW, and Mr. BURRIS):

S. 3157. A bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to allow time for pensions to fund benefit obligations in light of economic circumstances in the financial markets of 2008, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COBURN:

S. 3158. A bill to require Congress to lead by example and freeze its own pay and fully offset the cost of the extension of unemployment benefits and other Federal aid; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent and Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. LAUTENBERG:

S. Res. 465. A resolution to permit the Senate to avoid unnecessary delay and vote on matters for which floor debate has ceased; to the Committee on Rules and Administration.

By Mr. KERRY (for himself, Ms. COLLINS, Mr. DURBIN, Mr. DODD, Mr. FEINGOLD, Mrs. GILLIBRAND, and Mr. CARDIN):

S. Res. 466. A resolution supporting the goals and ideals of World Water Day; to the Committee on Foreign Relations.

By Mr. McCONNELL:

S. Res. 467. A resolution to authorize representation by the Senate Legal Counsel in the case of Sollars v. Reid, et al; considered and agreed to.

By Mr. FEINGOLD (for himself and Mr. KOHL):

S. Con. Res. 55. A concurrent resolution commemorating the 40th anniversary of Earth Day and honoring the founder of Earth Day, the late Senator Gaylord Nelson of the State of Wisconsin; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 654

At the request of Mr. BUNNING, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of S. 654, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care.

S. 850

At the request of Mr. KERRY, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 850, a bill to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and

Management Act to improve the conservation of sharks.

S. 924

At the request of Ms. MIKULSKI, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 924, a bill to ensure efficient performance of agency functions.

S. 984

At the request of Mrs. BOXER, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 984, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from Nevada [Mr. ENSIGN] was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1215

At the request of Mr. CASEY, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 1215, a bill to amend the Safe Drinking Water Act to repeal a certain exemption for hydraulic fracturing, and for other purposes.

S. 1492

At the request of Ms. MIKULSKI, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 1492, a bill to amend the Public Health Service Act to fund breakthroughs in Alzheimer's disease research while providing more help to caregivers and increasing public education about prevention.

S. 1611

At the request of Mr. GREGG, the names of the Senator from Wisconsin [Mr. FEINGOLD], the Senator from Washington [Mrs. MURRAY] and the Senator from Oregon [Mr. WYDEN] were added as cosponsors of S. 1611, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 2749

At the request of Mrs. GILLIBRAND, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 2749, a bill to amend the Richard B. Russell National School Lunch Act to improve access to nutritious meals for young children in child care.

S. 2755

At the request of Mr. MENENDEZ, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of S. 2755, a bill to amend the Internal Revenue Code of 1986 to provide an investment credit for equipment used to fabricate solar energy property, and for other purposes.

S. 2824

At the request of Mr. KOHL, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 2824, a bill to establish a small dollar loan-loss guarantee fund, and for other purposes.

S. 2979

At the request of Mr. LEAHY, the name of the Senator from Missouri [Mrs. MCCASKILL] was added as a cosponsor of S. 2979, a bill to amend title 18, United States Code, to provide accountability for the criminal acts of Federal contractors and employees outside the United States, and for other purposes.

S. 3058

At the request of Mr. DORGAN, the names of the Senator from Virginia [Mr. WEBB] and the Senator from Washington [Ms. CANTWELL] were added as cosponsors of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3123

At the request of Mr. LEAHY, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 3123, a bill to amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to carry out a program to assist eligible schools and nonprofit entities through grants and technical assistance to implement farm to school programs that improve access to local foods in eligible schools.

S. 3138

At the request of Mr. CARDIN, the name of the Senator from Delaware [Mr. KAUFMAN] was added as a cosponsor of S. 3138, a bill to promote documentary films that convey a diversity of views about life in the United States and bring insightful foreign perspectives to United States audiences.

S. 3148

At the request of Mr. WEBB, the names of the Senator from Nebraska [Mr. NELSON], the Senator from Virginia [Mr. WARNER], the Senator from New York [Mrs. GILLIBRAND], the Senator from South Dakota [Mr. JOHNSON], the Senator from Alabama [Mr. SESSIONS], the Senator from Oklahoma [Mr. INHOFE], the Senator from Maryland [Mr. CARDIN], the Senator from Louisiana [Mr. VITTER], the Senator from Louisiana [Ms. LANDRIEU], the Senator from Montana [Mr. TESTER], the Senator from South Carolina [Mr. GRAHAM], the Senator from Maine [Ms. COLLINS], the Senator from Illinois [Mr. DURBIN], the Senator from New York [Mr. SCHUMER], the Senator from Colorado [Mr. UDALL] and the Senator from Florida [Mr. LEMIEUX] were added as cosponsors of S. 3148, a bill to amend the Internal Revenue Code of 1986 to provide for the treatment of Department of Defense health coverage as minimal essential coverage.

S. 3150

At the request of Mr. BEGICH, the name of the Senator from Alaska [Ms. MURKOWSKI] was added as a cosponsor of S. 3150, a bill to increase the mileage reimbursement rate for members of the armed services during permanent change of station and to authorize the transportation of additional motor vehicles of members on change of permanent station to or from nonforeign areas outside the continental United States.

SENATE RESOLUTION 446

At the request of Mr. KERRY, his name was added as a cosponsor of Senate Resolution 446, a resolution commemorating the 40th anniversary of the Treaty on the Non-Proliferation of Nuclear Weapons.

SENATE RESOLUTION 464

At the request of Mr. SPECTER, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of Senate Resolution 464, a resolution recognizing the 189th anniversary of the independence of Greece and celebrating Greek and American democracy.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 2:17 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4667. An act to increase, effective as of December 1, 2010, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

H.R. 4810. An act to amend title 38, United States Code, to make certain improvements in the services provided for homeless veterans under the laws administered by the Secretary of Veterans Affairs.

H.R. 4872. An act to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13).

HOUSE BILLS REFERRED

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

H.R. 4667. An act to increase, effective as of December 1, 2010, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 4810. An act to amend title 38, United States Code, to make certain improvements in the services provided for homeless veterans under the laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs.

AUTHORIZING REPRESENTATION BY THE SENATE LEGAL COUNSEL

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER (Mr. WHITEHOUSE in the chair) laid before the Senate the resolution (S. Res. 467) to authorize representation by the Senate Legal Counsel in the case of *Sollars v. Reid, et al.*, submitted today by Mr. MCCONNELL, and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

BILL READ THE FIRST TIME

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER laid before the Senate the bill (S. 3158) require Congress to lead by example and freeze its own pay and fully offset the cost of the extension of unemployment benefits and other Federal aid, introduced today by Mr. COBURN, and at the desk; which was read the first time.

Mr. SHERROD BROWN asked unanimous consent that the bill be read the second time.

Mr. SHERROD BROWN objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

ORDERS FOR ADJOURNMENT UNTIL 9 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of bill H.R. 4872.

ADJOURNMENT

By unanimous consent, on the request of Mr. SHERROD BROWN,

At 10:33 p.m.,

The Senate adjourned, under its order of today, until 9 a.m. on tomorrow.

WEDNESDAY, MARCH 24, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 9 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, March 24, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. TOM UDALL took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3158) to require Congress to lead by example and freeze its own pay and fully offset the cost of the extension of unemployment benefits and other Federal aid, introduced on yesterday by Mr. COBURN, and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

HEALTH CARE AND EDUCATION RECONCILIATION ACT

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (H.R. 4872) to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3564, proposed by Mr. GRASSLEY (for himself, and Mr. ROBERTS), to the bill.

The pending amendments and motions were laid aside, by unanimous consent.

The question being on passage of the bill.

On motion by Mr. ALEXANDER to commit the bill to the Committee on Health, Education, Labor, and Pensions, with instructions to report back within 1 day with changes to reduce the interest paid by student borrowers by 1.5 percentage points and to add an offset.

Pending debate,

Mr. GREGG asked unanimous consent that the pending motion be withdrawn.

Mr. BAUCUS objected.

Mr. ALEXANDER thereupon withdrew his pending motion to commit.

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That the time on the bill be equally divided and controlled for debate between Mr. REID and Mr. MCCONNELL, or their designees; and that no additional time be incurred by the proposal of amendments or submission of motions.

The question being on agreeing to amendment No. 3564 to the bill.

By unanimous consent, on the request of Mr. GREGG,

Ordered, That the question recur on agreeing to the motion, by Mr. ALEXANDER, to commit, notwithstanding the motion having been withdrawn.

Pursuant to the foregoing order,

The question being on agreeing to the motion to commit the bill to the Committee on Health, Education, Labor, and Pensions, with instructions.

Pending debate,

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That, when time for debate is concluded on any amendment or motion, the amendment or motion be laid aside; and that

it recur at a time to be determined by the leaders.

The question being on agreeing to the motion to commit the bill to the Committee on Health, Education, Labor, and Pensions, with instructions.

The pending amendments and motions were laid aside, by unanimous consent.

The question being on passage of the bill.

On motion by Mr. LEMIEUX to amend the bill, title I, subtitle C, at the end thereof, by adding certain words (being amendment No. 3586).

Pending debate,

The pending amendments and motions were laid aside, by unanimous consent.

The question being on passage of the bill.

On motion by Mr. HATCH to commit the bill to the Committee on Finance, with instructions to report the same back within 1 day with changes to strike all cuts to the Medicare Advantage program, and add an offset if the Department of Health and Human Services' actuary certifies that 1,000,000 or more Medicare Advantage beneficiaries, American seniors, and disabled individuals, will lose their current Medicare Advantage coverage or plan benefits.

Pending debate,

The pending amendments and motions were laid aside, by unanimous consent.

The question being on passage of the bill.

On motion by Mr. COBURN to amend the bill in title I, subtitle D, at the end thereof, by adding certain words (being amendment No. 3556).

Pending debate,

The pending amendments and motions were laid aside, by unanimous consent.

The question being on passage of the bill.

On motion by Mrs. HUTCHISON (for herself, Mr. ENZI, Mr. COBURN, Mr. BURR, Mr. SCOTT BROWN, and Mr. CRAPO) to amend the bill in section 1002, at the end thereof, by adding certain words (being amendment No. 3608).

Pending debate,

OBJECTION TO MEETING OF COMMITTEE

Mr. LEVIN asked unanimous consent that the Committee on Armed Services be authorized to meet during today's session.

Mr. BURR objected.

HEALTH CARE AND EDUCATION RECONCILIATION ACT

The Senate resumed consideration of bill H.R. 4872.

The question being on agreeing to amendment No. 3608 to the bill.

Pending debate,

The pending amendments and motions were laid aside, by unanimous consent.

The question being on passage of the bill.

On motion by Ms. COLLINS to amend the bill in section 1003, at the end thereof, by adding certain words (being amendment No. 3638).

Pending debate,

The pending amendments and motions were laid aside, by unanimous consent.

The question being on passage of the bill.

On motion by Mr. THUNE to amend the bill on page 123, striking all beginning on line 10, through line 10, page 124, and inserting in lieu thereof other words (being amendment No. 3639).

The pending amendments and motions were laid aside, by unanimous consent.

The question being on passage of the bill.

On motion by Mr. THUNE (for himself, Mr. COBURN, and Mr. CRAPO) to amend the bill in title II, subtitle B, at the end thereof, by adding certain words (being amendment No. 3640).

Pending debate,

The pending amendments and motions were laid aside, by unanimous consent.

The question being on passage of the bill.

On motion by Mr. CORNYN to commit the bill to the Committee on Finance, with instructions to report the same back within 3 days with changes to strike the 3.8 percent tax on net investment income.

Pending debate,

The pending amendments and motions were laid aside, by unanimous consent.

The question being on passage of the bill.

On motion by Mr. ROBERTS (for himself, Mr. INHOFE, Mr. SCOTT BROWN, and Mr. THUNE) to amend the bill by striking section 1405 and inserting other words (being amendment No. 3579).

By unanimous consent, on the request of Mr. ROBERTS,

Ordered, That Mr. CRAPO be added as a cosponsor of the pending amendment.

The question being on agreeing to amendment No. 3579 to the bill.

Pending debate,

The pending amendments and motions were laid aside, by unanimous consent.

The question being on passage of the bill.

On motion by Mr. INHOFE to amend the bill on page 99, after line 9, by inserting certain words (being amendment No. 3588).

Pending debate,

The pending amendments and motions were laid aside, by unanimous consent.

The question being on passage of the bill.

On motion by Mr. HATCH (for himself, Mr. COBURN, and Mr. CRAPO) to amend the bill on page 99, after line 9, by inserting certain words (being amendment No. 3644).

Pending debate,

The pending amendments and motions were laid aside, by unanimous consent.

The question being on passage of the bill.

On motion by Mr. GREGG to amend the bill on page 61, after line 3, by inserting certain words (being amendment No. 3651).

Pending debate,

The pending amendments and motions were laid aside, by unanimous consent.

The question being on passage of the bill.

On motion by Mr. BURR (for himself, Mr. GRAHAM, Mr. CRAPO, Mr. BARRASSO, Mr. MCCAIN, and Mr. SCOTT BROWN) to amend the bill in title I, subtitle F, at the end thereof, by adding certain words (being amendment No. 3652).

Pending debate,

The pending amendments and motions were laid aside, by unanimous consent.

The question being on passage of the bill.

On motion by Mr. VITTER to strike all after the enacting clause and insert, in lieu thereof, other words (being amendment No. 3553, in the nature of a substitute).

The pending amendments and motions were laid aside, by unanimous consent.

The question being on passage of the bill.

On motion by Mr. ROBERTS to amend the bill in title I, subtitle B, at the end thereof, by adding certain words (being amendment No. 3577).

Pending debate,

The pending amendments and motions were laid aside, by unanimous consent.

The question being on passage of the bill.

On motion by Mr. ROBERTS to commit the bill to the Committee on Finance with instructions to report the same back within 3 days, with changes to repeal the Patient-Centered Outcomes Research Institute, the Center for Medicare and Medicaid Innovation, any new functions of the United States Preventive Services Task Force, and the Independent Payment Advisory Board, and adds an offset.

Pending debate,

By unanimous consent, on the request of Mr. REID,

Ordered, That the Senate vote in "stacked" sequence in relation to the amendments and motions in the order proposed or made, without intervening action or debate; that there be 2 minutes, equally divided and controlled in the usual form, for debate prior to each vote; and that each vote following the first be 10 minutes in duration.

The question being on agreeing to the motion, by Mr. ROBERTS, to commit the bill to the Committee on Finance, with instructions.

Pending debate,

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3567, as modified, proposed by Mr. GREGG (for himself, and Mr. COBURN), to the bill.

After debate,

On motion by Mr. BAUCUS to lay the pending amendment, as modified, on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on

the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 56, nays... 42

[Rollcall Vote No. 64 Leg.]

YEAS --- 56

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Whitehouse, Wyden.

NAYS --- 42

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Webb, Wicker.

So the motion was agreed to.

On motion by Mr. BAUCUS to reconsider the vote agreeing to the motion.

On motion by Mr. REID,

The motion to reconsider was laid on the table.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3570, proposed by Mr. MCCAIN (for himself, Mr. BURR, and Mr. COBURN), to the bill.

After debate,

On motion by Mr. BAUCUS to lay the pending amendment on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 54, nays... 43

[Rollcall Vote No. 65 Leg.]

YEAS --- 54

Akaka, Baucus, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 43

Alexander, Barrasso, Bayh, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

On motion by Mr. BAUCUS to reconsider the vote agreeing to the motion.

On motion by Mr. CARDIN,

The motion to reconsider was laid on the table.

Pursuant to the order of today,

The question recurring on agreeing to the motion, by Mr. CRAPO, to commit the bill to the Committee on Finance, with instructions to report the same back within 3 days with changes that provide that the combined effect of this Act, and the Patient Protection and Affordable Care Act, shall not result in an increase in Federal tax liability for any individual with adjusted gross income of less than $200,000 or any married couple with adjusted gross income of less than $250,000.

On motion by Mr. BAUCUS to lay the pending motion on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 56, nays... 43

[Rollcall Vote No. 66 Leg.]

YEAS --- 56

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 43

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Cantwell, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion to table was agreed to.

On motion by Mr. BAUCUS to reconsider the vote agreeing to the motion.

On motion by Mr. LEVIN,

The motion to reconsider was laid on the table.

Pursuant to the order of today,

The question recurring on agreeing to the motion, by Mr. ENZI, to commit the bill to the Committee on Finance, with instructions to report the same back within 1 day with changes that strike the employer mandate that will lower wages and increase unemployment and add an offset.

On motion by Mr. BAUCUS to lay the pending motion on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 58, nays... 41

[Rollcall Vote No. 67 Leg.]

YEAS --- 58

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 41

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

On motion by Mr. CARDIN to reconsider the vote agreeing to the motion.

On motion by Mr. REID,

The motion to reconsider was laid on the table.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3582, proposed by Mr. BARRASSO (for himself, Mr. HATCH, Mr. COBURN, and Mr. CRAPO), to the bill.

On motion by Mr. BAUCUS to lay the pending amendment on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 57, nays... 41

[Rollcall Vote No. 68 Leg.]

YEAS --- 57

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kerry,

Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 41

Alexander, Barrasso, Bayh, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

On motion by Mr. BAUCUS to reconsider the vote agreeing to the motion.

On motion by Mr. LEVIN,

The motion to reconsider was laid on the table.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3564 to the bill.

After debate,

Mr. BAUCUS raised a point of order, viz, that the pending amendment violates provisions of section 313(b)(1)(C) of the Congressional Budget Act of 1974, and therefore is not in order.

On motion by Mr. GRASSLEY, under section 904(c) of the Congressional Budget Act, to waive provisions of the Act for consideration of the pending amendment.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

The question being taken.

It was determined in the negative---
yeas... 43, nays... 56

[Rollcall Vote No. 69 Leg.]

YEAS --- 43

Alexander, Barrasso, Bayh, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

NAYS --- 56

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The question recurring on the point of order raised by Mr. BAUCUS.

The PRESIDING OFFICER held the point of order well-taken, and the amendment not in order.

Pursuant to the order of today,

The question recurring on agreeing to the motion, by Mr. ALEXANDER, to commit the bill to the Committee on Health, Education, Labor, and Pensions, with instructions.

On motion by Mr. HARKIN to lay the pending motion on the table.

On motion by Mr. HARKIN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 58, nays... 41

[Rollcall Vote No. 70 Leg.]

YEAS --- 58

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 41

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3586 to the bill.

Mr. BAUCUS raised a point of order, viz, that the pending amendment violates provisions of section 313(b)(1)(C) of the Congressional Budget Act of 1974, and therefore is not in order.

On motion by Mr. LEMIEUX, under section 904 of the Congressional Budget Act and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and Law, and Budget resolutions, for consideration of the pending amendment.

On motion by Mr. LEMIEUX,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the negative---
yeas... 40, nays... 59

[Rollcall Vote No. 71 Leg.]

YEAS --- 40

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

NAYS --- 59

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The question recurring on the point of order raised by Mr. BAUCUS.

The PRESIDING OFFICER held the point of order well-taken, and the amendment not in order.

Pursuant to the order of today,

The question recurring on agreeing to the motion, by Mr. HATCH, to commit the bill to the Committee on Finance, with instructions.

On motion by Mr. BAUCUS to lay the pending motion on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 56, nays... 42

[Rollcall Vote No. 72 Leg.]

YEAS --- 56

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Whitehouse, Wyden.

NAYS --- 42

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux,

Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Webb, Wicker.

So the motion was agreed to.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3556 to the bill.

On motion by Mr. BAUCUS to lay the pending amendment on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 57, nays... 42

[Rollcall Vote No. 73 Leg.]

YEAS --- 57

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 42

Alexander, Barrasso, Bayh, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

On motion by Mr. CARDIN to reconsider the vote agreeing to the motion.

On motion by Mr. CARDIN,

The motion to reconsider was laid on the table.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3608 to the bill.

After debate,

On motion by Mr. BAUCUS to lay the pending amendment on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 58, nays... 41

[Rollcall Vote No. 74 Leg.]

YEAS --- 58

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 41

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

On motion by Mr. INOUYE to reconsider the vote agreeing to the motion.

On motion by Mrs. MURRAY,

The motion to reconsider was laid on the table.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3638 to the bill.

After debate,

On motion by Mr. BAUCUS to lay the pending amendment on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 58, nays... 41

[Rollcall Vote No. 75 Leg.]

YEAS --- 58

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 41

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

On motion by Mrs. MURRAY to reconsider the vote agreeing to the motion.

On motion by Mr. MENENDEZ,

The motion to reconsider was laid on the table.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3639 to the bill.

Pending debate,

Mr. THUNE requested the yeas and nays on the question of agreeing to the pending amendment.

There was not a sufficient second.

The question being on agreeing to amendment No. 3639 to the bill.

After debate,

On motion by Mr. HARKIN to lay the pending amendment on the table.

On motion by Mr. LEAHY,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 55, nays... 43

[Rollcall Vote No. 76 Leg.]

YEAS --- 55

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 43

Alexander, Barrasso, Bayh, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Nelson (FL), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3640 to the bill.

After debate,

Mr. HARKIN raised a point of order, viz, that the pending amendment violates provisions of section 310(d)(2) of the Congressional Budget Act, and therefore is not in order.

On motion by Mr. THUNE, under section 904 of the Congressional Budget Act and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and Law, and Budget resolutions, for consideration of the pending amendment.

On motion by Mr. THUNE,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

The question being taken.

It was determined in the negative---
yeas... 43, nays... 55

[Rollcall Vote No. 77 Leg.]

YEAS --- 43

Alexander, Barrasso, Bayh, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lieberman, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

NAYS --- 55

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The question recurring on the point of order raised by Mr. HARKIN.

The PRESIDING OFFICER (Mr. CASEY in the chair) held the point of order well-taken, and the amendment not in order.

Pursuant to the order of today,

The question recurring on agreeing to the motion, by Mr. CORNYN, to commit the bill to the Committee on Finance, with instructions.

On motion by Mr. BAUCUS to lay the pending motion on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 52, nays... 46

[Rollcall Vote No. 78 Leg.]

YEAS --- 52

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 46

Alexander, Barrasso, Bayh, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Cantwell, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Nelson (FL), Pryor, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

On motion by Mr. DURBIN to reconsider the vote agreeing to the motion.

On motion by Mr. REID,

The motion to reconsider was laid on the table.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3579 to the bill.

After debate,

On motion by Mr. BAUCUS to lay the pending amendment on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 56, nays... 42

[Rollcall Vote No. 79 Leg.]

YEAS --- 56

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 42

Alexander, Barrasso, Bayh, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

On motion by Mr. BEN NELSON to reconsider the vote agreeing to the motion.

On motion by Mr. BEN NELSON,

The motion to reconsider was laid on the table.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3588 to the bill.

After debate,

On motion by Mr. BAUCUS to lay the pending amendment on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 57, nays... 41

[Rollcall Vote No. 80 Leg.]

YEAS --- 57

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 41

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3644 to the bill.

After debate,

On motion by Mr. BAUCUS to lay the pending amendment on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 54, nays... 44

[Rollcall Vote No. 81 Leg.]

YEAS --- 54

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Udall (CO), Udall (NM), Warner, Whitehouse, Wyden.

NAYS --- 44

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Tester, Thune, Vitter, Voinovich, Webb, Wicker.

So the motion was agreed to.

On motion by Mr. DURBIN to reconsider the vote agreeing to the motion.

On motion by Mrs. MURRAY,

The motion to reconsider was laid on the table.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3651 to the bill.

After debate,

Mr. BAUCUS raised a point of order, viz, that the pending amendment violates provisions of section 310(d)(2) of the Congressional Budget Act, and therefore is not in order.

On motion by Mr. GREGG, under section 904 of the Congressional Budget Act and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and Law, and Budget resolutions, for consideration of the pending amendment.

On motion by Mr. GREGG,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

The question being taken.

It was determined in the negative---
yeas... 42, nays... 56

[Rollcall Vote No. 82 Leg.]

YEAS --- 42

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

NAYS --- 56

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

On motion by Mr. LEVIN to reconsider the vote agreeing to the motion.

On motion by Mr. LEVIN,

The motion to reconsider was laid on the table.

The question recurring on the point of order raised by Mr. BAUCUS.

The PRESIDING OFFICER held the point of order well-taken, and the amendment not in order.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3652 to the bill.

Pending debate,

OBJECTION TO EN BLOC CONSIDERATION OF BILLS S. 3148 AND S. 3162

Mr. WEBB asked unanimous consent that the Committee on Finance be discharged from the further consideration of the bill (S. 3148) to amend the Internal Revenue Code to provide for the treatment of Department of Defense health coverage as minimal essential coverage.

Mr. WEBB further asked unanimous consent that the chair lay before the Senate the bill (S. 3162) to clarify the health care provided by the Secretary of Veterans Affairs that constitutes minimum essential coverage, introduced on today by Mr. AKAKA (for himself, Mr. BAUCUS, Mr. BAYH, Mr. BEGICH, Mr. BENNET, Mr. BINGAMAN, Mrs. BOXER, Mr. SHERROD BROWN, Mr. BURRIS, Mr. BYRD, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CONRAD, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mrs. HAGAN, Mr. HARKIN, Mr. INOUYE, Mr. JOHNSON, Mr. KAUFMAN, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mrs. MURRAY, Mr. BILL NELSON, Mr. BEN NELSON, Mr. PRYOR, Mr. REED, Mr. REID, Mr. ROCKEFELLER, Mr. SANDERS, Mr. SCHUMER, Mrs. SHAHEEN, Mr. SPECTER, Ms. STABENOW, Mr. TESTER, Mr. MARK UDALL, Mr. TOM UDALL, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, and Mr. WYDEN), and at the desk; and that the bill be read twice.

Mr. WEBB further asked unanimous consent that the Senate then proceed to consider the bills, en bloc; that the bills, en bloc, be read the third time, and passed; and that motions to reconsider be made and laid on the table, with no intervening action or debate.

Mr. COBURN objected.

HEALTH CARE AND EDUCATION RECONCILIATION ACT

The Senate resumed consideration of bill H.R. 4872.

The question being on agreeing to amendment No. 3652 to the bill.

On motion by Mr. AKAKA to lay the pending amendment on the table.

On motion by Mr. AKAKA,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 54, nays... 44

[Rollcall Vote No. 83 Leg.]

YEAS --- 54

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 44

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Pryor, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

On motion by Mr. DURBIN to reconsider the vote agreeing to the motion.

On motion by Mrs. MURRAY,

The motion to reconsider was laid on the table.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3553 (in the nature of a substitute) to the bill.

After debate,

On motion by Mr. BAUCUS to lay the pending amendment on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 58, nays... 39

[Rollcall Vote No. 84 Leg.]

YEAS --- 58

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 39

Alexander, Barrasso, Bennett, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

On motion by Mrs. MURRAY to reconsider the vote agreeing to the motion.

On motion by Mrs. MURRAY,

The motion to reconsider was laid on the table.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3577 to the bill.

After debate,

Mr. BAUCUS raised a point of order, viz, that the pending amendment violates provisions of section 313(b)(1)(D) of the Congressional Budget Act, and therefore is not in order.

On motion by Mr. ROBERTS, under section 904 of the Congressional Budget Act and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and Law, and Budget resolutions, for consideration of the pending amendment.

On motion by Mr. ROBERTS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

The question being taken.

It was determined in the negative---
yeas... 42, nays... 54

[Rollcall Vote No. 85 Leg.]

YEAS --- 42

Alexander, Barrasso, Bennett, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Webb, Wicker.

NAYS --- 54

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

(The following occurred after 12 midnight, being Thursday, March 25, 2010)

On motion by Mr. REID to reconsider the vote disagreeing to the motion.

On motion by Mr. PRYOR,

The motion to reconsider was laid on the table.

The question recurring on the point of order raised by Mr. BAUCUS.

The PRESIDING OFFICER (Mr. SHERROD BROWN in the chair) held the point of order well-taken, and the amendment not in order.

Pursuant to the order of today,

The question recurring on agreeing to the motion, by Mr. ROBERTS, to commit the bill to the Committee on Finance, with instructions.

After debate,

On motion by Mr. BAUCUS to lay the pending motion on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 59, nays... 37

[Rollcall Vote No. 86 Leg.]

YEAS --- 59

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 37

Alexander, Barrasso, Bennett, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

On motion by Mr. REID to reconsider the vote agreeing to the motion.

On motion by Mr. REID,

The motion to reconsider was laid on the table.

The question being on passage of the bill.

Pending debate,

On motion by Mr. BUNNING to amend the bill, in title I, subtitle B, at the end thereof, by adding certain words (being amendment No. 3681).

After debate,

On motion by Mr. BAUCUS to lay the pending amendment on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 61, nays... 36

[Rollcall Vote No. 87 Leg.]

YEAS --- 61

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS --- 36

Alexander, Barrasso, Bennett, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Thune, Vitter, Wicker.

So the motion was agreed to.

On motion by Mr. CONRAD to reconsider the vote agreeing to the motion.

On motion by Mr. CONRAD,

The motion to reconsider was laid on the table.

The question being on passage of the bill.

Pending debate,

On motion by Mr. GRASSLEY to amend the pending bill, at the end thereof, by adding certain words (being amendment No. 3699).

After debate,

Mr. BAUCUS raised a point of order, viz, that the pending amendment violates section 313(b)(1)(C) of the Congressional Budget Act, and therefore is not in order.

On motion by Mr. GRASSLEY, under section 904 of the Congressional Budget Act and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and Law, and Budget resolutions, for consideration of the pending amendment.

On motion by Mr. GRASSLEY,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

The question being taken.

It was determined in the negative---
yeas... 40, nays... 56

[Rollcall Vote No. 88 Leg.]

YEAS --- 40

Alexander, Barrasso, Bennett, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

NAYS --- 56

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan,

Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

On motion by Mr. REID to reconsider the vote agreeing to the motion.

On motion by Mr. REID,

The motion to reconsider was laid on the table.

The question recurring on the point of order raised by Mr. BAUCUS.

The PRESIDING OFFICER held the point of order well-taken, and the amendment not in order.

The question being on passage of the bill.

Pending debate,

On motion by Mr. BENNETT (for himself, Mr. WICKER, Mr. BROWNBACK, Mr. HATCH, Mr. ROBERTS, Mr. INHOFE, Mr. CORNYN, and Mr. ENZI) to amend the pending bill, in title I, subtitle B, at the end thereof, by adding certain words (being amendment No. 3568).

After debate,

Mr. BAUCUS raised a point of order, viz, that the pending amendment violates section 305(b)(2) of the Congressional Budget Act, is non-germane, and therefore is not in order.

On motion by Mr. BENNETT, under section 904 of the Congressional Budget Act and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and Law, and Budget resolutions, for consideration of the pending amendment.

On motion by Mr. BENNETT,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

The question being taken.

It was determined in the negative---
yeas... 36, nays... 59

[Rollcall Vote No. 89 Leg.]

YEAS --- 36

Alexander, Barrasso, Bennett, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Thune, Vitter, Wicker.

NAYS --- 59

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The question recurring on the point of order raised by Mr. BAUCUS.

The PRESIDING OFFICER held the point of order well-taken, and the amendment not in order.

The question being on passage of the bill.

Pending debate,

On motion by Mr. RISCH (for himself, and Mr. CRAPO) to amend the pending bill, in title I, subtitle E, at the end thereof, by adding certain words (being amendment No. 3645).

After debate,

On motion by Mr. BAUCUS to lay the pending amendment on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 55, nays... 40

[Rollcall Vote No. 90 Leg.]

YEAS --- 55

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 40

Alexander, Barrasso, Bayh, Bennett, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Wicker.

So the motion was agreed to.

The question being on passage of the bill.

Pending debate,

On motion by Mrs. HUTCHISON to amend the pending bill, in title I, subtitle F, at the end thereof, by adding certain words (being amendment No. 3635).

After debate,

Mr. BAUCUS raised a point of order, viz, that the pending amendment violates section 313(b)(1)(C) of the Congressional Budget Act, and therefore is not in order.

On motion by Mrs. HUTCHISON, under section 904 of the Congressional Budget Act and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and Law, and Budget resolutions, for consideration of the pending amendment.

On motion by Mrs. MURRAY,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

So the question was taken.

It was determined in the negative---
yeas... 40, nays... 55

[Rollcall Vote No. 91 Leg.]

YEAS --- 40

Alexander, Barrasso, Bayh, Bennett, Brown (MA), Brownback, Bunning, Burr, Cantwell, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Wicker.

NAYS --- 55

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Gregg, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The question recurring on the point of order raised by Mr. BAUCUS.

The PRESIDING OFFICER (Mr. FRANKEN in the chair) held the point of order well-taken, and the amendment not in order.

The question being on passage of the bill.

Pending debate,

On motion by Mr. VITTER to amend the pending bill, in title I, subtitle F, at the end thereof, by adding certain words (being amendment No. 3668).

After debate,

On motion by Mr. BAUCUS to lay the pending amendment on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 56, nays... 39

[Rollcall Vote No. 92 Leg.]

YEAS --- 56

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez,

Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 39

Alexander, Barrasso, Bennett, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Wicker.

So the motion was agreed to.

The question being on passage of the bill.

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate reconvenes at 9:45 a.m. on today, it resume consideration of the bill; that amendments and points of order be disposed of by 2 p.m.; that no further amendment or motion be in order after 2 p.m.; and that, upon disposition of amendments and motions, the bill, as may be amended, be read the third time.

TRANSACTION OF MORNING BUSINESS

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5189. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2010-0270); to the Committee on the Judiciary.

EC-5190. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2010-0269); to the Committee on the Judiciary.

EC-5191. A communication from the Department of State, transmitting, pursuant to law, a report relative to Israel's Qualitative Military Edge (OSS Control No. 2009-2028); to the Committee on the Judiciary.

EC-5192. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2009-1672); to the Committee on the Judiciary.

EC-5193. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2009-1629); to the Committee on the Judiciary.

EC-5194. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2009-1624); to the Committee on the Judiciary.

EC-5195. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2010-0188); to the Committee on the Judiciary.

EC-5196. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2009-1670); to the Committee on the Judiciary.

EC-5197. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Acquisitions in Support of Operations in Iraq or Afghanistan" (DFARS Case 2008-D002), received in the Office of the President of the Senate on March 22, 2010; to the Committee on Armed Services.

EC-5198. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Export-Controlled Items" (DFARS Case 2004-AF13), received in the Office of the President of the Senate on March 22, 2010; to the Committee on Armed Services.

EC-5199. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on March 23, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5200. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Docket No. FEMA-2008-0020)), received in the Office of the President of the Senate on March 23, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5201. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Turkey; to the Committee on Banking, Housing, and Urban Affairs.

EC-5202. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program for Consumer Products: Classifying Products as Covered Products" (RIN1904-AB52), received in the Office of the President of the Senate on March 23, 2010; to the Committee on Energy and Natural Resources.

EC-5203. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Determination of Housing Cost Amounts Eligible for Exclusion or Deduction for 2010" (Notice No. 2010-27), received in the Office of the President of the Senate on March 22, 2010; to the Committee on Finance.

EC-5204. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Tier II Issue - Non-Performing Loans Directive Directive No. 1" (LMSB-4-0110-003), received in the Office of the President of the Senate on March 22, 2010; to the Committee on Finance.

EC-5205. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2010 Census Count" (Notice No. 2010-21), received in the Office of the President of the Senate on March 22, 2010; to the Committee on Finance.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. SPECTER (for himself and Mr. CASEY):

S. 3159. A bill to amend Public Law 101-377 to revise the boundaries of the Gettysburg National Military Park to include the Gettysburg Train Station, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. FEINGOLD (for himself and Mr. SPECTER):

S. 3160. A bill to provide information, resources, recommendations, and funding to help State and local law enforcement enact crime prevention and intervention strategies supported by rigorous evidence; to the Committee on the Judiciary.

By Mrs. SHAHEEN:

S. 3161. A bill to establish penalties for servicers that fail to timely evaluate the applications of homeowners under home loan modification programs; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. AKAKA (for himself, Mr. BAUCUS, Mr. BAYH, Mr. BEGICH, Mr. BENNET, Mr. BINGAMAN, Mrs. BOXER, Mr. BROWN of Ohio, Mr. BURRIS, Mr. BYRD, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CONRAD, Mr. DODD, Mr.

DORGAN, Mr. DURBIN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mrs. HAGAN, Mr. HARKIN, Mr. INOUYE, Mr. JOHNSON, Mr. KAUFMAN, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. PRYOR, Mr. REED, Mr. REID, Mr. ROCKEFELLER, Mr. SANDERS, Mr. SCHUMER, Mrs. SHAHEEN, Mr. SPECTER, Ms. STABENOW, Mr. TESTER, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 3162. A bill to clarify the health care provided by the Secretary of Veterans Affairs that constitutes minimum essential coverage; to the Committee on Veterans' Affairs.

By Mr. TESTER:

S. 3163. A bill to amend the Federal Meat Inspection Act to require tracing of meat and meat food products that are adulterated or contaminated by enteric foodborne pathogens to the source of the adulteration or contamination; to the Committee on Agriculture, Nutrition, and Forestry.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. WHITEHOUSE (for himself and Mr. REED):

S. Res. 468. A resolution honoring the Blackstone Valley Tourism Council on the celebration of its 25th anniversary; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 405

At the request of Mr. LEAHY, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 405, a bill to amend the Internal Revenue Code of 1986 to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor.

S. 654

At the request of Mr. BUNNING, the names of the Senator from Illinois [Mr. BURRIS] and the Senator from Idaho [Mr. RISCH] were added as cosponsors of S. 654, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 2129

At the request of Ms. COLLINS, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 2129, a bill to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia to provide for the establishment of a National Women's History Museum.

S. 2821

At the request of Mr. BROWN of Ohio, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of S. 2821, a bill to require a review of existing trade agreements and renegotiation of existing trade agreements based on the review, to establish terms for future trade agreements, to express the sense of the Congress that the role of Congress in making trade policy should be strengthened, and for other purposes.

S. 3102

At the request of Mr. MERKLEY, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3102, a bill to amend the miscellaneous rural development provisions of the Farm Security and Rural Investment Act of 2002 to authorize the Secretary of Agriculture to make loans to certain entities that will use the funds to make loans to consumers to implement energy efficiency measures involving structural improvements and investments in cost-effective, commercial off-the-shelf technologies to reduce home energy use.

S. 3111

At the request of Mr. LEAHY, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 3111, a bill to establish the Commission on Freedom of Information Act Processing Delays.

S. 3123

At the request of Mr. LEAHY, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3123, a bill to amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to carry out a program to assist eligible schools and nonprofit entities through grants and technical assistance to implement farm to school programs that improve access to local foods in eligible schools.

S. 3148

At the request of Mr. WEBB, the names of the Senator from Florida [Mr. NELSON], the Senator from Wisconsin [Mr. FEINGOLD], the Senator from Indiana [Mr. BAYH], the Senator from California [Mrs. BOXER], the Senator from Washington [Mrs. MURRAY], the Senator from Hawaii [Mr. AKAKA], the Senator from Montana [Mr. BAUCUS], the Senator from Alaska [Mr. BEGICH], the Senator from Colorado [Mr. BENNET], the Senator from New Mexico [Mr. BINGAMAN], the Senator from Ohio [Mr. BROWN], the Senator from Illinois [Mr. BURRIS], the Senator from West Virginia [Mr. BYRD], the Senator from Washington [Ms. CANTWELL], the Senator from Delaware [Mr. CARPER], the Senator from Pennsylvania [Mr. CASEY], the Senator from North Dakota [Mr. CONRAD], the Senator from Connecticut [Mr. DODD], the Senator from North Dakota [Mr. DORGAN], the Senator from California [Mrs. FEINSTEIN], the Senator from Minnesota [Mr. FRANKEN], the Senator from North Carolina [Mrs. HAGAN], the Senator from Iowa [Mr. HARKIN], the Senator from Hawaii [Mr. INOUYE], the Senator from Delaware [Mr. KAUFMAN], the Senator from Massachusetts [Mr. KERRY], the Senator from Minnesota [Ms. KLOBUCHAR], the Senator from Wisconsin [Mr. KOHL], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Vermont [Mr. LEAHY], the Senator from Michigan [Mr. LEVIN], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Arkansas [Mrs. LINCOLN], the Senator from Missouri [Mrs. MCCASKILL], the Senator from New Jersey [Mr. MENENDEZ], the Senator from Oregon [Mr. MERKLEY], the Senator from Maryland [Ms. MIKULSKI], the Senator from Arkansas [Mr. PRYOR], the Senator from Rhode Island [Mr. REED], the Senator from Nevada [Mr. REID], the Senator from West Virginia [Mr. ROCKEFELLER], the Senator from Vermont [Mr. SANDERS], the Senator from New Hampshire [Mrs. SHAHEEN], the Senator from Pennsylvania [Mr. SPECTER], the Senator from Michigan [Ms. STABENOW], the Senator from New Mexico [Mr. UDALL], the Senator from Rhode Island [Mr. WHITEHOUSE] and the Senator from Oregon [Mr. WYDEN] were added as cosponsors of S. 3148, a bill to amend the Internal Revenue Code of 1986 to provide for the treatment of Department of Defense health coverage as minimal essential coverage.

S. 3152

At the request of Mr. DEMINT, the names of the Senator from Oklahoma [Mr. COBURN], the Senator from Texas [Mr. CORNYN] and the Senator from Arizona [Mr. KYL] were added as cosponsors of S. 3152, a bill to repeal the Patient Protection and Affordable Care Act.

SENATE RESOLUTION 411

At the request of Mrs. LINCOLN, the names of the Senator from Indiana [Mr. LUGAR], the Senator from Georgia [Mr. ISAKSON], the Senator from North Carolina [Mrs. HAGAN] and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of Senate Resolution 411, a resolution recognizing the importance and sustainability of the United States hardwoods industry and urging that United States hardwoods and the products derived from United States hardwoods be given full consideration in any program to promote construction of environmentally preferable commercial, public, or private buildings.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That the following committee be authorized to meet during the session of the Senate:

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 24, 2010, at 10 a.m.

By unanimous consent, on the request of Mr. REED,

Ordered, That the following subcommittee be authorized to meet during the session of the Senate:

SUBCOMMITTEE ON PERSONNEL

The Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on March 24, 2010, at 10 a.m.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 12:39 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 3976. An act to extend certain expiring provisions providing enhanced protections for servicemembers relating to mortgages and mortgage foreclosures.

H.R. 4592. An act to provide for the establishment of a pilot program to encourage the employment of veterans in energy-related positions.

H.R. 4915. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement programs, and for other purposes.

H.J. Res. 80. A joint resolution recognizing and honoring the Blinded Veterans Association on its 65th anniversary of representing blinded veterans.

At 1:26 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 257. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

HOUSE BILLS REFERRED

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

H.R. 3976. An act to extend certain expiring provisions providing enhanced protections for servicemembers relating to mortgages and mortgage foreclosure; to the Committee on Veterans' Affairs.

H.R. 4592. An act to provide for the establishment of a pilot program to encourage the employment of veterans in energy-related positions; to the Committee on Veterans' Affairs.

ORDERS FOR ADJOURNMENT UNTIL 9:45 A.M. ON TODAY, AND FOR PROGRAM

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:45 a.m. on today; that, on today, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of bill H.R. 4872, as pursuant to the order of today.

ADJOURNMENT

By unanimous consent, on the request of Mr. WHITEHOUSE,

At 2:56 a.m.,

The Senate adjourned, under its order of today, until 9:45 a.m. on today.

THURSDAY, MARCH 25, 2010

Mr. ROBERT P. CASEY, JR., from the Commonwealth of Pennsylvania, called the Senate to order at 9:46 a.m., the Reverend Ricky Phillips, Pastor of St. John's Church, Winfield, Pennsylvania, and Mazeppa Union Church, Lewisburg, Pennsylvania, offered a prayer, and Mr. CASEY led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, March 25, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROBERT P. CASEY, JR., a Senator from the Commonwealth of Pennsylvania, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. CASEY took the chair.

THE JOURNAL

Pursuant to the order of today,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of today,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

HEALTH CARE AND EDUCATION RECONCILIATION ACT

Pursuant to the order of today,

The PRESIDING OFFICER (Mrs. GILLIBRAND in the chair) laid before the Senate its pending business, viz, the bill (H.R. 4872) to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); and

The Senate resumed consideration of the bill.

The question being on passage of the bill.

On motion by Mr. ENSIGN to amend the bill, in subtitle B of title II, at the end thereof, by adding certain words (being amendment No. 3593).

After debate,

Mr. BAUCUS raised a point of order, viz, that the pending amendment violates provisions of section 313(b)(1)(C) of the

Congressional Budget Act of 1974, and therefore is not in order.

On motion by Mr. ENSIGN, under section 904 of the Congressional Budget Act and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and Law, and Budget resolutions, for consideration of the pending amendment.

On motion by Mr. ENSIGN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

The question being taken.

It was determined in the negative---
yeas... 40, nays... 55

[Rollcall Vote No. 93 Leg.]

YEAS --- 40

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

NAYS --- 55

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Brown (OH), Burris, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

On motion by Mr. GREGG to reconsider the vote disagreeing to the motion.

On motion by Mr. GREGG,

The motion to reconsider was laid on the table.

The question recurring on the point of order raised by Mr. BAUCUS.

The PRESIDING OFFICER held the point of order well-taken, and the amendment not in order.

By unanimous consent, on the request of Mr. GREGG,

Ordered, That, subsequent votes on today be 10 minutes in duration.

The question being on passage of the bill.

On motion by Mr. COBURN to further amend the bill, at the end thereof, by adding certain words (being amendment No. 3700).

After debate,

Mr. BAUCUS raised a point of order, viz, that the pending amendment violates provisions of section 313(b)(1)(C) of the Congressional Budget Act of 1974, and therefore is not in order.

On motion by Mr. COBURN, under section 904 of the Congressional Budget Act and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and Law, and Budget resolutions, for consideration of the pending amendment.

On motion by Mr. COBURN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

The question being taken.

It was determined in the negative---
yeas... 45, nays... 53

[Rollcall Vote No. 94 Leg.]

YEAS --- 45

Alexander, Barrasso, Bayh, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Pryor, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Webb, Wicker.

NAYS --- 53

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The question recurring on the point of order raised by Mr. BAUCUS.

The PRESIDING OFFICER held the point of order well-taken, and the amendment not in order.

The question being on passage of the bill.

On motion by Mr. SESSIONS to amend the bill, in subtitle A of title I, at the end thereof, by adding certain words (being amendment No. 3701).

After debate,

On motion by Mr. DURBIN to lay the pending amendment on the table.

On motion by Mr. DURBIN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 55, nays... 43

[Rollcall Vote No. 95 Leg.]

YEAS --- 55

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 43

Alexander, Barrasso, Bayh, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Pryor, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

On motion by Mrs. MURRAY to reconsider the vote agreeing to the motion.

On motion by Mr. INOUYE,

The motion to reconsider was laid on the table.

The question being on passage of the bill.

On motion by Mr. CORNYN to amend the bill, in subtitle F of title I, at the end thereof, by adding certain words (being amendment No. 3698).

After debate,

On motion by Mr. BAUCUS to lay the pending amendment on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 58, nays... 40

[Rollcall Vote No. 96 Leg.]

YEAS --- 58

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 40

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

On motion by Mr. SCHUMER to reconsider the vote agreeing to the motion.

On motion by Mr. DODD,

The motion to reconsider was laid on the table.

The question being on passage of the bill.

On motion by Mr. GRASSLEY to amend the bill, in subtitle B of title I, at the end thereof, by adding certain words (being amendment No. 3569).

After debate,

On motion by Mr. BAUCUS to lay the pending amendment on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 53, nays... 45

[Rollcall Vote No. 97 Leg.]

YEAS --- 53

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Whitehouse, Wyden.

NAYS --- 45

Alexander, Barrasso, Bayh, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Pryor, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Webb, Wicker.

So the motion was agreed to.

The question being on passage of the bill.

On motion by Mr. BROWNBACK (for himself and Ms. MURKOWSKI) to amend the bill, in section 1402(a), at the end thereof, by adding certain words (being amendment No. 3697).

After debate,

On motion by Mr. BAUCUS to lay the pending amendment on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 56, nays... 42

[Rollcall Vote No. 98 Leg.]

YEAS --- 56

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Whitehouse, Wyden.

NAYS --- 42

Alexander, Barrasso, Bayh, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Webb, Wicker.

So the motion was agreed to.

The question being on passage of the bill.

On motion by Mr. VITTER to amend the bill, in subtitle B of title I, at the end thereof, by adding certain words (being amendment No. 3665).

After debate,

Mr. BAUCUS raised a point of order, viz, that the pending amendment violates provisions of section 313(b)(1)(C) of the Congressional Budget Act of 1974, and therefore is not in order.

On motion by Mr. VITTER, under section 904 of the Congressional Budget Act and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and Law, and Budget resolutions, for consideration of the pending amendment.

On motion by Mr. VITTER,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

The question being taken.

It was determined in the negative---
yeas... 39, nays... 56

[Rollcall Vote No. 99 Leg.]

YEAS --- 39

Alexander, Barrasso, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

NAYS --- 56

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The question recurring on the point of order raised by Mr. BAUCUS.

The PRESIDING OFFICER (Mrs. HAGAN in the chair) held the point of order well-taken, and the amendment not in order.

The question being on passage of the bill.

On motion by Mr. DEMINT to commit the pending bill to the Committee on Finance with instructions to report the same back within 1 day with changes that ensure that the Patient Protection and Affordable Care Act (including the amendments made by such Act) does not prohibit Americans from purchasing health insurance across State lines.

After debate,

On motion by Mr. BAUCUS to lay the pending motion on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 56, nays... 43

[Rollcall Vote No. 100 Leg.]

YEAS --- 56

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 43

Alexander, Barrasso, Bayh, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

The question being on passage of the bill.

On motion by Mr. ENSIGN (for himself and Mr. SCOTT BROWN) to amend the bill, by striking section 1002, and inserting in lieu thereof other words (being amendment No. 3710).

After debate,

On motion by Mr. BAUCUS to lay the pending amendment on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on

the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 58, nays... 40

[Rollcall Vote No. 101 Leg.]

YEAS --- 58

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 40

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

On motion by Mr. GREGG to reconsider the vote agreeing to the motion.

On motion by Mr. GREGG,

The motion to reconsider was laid on the table.

The question being on passage of the bill.

On motion by Ms. MURKOWSKI to amend the bill on page 94, after line 20, by inserting certain words (being amendment No. 3711).

After debate,

Mr. BAUCUS raised a point of order, viz, that the pending amendment violates provisions of section 313(b)(1)(C) of the Congressional Budget Act of 1974, and therefore is not in order.

On motion by Ms. MURKOWSKI, under section 904 of the Congressional Budget Act and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and Law, and Budget resolutions, for consideration of the pending amendment.

On motion by Ms. MURKOWSKI,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

The question being taken.

It was determined in the negative---
yeas... 42, nays... 57

[Rollcall Vote No. 102 Leg.]

YEAS --- 42

Alexander, Barrasso, Bayh, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Webb, Wicker.

NAYS --- 57

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The question recurring on the point of order raised by Mr. BAUCUS.

The PRESIDING OFFICER held the point of order well-taken, and the amendment not in order.

The question being on passage of the bill.

On motion by Mrs. HUTCHISON to amend the bill, in subtitle A of title I, at the end thereof, by adding certain words (being amendment No. 3634).

After debate,

On motion by Mr. BAUCUS to lay the pending amendment on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 55, nays... 43

[Rollcall Vote No. 103 Leg.]

YEAS --- 55

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 43

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Byrd, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Tester, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

The question being on passage of the bill.

On motion by Mr. CORNYN to amend the bill, in subtitle C of title I, at the end thereof, by adding certain words (being amendment No. 3712).

After debate,

On motion by Mr. BAUCUS to lay the pending amendment on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 57, nays... 41

[Rollcall Vote No. 104 Leg.]

YEAS --- 57

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Whitehouse, Wyden.

NAYS --- 41

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Webb, Wicker.

So the motion was agreed to.

The question being on passage of the bill.

Pending debate,

ORDER FOR MOMENT OF SILENCE

By unanimous consent, on the request of Mr. REID,

Ordered, That the Senate observe a moment of silence to honor the memory of the late Senator Edward M. Kennedy, from the Commonwealth of Massachusetts.

MOMENT OF SILENCE

Pursuant to the foregoing order,

At 1:57 p.m.,

The Senate observed a moment of silence.

HEALTH CARE AND EDUCATION RECONCILIATION ACT

The Senate resumed consideration of bill H.R. 4872.

The question being on passage of the bill.

By unanimous consent, on the request of Mr. REID,

Ordered, That Senators answer from their desks.

The question being on passage of the bill.

Mr. GREGG raised a point of order, viz, that the language of the bill on page 118, lines 15 through 25, does not produce changes in outlays or revenues and thus is extraneous and therefore is not in order, violates provisions of section 313(b)(1)(A) of the Congressional Budget Act of 1974, and is not in order.

The VICE PRESIDENT held the point of order well-taken, and the indicated language was stricken.

Mr. GREGG raised a point of order, viz, that the language of the bill on page 120, lines 3 through 5, does not produce changes in outlays or revenues and thus is extraneous, violates provisions of section 313(b)(1)(A) of the Congressional Budget Act of 1974, and therefore is not in order.

The VICE PRESIDENT held the point of order well-taken, and the indicated language was stricken.

Pursuant to the order of today,

The bill, as amended by operation of section 313(e) of the Congressional Budget Act of 1974, was read the third time.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the passage of the bill, as amended.

On the question, Shall it pass?

It was determined in the affirmative---

yeas... 56, nays... 43

[Rollcall Vote No. 105 Leg.]

YEAS --- 56

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 43

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Pryor, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So it was

Resolved, That the bill, as amended, do pass.

On motion by Mr. REID to reconsider the vote on passage of the bill, as amended.

On motion by Mr. DURBIN,

The motion to reconsider was laid on the table.

OBJECTION TO EXECUTIVE SESSION

Ms. LANDRIEU asked unanimous consent that the Senate proceed to executive session to consider the nomination of Winslow Lorenzo Sargeant, of Wisconsin, to be Chief Counsel for Advocacy, Small Business Administration; that the nomination be confirmed; that a motion to reconsider be made and laid on the table; that the President be immediately notified of the Senate's action; and that the Senate then resume its legislative session.

Mr. SESSIONS objected.

MOTION TO PROCEED TO CONSIDER BILL S. 3153

On motion by Mr. MCCONNELL that the Senate proceed to consider the bill (S. 3153) to provide a fully offset temporary extension of certain programs so as not to increase the deficit, and for other purposes.

The question being on agreeing to the motion.

Mr. MCCONNELL presented a motion to bring to a close debate on the pending motion; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to consider bill S. 3153:

TOM COBURN, JIM DEMINT, MIKE JOHANNS, GEORGE LEMIEUX, KAY BAILEY HUTCHISON, LAMAR ALEXANDER, SAXBY CHAMBLISS, MIKE CRAPO, JOHN CORNYN, JIM BUNNING, MICHAEL B. ENZI, JOHN MCCAIN, JUDD GREGG, JEFF SESSIONS, R. F. BENNETT, JOHN ENSIGN, MITCH MCCONNELL.

The question being on agreeing to the motion to proceed to consider the bill.

On motion by Mr. REID to lay the pending motion to proceed on the table.

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---

yeas... 59, nays... 40

[Rollcall Vote No. 106 Leg.]

YEAS --- 59

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 40

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

On motion by Mrs. MCCASKILL to reconsider the vote agreeing to the motion.

On motion by Mrs. MCCASKILL,

The motion to reconsider was laid on the table.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL H.R. 4851

Mr. BAUCUS asked unanimous consent that the Senate proceed to consider the bill (H.R. 4851) to provide a temporary extension of certain programs, and for other purposes; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. COBURN objected.

Pending debate,

Mr. REID asked unanimous consent that at a time to be determined by the majority leader, after consultation with the minority leader, the Senate proceed to consider bill H.R. 4851; that there be two hours, equally divided and controlled, for debate thereon between the two leaders, or their designees; that no motion to commit be in order; and that the following be the only amendments in order to the bill:

An amendment intended to be proposed by Mr. BAUCUS, relative to partial offset;

An amendment intended to be proposed by Mr. MCCONNELL, or his designee, relative to full offset.

Mr. REID further asked unanimous consent that there be 60 minutes, equally divided and controlled, for debate on each amendment; that each amendment receive a minimum of 60 yea votes to be agreed to; that, if the Senate fails to agree to an amendment or motion with a minimum of 60 yea votes, it be withdrawn; that, if the Senate agrees to an amendment with a minimum of 60 yea votes, a motion to reconsider be deemed made and laid on the table; that, upon disposition of the amendments, the bill, as may be amended, be read the third time; and that the Senate vote on passage of the bill, as may be amended.

Mr. COBURN objected.

QUESTION OF A QUORUM

Mr. REID raised a question as to the presence of a quorum.

Whereupon,

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) directed the roll to be called to ascertain the presence of a quorum.

Pending the ascertainment of a quorum,

When

Sixteen Senators answered to their names, as follows:

[Quorum No. 1]

Coburn, Durbin, Johanns, Kyl, Leahy, Levin, McConnell, Menendez, Reid, Risch, Sanders, Sessions, Stabenow, Thune, Udall (CO), Vitter.

The PRESIDING OFFICER (Mr. BURRIS in the chair) announced that a quorum was not present.

On motion by Mr. REID to instruct the Sergeant at Arms to request the presence of absent Senators.

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to instruct.

The question being taken.

It was determined in the affirmative---
yeas... 58, nays... 35

[Rollcall Vote No. 107 Leg.]

YEAS --- 58

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (MA), Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 35

Alexander, Barrasso, Bennett, Bond, Brownback, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Inhofe, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich.

So the motion was agreed to; and, as indicated by the foregoing rollcall, a quorum being present.

MOTION TO PROCEED TO CONSIDER BILL H.R. 4851

On motion by Mr. REID that the Senate proceed to consider the bill (H.R. 4851) to authorize the Secretary of Veterans Affairs to establish public-private partnerships for the treatment and research of post-traumatic stress disorder.

The question being on agreeing to the motion.

Mr. REID presented a motion to bring to a close debate on the pending motion; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to consider bill H.R. 4851:

HARRY REID, DICK DURBIN, PATTY MURRAY, PATRICK LEAHY, JACK REED, CHRISTOPHER J. DODD, MARK UDALL, DEBBIE STABENOW, AMY KLOBUCHAR, S. WHITEHOUSE, MAX BAUCUS, DIANNE FEINSTEIN, KIRSTEN E. GILLIBRAND, KENT CONRAD, BYRON L. DORGAN, JAY ROCKEFELLER, JEFF BINGAMAN, ROBERT MENENDEZ.

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the concurrent resolution (H. Con. Res. 257) providing for an adjournment or recess of the two Houses, received from the House of Representatives for concurrence on yesterday, and remaining undisposed of.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the concurrent resolution.

The question being taken.

It was determined in the affirmative---
yeas... 49, nays... 39

[Rollcall Vote No. 108 Leg.]

YEAS --- 49

Akaka, Baucus, Bayh, Begich, Bingaman, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Mikulski, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse.

NAYS --- 39

Barrasso, Bennet, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Inhofe, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Menendez, Merkley, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wyden.

So it was

Resolved, That the Senate agree thereto.

OBJECTION TO CONSIDERATION OF BILL H.R. 4851

Mr. BAUCUS asked unanimous consent that the Senate proceed to consider bill H.R. 4851; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. COBURN objected.

Pending debate,

SATELLITE TELEVISION EXTENSION ACT

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the bill (S. 3186) to reauthorize the Satellite Home Viewer Extension and Reauthorization Act of 2004 through April 30, 2010, and for other purposes, introduced on today by Mr. ROCKEFELLER, and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

FEDERAL AVIATION ADMINISTRATION EXTENSION ACT

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the bill (S. 3187) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes, introduced on today by Mr. ROCKEFELLER, and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

PERMITTING THE USE OF CERTAIN SMALL BUSINESS LOAN GUARANTEE PROGRAM FUNDS

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 4938) to permit the use of previously appropriated funds to extend

the Small Business Loan Guarantee Program, and for other purposes, received from the House of Representatives for concurrence on today, and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

MOTION TO PROCEED TO CONSIDER BILL H.R. 4851

The Senate resumed consideration of the motion to proceed to bill H.R. 4851.

The question being on agreeing to the motion to proceed.

Pending debate,

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5206. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Cloquintocet-mexyl; Pesticide Tolerances" (FRL No. 8816-3), received in the Office of the President of the Senate on March 24, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5207. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clopyralid; Pesticide Tolerances" (FRL No. 8814-2), received in the Office of the President of the Senate on March 24, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5208. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Ammonium Salts of Fatty Acids (C8-C18 Saturated); Exemption from the Requirement of a Tolerance" (FRL No. 8809-6), received in the Office of the President of the Senate on March 24, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5209. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Chief Management Officer, Department of Defense, received in the Office of the President of the Senate on March 24, 2010; to the Committee on Armed Services.

EC-5210. A communication from the Assistant Secretary (Reserve Affairs), Department of Defense, transmitting, pursuant to law, the annual National Guard and Reserve Equipment Report for fiscal year 2010; to the Committee on Armed Services.

EC-5211. A communication from the Under Secretary of Defense, Personnel and Readiness, Department of Defense, transmitting, pursuant to law, a report relative to the Department's annual audit of the American Red Cross consolidated financial statements for the year ending June 30, 2009; to the Committee on Armed Services.

EC-5212. A communication from the Deputy to the Chairman for Legal Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Deposit Insurance Regulations; Temporary Increase in Standard Coverage Amount; Mortgage Servicing Accounts; Revocable Trust Accounts; International Banking; Foreign Banks" (RIN3064-AD36), received in the Office of the President of the Senate on March 24, 2010; to the Committee on Banking, Housing, and Urban Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DORGAN, from the Committee on Indian Affairs, with amendments and an amendment to the title:

S. 1635. A bill to establish an Indian Youth telemental health demonstration project, to enhance the provision of mental health care services to Indian youth, to encourage Indian tribes, tribal organizations, and other mental health care providers serving residents of Indian country to obtain the services of predoctoral psychology and psychiatry interns, and for other purposes (Rept. No. 111-166).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 1830. A bill to establish the Chief Conservation Officers Council to improve the energy efficiency of Federal agencies, and for other purposes.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. LAUTENBERG (for himself, Mr. MENENDEZ, Mr. WHITEHOUSE, Mr. SANDERS, Mr. MERKLEY, and Mr. CARDIN):

S. 3164. A bill to amend the Internal Revenue Code of 1986 to extend financing of the Superfund; to the Committee on Finance.

By Ms. LANDRIEU (for herself, Ms. SNOWE, and Mr. DURBIN):

S. 3165. A bill to authorize the Administrator of the Small Business Administration to waive the non-Federal share requirement under certain programs; to the Committee on Small Business and Entrepreneurship.

By Mr. SCHUMER (for himself, Mr. KYL, Mr. MENENDEZ, Mr. WICKER, Mr. KERRY, Mr. COCHRAN, Ms. LANDRIEU, Mr. BURR, Mrs. GILLIBRAND, Mr. BOND, Mr. NELSON of Florida, Mr. LEMIEUX, Mrs. LINCOLN, Mr. SPECTER, Mr. LIEBERMAN, Mr. DODD, Ms. CANTWELL, and Mr. VITTER):

S. 3166. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for persons with investment losses due to fraud or embezzlement; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. COBURN):

S. 3167. A bill to amend title 13 of the United States Code to provide for a 5-year term of office for the Director of the Census and to provide for authority and duties of the Director and Deputy Director of the Census, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASEY:

S. 3168. A bill to authorize the Secretary of the Interior to acquire certain non-Federal land in the State of Pennsylvania for inclusion in the Fort Necessity National Battlefield; to the Committee on Energy and Natural Resources.

By Mrs. MURRAY:

S. 3169. A bill to require the Attorney General to make recommendations to the Interstate Commission for Adult Offender Supervision on policies and minimum standards to better protect public and officer safety; to the Committee on the Judiciary.

By Mr. BOND (for himself and Mr. INOUYE):

S. 3170. A bill to provide for preferential duty treatment to certain apparel articles of the Philippines; to the Committee on Finance.

By Mrs. LINCOLN (for herself and Mr. RISCH):

S. 3171. A bill to amend title 38, United States Code, to provide for the approval of certain programs of education for purposes of the Post-9/11 Educational Assistance Program; to the Committee on Veterans' Affairs.

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

S. 3172. A bill to support counternarcotics and related efforts in the Inter-American region; to the Committee on Foreign Relations.

By Mr. COBURN:

S. 3173. A bill to fully offset the cost of the extension of unemployment benefits and other Federal aid; to the Committee on Finance.

By Mr. GRASSLEY:

S. 3174. A bill to amend the Patient Protection and Affordable Care Act to provide for participation in the Exchange of the President, Vice-President, Members of Congress, political appointees, and congressional staff; to the Committee on Homeland Security and Governmental Affairs.

By Ms. MURKOWSKI:

S. 3175. A bill to amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DURBIN (for himself, Mr. SPECTER, and Mrs. MURRAY):

S. 3176. A bill to further the mission of the Global Justice Information Sharing Initiative Advisory Committee by continuing its development of policy recommendations and technical solutions on information sharing and interoperability, and enhancing its pursuit of benefits and cost savings for local, State, tribal, and Federal justice agencies; to the Committee on the Judiciary.

By Mr. BINGAMAN (for himself, Mr. WARNER, and Mr. GRAHAM):

S. 3177. A bill to provide for the establishment of a Home Star Retrofit Rebate Program, and for other purposes; to the Committee on Finance.

By Mr. BROWN of Ohio (for himself, Mr. SANDERS, Mrs. GILLIBRAND, and Mr. UDALL of New Mexico):

S. 3178. A bill to amend the Workforce Investment Act of 1998 to provide for the establishment of Youth Corps programs and provide for wider dissemination of the Youth Corps model; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself and Mr. GRASSLEY):

S. 3179. A bill to amend the Public Health Service Act to designate certain medical facilities of the Department of Veterans Affairs as health professional shortage areas, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEMIEUX (for himself, Mr. HATCH, Mr. SESSIONS, Mr. WICKER, and Mr. COCHRAN):

S. 3180. A bill to prohibit the use of funds for the termination of the Constellation Program of the National Aeronautics and Space Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. BOXER (for herself and Mr. BROWNBACK):

S. 3181. A bill to protect the rights of consumers to diagnose, service, maintain, and repair their motor vehicles, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. BOXER:

S. 3182. A bill to provide for equal access to COBRA continuation coverage; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself and Mr. MENENDEZ):

S. 3183. A bill to amend the Internal Revenue Code of 1986 to extend the nonbusiness energy property credit to roofs with pigmented coatings which meet Energy Star program requirements; to the Committee on Finance.

By Mrs. BOXER (for herself, Mr. BROWNBACK, and Mr. CARDIN):

S. 3184. A bill to provide United States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes; to the Committee on Foreign Relations.

By Mr. REID (for himself and Mr. ENSIGN):

S. 3185. A bill to require the Secretary of the Interior to convey certain Federal land to Elko County, Nevada, and to take land into trust for the Te-moak Tribe of Western Shoshone Indians of Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ROCKEFELLER:

S. 3186. A bill to reauthorize the Satellite Home Viewer Extension and Reauthorization Act of 2004 through April 30, 2010, and for other purposes; considered and passed.

By Mr. ROCKEFELLER:

S. 3187. A bill to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes; considered and passed

By Mrs. SHAHEEN (for herself, Ms. MURKOWSKI, Mr. BEGICH, and Mr. CRAPO):

S. 3188. A bill to amend the Internal Revenue Code of 1986 to provide an investment tax credit for biomass heating property; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent and Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. LUGAR (for himself, Mr. KERRY, Mr. WEBB, and Mr. BOND):

S. Res. 469. A resolution recognizing the 60th Anniversary of the Fulbright Program in Thailand; to the Committee on Foreign Relations.

By Mrs. MURRAY (for herself, Mr. BYRD, and Mr. HARKIN):

S. Res. 470. A resolution recognizing the 40th anniversary of the date of enactment of the Federal Coal Mine Health and Safety Act of 1969; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LIEBERMAN (for himself, Mr. DODD, Ms. COLLINS, and Mr. LEMIEUX):

S. Con. Res. 56. A concurrent resolution congratulating the Commandant of the Coast Guard and the Superintendent of the Coast Guard Academy and its staff for 100 years of operation of the Coast Guard Academy in New London, Connecticut, and for other purposes; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 311

At the request of Mrs. BOXER, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 311, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 1102

At the request of Mr. LIEBERMAN, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 1102, a bill to provide benefits to domestic partners of Federal employees.

S. 1402

At the request of Mr. MERKLEY, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 1402, a bill to amend the Internal Revenue Code of 1986 to increase the amount allowed as a deduction for start-up expenditures.

S. 1500

At the request of Mrs. GILLIBRAND, the names of the Senator from Ohio [Mr. BROWN] and the Senator from Pennsylvania [Mr. CASEY] were added as cosponsors of S. 1500, a bill to amend the Richard B. Russell National School Lunch Act to prohibit schools that participate in the Federal school meal programs from serving foods that contain trans fats derived from partially hydrogenated oils.

S. 1932

At the request of Mr. MCCAIN, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 1932, a bill to amend the Elementary and Secondary Education Act of 1965 to allow members of the Armed Forces who served on active duty on or after September 11, 2001, to be eligible to participate in the Troops-to-Teachers Program, and for other purposes.

S. 2728

At the request of Mr. BURR, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 2728, a bill to amend the Internal Revenue Code of 1986 to provide that the value of certain historic property shall be determined using an income approach in determining the taxable estate of a decedent.

S. 2985

At the request of Mr. PRYOR, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 2985, a bill to amend the Internal Revenue Code of 1986 to establish a new Small Business Startup Savings Account.

S. 3058

At the request of Mr. DORGAN, the names of the Senator from Alaska [Mr. BEGICH], the Senator from New Mexico [Mr. UDALL], the Senator from Hawaii [Mr. AKAKA] and the Senator from Massachusetts [Mr. KERRY] were added as cosponsors of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3081

At the request of Mr. VITTER, his name was withdrawn as a cosponsor of S. 3081, a bill to provide for the interrogation and detention of enemy belligerents who commit hostile acts against the United States, to establish certain limitations on the prosecution of such belligerents for such acts, and for other purposes.

S. 3123

At the request of Mr. LEAHY, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 3123, a bill to amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to carry out a program to assist eligible schools and nonprofit entities through grants and technical assistance to implement farm to school programs that improve access to local foods in eligible schools.

S. 3148

At the request of Mr. WEBB, the name of the Senator from Massachusetts [Mr. BROWN] was added as a cosponsor of S. 3148, a bill to amend the Internal Revenue Code of 1986 to provide for the treatment of Department of Defense health coverage as minimal essential coverage.

S. 3162

At the request of Mr. AKAKA, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 3162, a bill to clarify the health care provided by the Secretary of Veterans Affairs that constitutes minimum essential coverage.

AUTHORITY FOR COMMITTEE TO MEET

By unanimous consent, on the request of Ms. LANDRIEU,

Ordered, That the following committee be authorized to meet during the session of the Senate:

SUBCOMMITTEE ON INTERNATIONAL TRADE, CUSTOMS, AND GLOBAL COMPETITIVENESS

The Subcommittee on International Trade, Customs, and Global Competitiveness of the Committee on Finance be authorized to meet during the session of the Senate on March 25, 2010, at 2:30 p.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Doubling U.S. Exports: Are U.S. Sea Ports Ready for the Challenge?"

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 9:56 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1879. An act to amend title 38, United States Code, to provide for employment and reemployment rights for certain individuals ordered to full-time National Guard duty.

H.R. 3562. An act to designate the federally occupied building located at 1220 Echelon Parkway in Jackson, Mississippi, as the "James Chaney, Andrew Goodman, and Michael Schwerner Federal Building".

H.R. 4098. An act to require the Director of the Office of Management and Budget to issue guidance on the use of peer-to-peer file sharing software to prohibit the personal use of such software by Government employees, and for other purposes.

H.R. 4899. An act making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010.

At 12:35 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4849. An act to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, extend the Build America Bonds program, provide other infrastructure job creation tax incentives, and for other purposes.

At 5:17 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4938. An act to permit the use of previously appropriated funds to extend the Small Business Loan Guarantee Program, and for other purposes.

At 9:22 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House agree to the amendments of the Senate to the bill (H.R. 4872) entitled "An Act to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13).".

HOUSE BILLS REFERRED

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

H.R. 1879. An act to amend title 38, United States Code, to provide for employment and reemployment rights for certain individuals ordered to full-time National Guard duty; to the Committee on Veterans' Affairs.

H.R. 3562. An act to designate the federally occupied building located at 1220 Echelon Parkway in Jackson, Mississippi, as the 'James Chaney, Andrew Goodman, Michael Schwerner, and Roy K. Moore Federal Building'; to the Committee on Environment and Public Works.

H.R. 4098. An act to require the Director of the Office of Management and Budget to issue guidance on the use of peer-to-peer file sharing software to prohibit the personal use of such software by Government employees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

ORDERS FOR RECESS UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, when the Senate concludes its business on today, it recess until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the

Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, and the times for the two leaders be reserved; and that the Senate then proceed to a period for the transaction of morning business until 12:30 p.m., with Senators permitted to speak for 10 minutes each therein.

AUTHORIZING SIGNING OF ENROLLED BILLS AND JOINT RESOLUTIONS

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the majority leader be authorized to sign enrolled bills and joint resolutions through close of business on tomorrow.

RECESS

By unanimous consent, on the request of Mr. DURBIN,

At 9:33 p.m.,

The Senate recessed, under its order of today, until 9:30 a.m. on tomorrow.

FRIDAY, MARCH 26, 2010

(Legislative day of Thursday, March 25, 2010)

Mr. JEFF MERKLEY, from the State of Oregon, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. MERKLEY led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, March 26, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF MERKLEY, a Senator from the State of Oregon, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. MERKLEY took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

LEADER TIME RESERVED

Pursuant to the order of yesterday,

The times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, Friday, March 26, 2010, she had presented to the President of the United States the following enrolled bill:

S. 3186. A bill to reauthorize the Satellite Home Viewer Extension and Reauthorization Act of 2004 through April 30, 2010, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5213. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Implementation of both the Understandings Reached at the 2009 Australia Group (AG) Plenary Meeting and a Decision Adopted under the AG Intersessional Silent Approval Procedures" (RIN0694-AE85), received in the Office of the President of the Senate on March 23, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5214. A communication from the Acting Under Secretary for Industry and Security, Department of Commerce, transmitting, pursuant to law, a report relative to the Department's intent to impose new foreign policy-based export controls on certain concealed object detection equipment and related software and technology; to the Committee on Banking, Housing, and Urban Affairs.

EC-5215. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Illinois; NOx Budget Trading Program; Correction" (FRL No. 9129-9), received in the Office of the President of the Senate on March 24, 2010; to the Committee on Environment and Public Works.

EC-5216. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Michigan; PSD Regulations" (FRL No. 9129-5), received in the Office of the President of the Senate on March 24, 2010; to the Committee on Environment and Public Works.

EC-5217. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Texas; Revision to Control Volatile Organic Compound Emissions in the Houston/Galveston/Brazoria 8-Hour Ozone Nonattainment Area" (FRL No. 9130-8), received in the Office of the President of the Senate on March 24, 2010; to the Committee on Environment and Public Works.

EC-5218. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Taking of Marine Mammals Incidental to Commercial Fishing Operations; Harbor Porpoise Take Reduction Plan Regulations" (RIN0648-AW51), received in the Office of the President of the Senate on March 24, 2010; to the Committee on Environment and Public Works.

EC-5219. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Wassenaar Arrangement 2008 Plenary Agreements Implementation: Categories 1, 2, 3, 4, 5 Parts I and II, 6, 7, 8 and 9 of the Commerce Control List, Definitions, Reports; Correction" (RIN0694-AE58), received in the Office of the President of the Senate on March 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5220. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Export Administration Regulations to Enhance U.S. Homeland Security: Addition of Three Export Control Classification Numbers (ECCNs) and License Review Policy" (RIN0694-AE58), received in the Office of the President of the Senate on March 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5221. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska" (RIN0648-XV12), received in the Office of the President of the Senate on March 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5222. A communication from the Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish Managed Under the Individual Fishing Quota Program" (RIN0648-XV03), received in the Office of the President of the Senate on March 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5223. A communication from the Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; Closure" (RIN0648-XU86), received in the Office of the President of the Senate on March 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5224. A communication from the Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Inseason Action to Close the Commercial Gulf of Mexico Non-Sandbar Large Coastal Shark Fishery" (RIN0648-XU90), received in the Office of the President of the Senate on March 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5225. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Monkfish Fishery" (RIN0648-XU90), received in the Office of the President of the Senate on March 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5226. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Amendment 10" (RIN0648-AY00), received in the Office of the President of the Senate on March 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5227. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications" (RIN0648-XT32), received in the Office of the President of the Senate on March 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5228. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Gulf of Alaska; Final 2010 and 2011 Harvest Specifications for Groundfish" (RIN0648-XS43), received in the Office of the President of the Senate on March 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5229. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands; Final 2010 and 2011 Harvest Specifications for Groundfish" (RIN0648-XS44), received in the Office of the President of the Senate on March 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5230. A communication from the Assistant Secretary for Administration, Department of Commerce, transmitting, pursuant to law, a report relative to the Department of Commerce's use of category rating; to the Committee on Commerce, Science, and Transportation.

EC-5231. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "New Animal Drug Applications; Confirmation of Effective Date" (Docket No. FDA-2009-N-0436), received in the Office of the President of the Senate on March 23, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5232. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, a report relative to the Government Accountability Office recommendations in "Results-Oriented Cultures: Office of Personnel Management Should Review Administrative Law Judge Program to Improve Hiring and Performance"; to the Committee on Homeland Security and Governmental Affairs.

EC-5233. A communication from the Deputy Assistant Administrator of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Changes to Consolidation of DEA Mailing Addresses" (RIN1117-AB19), received in the Office of the President of the Senate on March 24, 2010; to the Committee on the Judiciary.

EC-5234. A communication from the Deputy Assistant Administrator of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Information on Foreign Chain of Distribution for Ephedrine, Pseudoephedrine, and Phenylpropanolamine" (RIN1117-AB07), received in the Office of the President of the Senate on March 24, 2010; to the Committee on the Judiciary.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 2960. A bill to exempt aliens who are admitted as refugees or granted asylum and are employed overseas by the Federal Government from the 1-year physical presence requirement for adjustment of status to that of aliens lawfully admitted for permanent residence, and for other purposes.

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute and an amendment to the title:

S. 2974. A bill to establish the Return of Talent Program to allow aliens who are legally present in the United States to return temporarily to the country of citizenship of the alien if that country is engaged in post-conflict or natural disaster reconstruction, and for other purposes.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. BROWN of Ohio (for himself and Mr. WYDEN):

S. 3189. A bill to amend title 49, United States Code, to allow for additional transportation assistance grants; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. LANDRIEU (for herself and Mr. DURBIN):

S. 3190. A bill to reaffirm that the Small Business Reauthorization Act of 1997 does not limit a contracting officer's discretion

regarding whether to make a contract available for award pursuant to any of the restricted competition programs authorized by the Small Business Act; to the Committee on Small Business and Entrepreneurship.

By Mrs. HUTCHISON:

S. 3191. A bill to reauthorize the Satellite Home Viewer Extension and Reauthorization Act of 2004, and for other purposes; considered and passed.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. COCHRAN (for himself and Mr. WICKER):

S. Res. 471. A resolution recognizing the University of Southern Mississippi for 100 years of service and excellence in higher education; considered and agreed to.

By Mr. LAUTENBERG (for himself, Mr. THUNE, and Mr. ROCKEFELLER):

S. Res. 472. A resolution in recognition and support of National Safe Digging Month; considered and agreed to.

By Mrs. LINCOLN (for herself and Mr. WICKER):

S. Res. 473. A resolution designating April 4, 2010, as "National Association of Junior Auxiliaries Day"; considered and agreed to.

By Ms. STABENOW (for herself, Mr. ISAKSON, Mr. JOHANNS, and Mr. UDALL of Colorado):

S. Res. 474. A resolution supporting the designation of April as Parkinson's Awareness Month; considered and agreed to.

By Ms. MURKOWSKI (for herself, Ms. LANDRIEU, Mrs. HUTCHISON, Ms. SNOWE, and Ms. MIKULSKI):

S. Res. 475. A resolution recognizing March 2010 as National Women's History Month; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 649

At the request of Mr. KERRY, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 649, a bill to require an inventory of radio spectrum bands managed by the National Telecommunications and Information Administration and the Federal Communications Commission.

S. 1019

At the request of Mr. HARKIN, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 1019, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of hearing aids.

S. 1021

At the request of Mrs. LINCOLN, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 1021, a bill to amend the Internal Revenue Code of 1986 to provide an enhanced credit for research and development by companies that manufacture products in the United States.

S. 2974

At the request of Mr. LEAHY, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 2974, a bill to establish the Return of Talent Program to allow aliens who are legally present in the United States to return temporarily to the country of citizenship of the alien if that country is engaged in post-conflict or natural disaster reconstruction, and for other purposes.

S. 3165

At the request of Ms. LANDRIEU, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 3165, a bill to authorize the Administrator of the Small Business Administration to waive the non-Federal share requirement under certain programs.

S. 3166

At the request of Mr. SCHUMER, the name of the Senator from Missouri [Mrs. MCCASKILL] was added as a cosponsor of S. 3166, a bill to amend the Internal Revenue Code of 1986 to provide tax relief for persons with investment losses due to fraud or embezzlement.

S. 3180

At the request of Mr. LEMIEUX, the names of the Senator from Texas [Mrs. HUTCHISON] and the Senator from Alabama [Mr. SHELBY] were added as cosponsors of S. 3180, a bill to prohibit the use of funds for the termination of the Constellation Program of the National Aeronautics and Space Administration, and for other purposes.

AUTHORITY FOR COMMITTEE TO MEET

By unanimous consent, on the request of Ms. STABENOW,

Ordered, That the following committee be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on March 26, 2010, at 9 a.m.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 9:38 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1612. An act to amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service.

H.R. 4360. An act to designate the Department of Veterans Affairs blind rehabilitation center in Long Beach, California, as the "Major Charles Robert Soltes, Jr., O.D. Department of Veterans Affairs Blind Rehabilitation Center".

H.R. 4957. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

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

S. 3186. An act to reauthorize the Satellite Home Viewer Extension and Reauthorization Act of 2004 through April 30, 2010, and for other purposes.

The message further announced that the House agrees to the amendment of the Senate to the title of the bill (H.R. 1586) to impose an additional tax on bonuses received from certain TARP recipients, and that the House agrees to the amendment of the Senate to the text of the aforesaid bill, with an amendment, in which it requests the concurrence of the Senate.

At 10:54 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 4872. An act to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13).

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the ACTING PRESIDENT pro tempore (Mr. REID).

At 11:11 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 3186. An act to reauthorize the Satellite Home Viewer Extension and Reauthorization Act of 2004 through April 30, 2010, and for other purposes.

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the ACTING PRESIDENT pro tempore (Mr. REID).

At 12:45 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the

Speaker has signed the following enrolled bill:

H.R. 4938. An act to permit the use of previously appropriated funds to extend the Small Business Loan Guarantee Program, and for other purposes.

H.R. 4957. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the PRESIDENT pro tempore.

HOUSE BILLS REFERRED

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

H.R. 1612. To amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service; to the Committee on Energy and Natural Resources.

H.R. 4360. To designate the Department of Veterans Affairs blind rehabilitation center in Long Beach, California, as the "Major Charles Robert Soltes, Jr., O.D. Department of Veterans Affairs Blind Rehabilitation Center"; to the Committee on Veterans' Affairs.

H.R. 4783. An act to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Chile, and to extend the period from which such contributions for the relief of victims of the earthquake in Haiti may be accelerated; to the Committee on Finance.

H.R. 4786. An act to provide authority to compensate Federal employees for the 2-day period in which authority to make expenditures from the Highway Trust Fund lapsed, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4849. An act to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, extend the Build America Bonds program, provide other infrastructure job creation tax incentives, and for other purposes; to the Committee on Finance.

H.R. 4915. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes; to the Committee on Finance.

HOUSE BILLS PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 725. An act to protect Indian arts and crafts through the improvement of applicable criminal proceedings, and for other purposes.

H.R. 1065. An act to resolve water rights claims of the White Mountain Apache Tribe in the State of Arizona, and for other purposes.

OBJECTION TO CONSIDERATION OF BILL H.R. 4851

Ms. STABENOW asked unanimous consent that the Senate proceed to consider the bill (H.R. 4851) to provide a temporary extension of certain programs, and for other purposes; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. COBURN objected.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL H.R. 4915

Mr. COBURN asked unanimous consent that the Senate proceed to consider the bill (H.R. 4915) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes; that an amendment be proposed, and agreed to; that the bill, as amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Ms. STABENOW objected.

Pending debate,

OBJECTION TO EXECUTIVE SESSION

Mr. LEVIN asked unanimous consent that the Senate proceed to executive session to consider the nomination of Brigadier General Michael J. Walsh, to be Major General; that the nomination be confirmed; that a motion to reconsider be made and laid on the table; that the President be immediately notified of the Senate's action; and that the Senate resume its legislative session.

Mr. COBURN objected.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL H.R. 4851

Mr. REED asked unanimous consent that the Senate proceed to consider bill H.R. 4851; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. COBURN objected.

Pending debate,

FEDERAL AVIATION ADMINISTRATION EXTENSION ACT

On the request of Mr. WYDEN,

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) laid before the Senate the bill (H.R. 4957) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes, received from the House of Representatives for concurrence on today, and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

MINIMUM ESSENTIAL HEALTH CARE COVERAGE

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That the Committee on Veterans' Affairs be discharged from the further consideration of the bill (S. 3162) to clarify the health care provided by the Secretary of Veterans Affairs that constitutes minimum essential coverage.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

PREVENT DECEPTIVE CENSUS LOOK ALIKE MAILINGS ACT

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That the Committee on Homeland Security and Governmental Affairs be discharged from the further consideration of

the bill (H.R. 4621) to protect the integrity of the constitutionally-mandated United States census and prohibit deceptive mail practices that attempt to exploit the decennial census.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DEBT RELIEF FOR EARTHQUAKE RECOVERY IN HAITI ACT

On the request of Mr. KAUFMAN,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 4573) to urge the Secretary of the Treasury to instruct the United States Executive Directors at the International Monetary Fund, the World Bank, the Inter-American Development Bank, and other multilateral development institutions to use the voice, vote, and influence of the United States to cancel immediately and completely Haiti's debts to such institutions, and for other purposes, received from the House of Representatives for concurrence on today, and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

On motion by Mr. KAUFMAN (for Mr. DODD) to amend the bill on various pages and lines, by striking certain words and inserting other words (being amendment No. 3718).

The amendment was agreed to.

The bill, as amended, was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING AND HONORING THE BLINDED VETERANS ASSOCIATION ON ITS 65TH ANNIVERSARY

On the request of Mr. KAUFMAN,

The PRESIDING OFFICER laid before the Senate the joint resolution (H.J. Res. 80) recognizing and honoring the Blinded Veterans Association on its 65th anniversary of representing blinded veterans and their families, received from the House of Representatives for concurrence on Wednesday, March 24, 2010, and remaining undisposed of; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the joint resolution.

The question being on passage of the joint resolution; and

No amendment being proposed,

The joint resolution was read the third time, by unanimous consent.

Resolved, That it pass, and that the Senate agree to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

COMMEMORATING THE 80TH ANNIVERSARY OF THE DAUGHTERS OF PENELOPE

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 117) commemorating the 80th anniversary of the Daughters of Penelope, a preeminent international women's association and affiliate organization of the American Hellenic Educational Progressive Association (AHEPA).

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL CHILDHOOD OBESITY AWARENESS MONTH"

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 412) designating September 2010 as "National Childhood Obesity Awareness Month".

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING “NATIONAL ASBESTOS AWARENESS WEEK”

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 427) designating the first week of April 2010 as "National Asbestos Awareness Week".

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The question being on agreeing to the accompanying preamble.

On motion by Mr. KAUFMAN (for Mr. BAUCUS) to amend the preamble by striking the 8th whereas clause (being amendment No. 3719).

The amendment was agreed to.

The preamble, as amended, was agreed to.

RECOGNIZING THE UNIVERSITY OF SOUTHERN MISSISSIPPI FOR 100 YEARS OF SERVICE

On the request of Mr. KAUFMAN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 471) recognizing the University of Southern Mississippi for 100 years of service and excellence in higher education, submitted today by Mr. COCHRAN (for himself and Mr. WICKER), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING “NATIONAL SAFE DIGGING MONTH”

On the request of Mr. KAUFMAN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 472) in recognition and support of National Safe Digging Month, submitted today by Mr. LAUTENBERG (for himself, Mr. ROCKEFELLER, and Mr. THUNE), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING “NATIONAL ASSOCIATION OF JUNIOR AUXILIARIES DAY”

On the request of Mr. KAUFMAN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 473) designating April 4, 2010, as "National Association of Junior Auxiliaries Day", submitted today by Mrs. LINCOLN (for herself and Mr. WICKER), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "PARKINSON'S AWARENESS MONTH"

On the request of Mr. KAUFMAN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 474) supporting the designation of April as Parkinson's Awareness Month, submitted today by Ms. STABENOW (for herself, Mr. ISAKSON, Mr. JOHANNS, and Mr. MARK UDALL) and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORIZING APPOINTMENTS DURING THE ADJOURNMENT OR RECESS OF THE SENATE

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That, notwithstanding the recess or adjournment of the Senate, the President of the Senate, the PRESIDENT pro tempore, and the majority and minority leaders be authorized to make appointment to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, concurrent action of the two Houses, or by order of the Senate.

AUTHORITY FOR COMMITTEES TO REPORT

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That, notwithstanding an adjournment, committees be authorized to "file" legislative and executive reports on Thursday, April 1, 2010, from 11 a.m. until 1 p.m.

ORDER FOR CONSIDERATION OF MOTION TO PROCEED TO CONSIDER BILL H.R. 4851

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That, at 3 p.m. on Monday, April 12, 2010, the Senate resume consideration of the motion to proceed to consider bill H.R. 4851; that the time until from 5 p.m. until 5:30 p.m. be equally divided and controlled for debate between the leaders, or their designees; that the majority leader control the final 15 minutes therein; that, at 5:30 p.m., the Senate vote on the question of agreeing to the motion to bring to a close debate on the motion to proceed to consider the bill; and that the quorum under rule XXII of the Standing Rules of the Senate be waived.

SATELLITE TELEVISION EXTENSION AND LOCALISM ACT

On the request of Mr. KAUFMAN,

The PRESIDING OFFICER laid before the Senate the bill (S. 3191) to reauthorize the Satellite Home Viewer Extension and Reauthorization Act of 2004, and for other purposes, introduced on today by Mrs. HUTCHISON, and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, APRIL 12, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2 p.m. on Monday, April 12, 2010; that, on Monday, April 12, 2010, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that the Senate then proceed to a period for the transaction of morning business until 3 p.m., with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; and that, following morning business, the Senate resume consideration of the motion to proceed to consider bill H.R. 4851.

ADJOURNMENT

By unanimous consent, on the request of Mr. KAUFMAN,

At 1:49 p.m.,

The Senate adjourned, under its order of today, and pursuant to the provisions of concurrent resolution H. Con. Res. 257, until 2 p.m. on Monday, April 12, 2010.

MONDAY, APRIL 12, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE

PRESIDENT PRO TEMPORE,

Washington, DC, April 12, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,

PRESIDENT pro tempore.

Mr. WARNER took the chair.

IMPEACHMENT OF G. THOMAS PORTEOUS, JR.

The Senate sitting for the trial of the impeachment of G. Thomas Porteous, Jr., Judge of the United States District Court for the Eastern District of Louisiana, resumed its session.

After proceedings had therein concluded, as stated in the Impeachment Journal.

ORDER FOR MOMENT OF SILENCE

By unanimous consent, on the request of Mr. REID,

Ordered, That, at 3:30 p.m., the Senate observe a moment of silence in solidarity with the people of West Virginia on the loss of the miners in the Massey Energy mine disaster.

THE JOURNAL

Pursuant to the order of Friday, March 26, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Friday, March 26, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Friday, March 26, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 6, 2009, the Secretary of the Senate, on March 31, 2010, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill and joint resolution:

H.R. 4621. An act to protect the integrity of the constitutionally mandated United States census and prohibit deceptive mail practices that attempt to exploit the decennial census.

H.J. Res. 80. Joint resolution recognizing and honoring the Blinded Veterans Association on its 65th anniversary of representing blinded veterans and their families.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Under the authority of the order of the Senate of January 6, 2009, the enrolled bill and joint resolution were signed on April 1, 2010, during the adjournment of the Senate, by the PRESIDENT pro tempore.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5235. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Research and Development Contract Type Determination" (DFARS Case 2006-D053), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Armed Services.

EC-5236. A communication from the Secretary of the Air Force, transmitting, pursuant to law, the report of an Average Procurement Unit Cost (APUC) breach relative to the Joint Strike Fighter (JSF); to the Committee on Armed Services.

EC-5237. A communication from the Assistant Secretary of Defense (Reserve Affairs), Department of Defense, transmitting, pursuant to law, a report relative to the modernization priority assessments provided by the Chiefs of the Reserve and National Guard Components; to the Committee on Armed Services.

EC-5238. A communication from the Under Secretary of Defense (Personnel and Readiness), Department of Defense, transmitting, pursuant to law, a report relative to waiving the minimum notification of 30 days provided to reserve component service members prior to mobilization in support of humanitarian assistance and disaster relief to the victims of the earthquake in Haiti; to the Committee on Armed Services.

EC-5239. A communication from the Assistant Chief Counsel for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Risk-Based Adjustment of Transportation Security Plan Requirements" (RIN2137-AE22), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5240. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Damage Tolerance Data for Repairs and Alterations" ((RIN2120-AI32)(Docket No. FAA-2005-21693)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5241. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Extended Operations (ETOPS) of Multi-Engine Airplanes; Technical Amendment" ((RIN2120-AI03)(Docket No. FAA-2002-6717)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5242. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Jet Routes and VOR Federal Airways in the Vicinity of Gage, OK" ((RIN2120-AA66)-(Docket No. FAA-2010-0004)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5243. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of VOR Federal Airway V-422 in the Vicinity of Wolf Lake, IN" ((RIN2120-AA66)(Docket No. FAA-2010-0006)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5244. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Restricted Area R-2204 High and R-2204 Low; Oliktok Point, AK" ((RIN2120-AA66)-(Docket No. FAA-2009-0693)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5245. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (44); Amdt. No. 3365" (RIN2120-AA65), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5246. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (96); Amdt. No. 3364" (RIN2120-AA65), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5247. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class D and Class E Airspace; Panama City, FL" ((RIN2120-AA66)(Docket No. FAA-2009-0710)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5248. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Koyukuk, AK" ((RIN2120-AA66)(Docket No. FAA-2009-0692)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5249. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of

Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Skaktoolik, AK" ((RIN2120-AA66)(Docket No. FAA-2009-0142)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5250. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Battle Mountain, NV" ((RIN2120-AA66)(Docket No. FAA-2009-1057)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5251. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Hailey, ID" ((RIN2120-AA66)(Docket No. FAA-2009-0954)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5252. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; West Bend, WI" ((RIN2120-AA66)(Docket No. FAA-2009-1149)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5253. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment and Modification of Class E Airspace; Gunnison, CO" ((RIN2120-AA66)(Docket No. FAA-2009-0949)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5254. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Rawlins, WY" ((RIN2120-AA66)(Docket No. FAA-2009-0880)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5255. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Cedar Rapids, IA" ((RIN2120-AA66)(Docket No. FAA-2009-0916)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5256. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Huntingburg, IN" ((RIN2120-AA66)(Docket No. FAA-2009-0736)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5257. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Georgetown, TX" ((RIN2120-AA66)(Docket No. FAA-2009-0934)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5258. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Gadsden, AL" ((RIN2120-AA66)(Docket No. FAA-2009-0955)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5259. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Dumas, TX" ((RIN2120-AA66)(Docket No. FAA-2009-1151)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5260. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Scammon Bay, AK" ((RIN2120-AA66)(Docket No. FAA-2009-1038)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5261. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Dillingham, AK" ((RIN2120-AA66)(Docket No. FAA-2009-1055)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5262. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Iliamna, AK" ((RIN2120-AA66)(Docket No. FAA-2009-1036)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5263. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Honeywell International Inc. TFE731 Series Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2009-0331)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5264. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company CF6-45 and CF6-50 Series Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2009-0331)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5265. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Model AS 332 C, L, L1, and L2; AS 350 B3, AS355 F, F1, F2, and N; SA 365N and N1; AS 365 N2 and N3; SA 366G1; EC 130 B4; and EC 155B and B1 Helicopters" ((RIN2120-AA64)-(Docket No. FAA-2009-0663)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5266. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 777-200, -200LR, -300, -300ER, and 777F Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0221)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5267. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness

Directives; The Boeing Company Model 767 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0642)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5268. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Thielert Aircraft Engines GmbH (TAE) Models TAE 125-02-99 and TAE 125-01 Reciprocating Engines" ((RIN2120-AA64)(Docket No. FAA-2009-0948)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5269. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; MD Helicopters, Inc. Model MD-900 Helicopters" ((RIN2120-AA64)(Docket No. FAA-2009-0953)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5270. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Model AS355E, AS355F, AS355F1, AS355F2, and AS355N Helicopters" ((RIN2120-AA64)-(Docket No. FAA-2009-1090)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5271. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Learjet Inc. Model 45 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0226)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5272. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sikorsky Aircraft Corporation Model S-76C Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-0242)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5273. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; International Aero Engines (IAE) V2500-A1, V2522-A5, V2524-A5, V2525-D5, V2527-A5, V2527E-A5, V2527M-A5, V2528-D5, V2530-A5, and V2533-A5 Turbofan Engines" ((RIN2120-AA64)-(Docket No. FAA-2007-29060)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5274. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt & Whitney JT8D-209, -217, -217C, and -219 Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2009-0883)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5275. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 737-100, -200, -200C, 300, 400, and 500 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0452)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5276. A communication from the Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, a report certifying for fiscal year 2010 that no United Nations agency or United Nations affiliated agency grants any official status, accreditation, or recognition to any organization which promotes and condones or seeks the legalization of pedophilia, or which includes as a subsidiary or member any such organization; to the Committee on Foreign Relations.

EC-5277. A communication from the Acting Associate Administrator for Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2008-027, Federal Awardee Performance and Integrity Information System" ((RIN9000-AL38)(FAC 2005-40)), received in the Office of the President of the Senate on March 25, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5278. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-40; Introduction" (FAC 2005-40), received in the Office of the President of the Senate on March 25, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5279. A communication from the Deputy Director, Court Services and Offender Supervision Agency for the District of Columbia, transmitting, pursuant to law, the Agency's Fiscal Year 2009 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-5280. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the quarterly report of the Department of Justice's Office of Privacy and Civil Liberties for the first quarter of fiscal year 2010; to the Committee on the Judiciary.

EC-5281. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a quarterly report to Congress relative to complaint referrals under the Uniformed Services Employment and Reemployment Rights Act of 1994; to the Committee on the Judiciary.

EC-5282. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Inclusion of Fugitive Emissions; Final Rule; Stay" (FRL No. 9131-9), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Environment and Public Works.

EC-5283. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; Revisions to Chapter 116 Which Relate to the Voting Permits and Extension of Permits" (FRL No. 9132-3), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Environment and Public Works.

EC-5284. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "1-Propene, 2,3,3,3-tetrafluoro-; Withdrawal of Significant New Use Rule" (FRL No. 8816-9), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Environment and Public Works.

EC-5285. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and

Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the General Conformity Regulations" (FRL No. 9131-7), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Environment and Public Works.

EC-5286. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, a report entitled "Regulatory Impact Analysis: Changes to Renewable Fuel Standard Program"; to the Committee on Environment and Public Works.

EC-5287. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Regulation of Fuels and Fuel Additives: Changes to Renewable Fuel Standard Program" (FRL No. 9112-3), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Environment and Public Works.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

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

Report to accompany S. 1830, A bill to establish the Chief Conservation Officers Council to improve the energy efficiency of Federal agencies, and for other purposes (Rept. No. 111-167).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 469. A bill to amend chapter 83 of title 5, United States Code, to modify the computation for part-time service under the Civil Service Retirement System.

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 629. A bill to facilitate the part-time reemployment of annuitants, and for other purposes.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. SPECTER:

S. 3192. A bill to amend title 38, United States Code, to provide for the tolling of the timing of review for appeals of final decisions of the Board of Veterans' Appeals, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KERRY (for himself and Mrs. GILLIBRAND):

S. 3193. A bill to establish within the office of the Secretary of State a Coordinator for Cyberspace and Cybersecurity Issues; to the Committee on Foreign Relations.

By Mr. REID:

S. 3194. A bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; read the first time.

By Mr. CARDIN (for himself and Ms. LANDRIEU):

S. 3195. A bill to prohibit air carriers from charging fees for carry-on baggage and to require disclosure of passenger fees, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. LUGAR:

S. Res. 476. A resolution honoring the lives of President of Poland Lech Kaczynski, his wife, and 94 others who perished on April 10, 2010, in a plane crash while en route to memorialize those Polish officers, officials, and civilians who were massacred by the Soviet Union 70 years ago; to the Committee on Foreign Relations.

By Mr. MENENDEZ (for himself, Mr. REID, Ms. STABENOW, Mr. DURBIN, Mrs. BOXER, Mr. UDALL of Colorado, Mr. SCHUMER, Mrs. GILLIBRAND, Mr. BINGAMAN, Mr. BROWN of Ohio, Mr. UDALL of New Mexico, and Mr. WYDEN):

S. Res. 477. A resolution honoring the accomplishments and legacy of Cesar Estrada Chavez; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 46

At the request of Mr. ENSIGN, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 46, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 624

At the request of Mr. DURBIN, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 624, a bill to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis by 2015 by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

S. 678

At the request of Mr. LEAHY, the name of the Senator from Florida [Mr. NELSON] was added as a cosponsor of S. 678, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 696

At the request of Mr. CARDIN, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 696, a bill to amend the Federal Water Pollution Control Act to include a definition of fill material.

S. 729

At the request of Mr. DURBIN, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 729, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

S. 732

At the request of Mr. AKAKA, the name of the Senator from Rhode Island [Mr. REED] was added as a cosponsor of S. 732, a bill to amend the National Dam Safety Program Act to establish a program to provide grant assistance to States for the rehabilitation and repair of deficient dams.

S. 752

At the request of Mr. DURBIN, the names of the Senator from Vermont [Mr. LEAHY] and the Senator from New Jersey [Mr. MENENDEZ] were added as cosponsors of S. 752, a bill to reform the financing of Senate elections, and for other purposes.

S. 841

At the request of Mr. KERRY, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 841, a bill to direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation.

S. 866

At the request of Mr. REED, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 866, a bill to amend the Elementary and Secondary Education Act of 1965 regarding environmental education, and for other purposes.

S. 941

At the request of Mr. CRAPO, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 941, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearm laws and regulations, protect the community from criminals, and for other purposes.

S. 1425

At the request of Mr. DURBIN, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 1425, a bill to increase the United States financial and programmatic contributions to promote economic opportunities for women in developing countries.

S. 1442

At the request of Mr. BINGAMAN, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 1442, a bill to amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service-learning opportunities on public lands, establish a grant program for Indian Youth Service Corps, help restore the Nation's natural, cultural, historic, archaeological, recreational, and scenic resources, train a new generation of public land managers and enthusiasts, and promote the value of public service.

S. 1481

At the request of Mr. MENENDEZ, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 1481, a bill to amend section 811 of the Cranston-Gonzalez National Affordable Housing Act to improve the program under such section for supportive housing for persons with disabilities.

S. 1549

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 1549, a bill to protect United States citizens from unlawful arrest and detention.

S. 1550

At the request of Mr. MENENDEZ, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 1550, a bill to ensure that individuals detained by the Department of Homeland Security are treated humanely, provided adequate medical care, and granted certain specified rights.

S. 1553

At the request of Mr. GRASSLEY, the name of the Senator from Tennessee [Mr. CORKER] was added as a cosponsor of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1596

At the request of Mrs. BOXER, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 1596, a bill to authorize the Secretary of the Interior to acquire the Gold Hill Ranch in Coloma, California.

S. 1933

At the request of Mr. BINGAMAN, the name of the Senator from Florida [Mr. NELSON] was added as a cosponsor of S. 1933, a bill to establish an integrated Federal program that protects, restores, and conserves natural resources by responding to the threats and effects of climate change, and for other purposes.

S. 2816

At the request of Mr. BUNNING, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 2816, a bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs and to allow the adoption credit to be claimed in the year expenses are incurred, regardless of when the adoption becomes final.

S. 2920

At the request of Mr. LAUTENBERG, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 2920, a bill to amend chapter 1 of title 23, United States Code, to condition the receipt of certain highway funding by States on the enactment and enforcement by States of certain laws to prevent repeat intoxicated driving.

S. 2993

At the request of Mr. SANDERS, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 2993, a bill to increase the quantity of solar photovoltaic electricity by providing rebates for the purchase and installation of an additional 10, 000,000 solar roofs and additional solar water heating systems with a cumulative capacity of 10,000,000 gallons by 2019.

S. 3020

At the request of Ms. SNOWE, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 3020, a bill to direct the Administrator of the Small Business Administration to reform and improve the HUBZone program for small business concerns, and for other purposes.

S. 3036

At the request of Mr. BAYH, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 3036, a bill to establish the Office of the National Alzheimer's Project.

S. 3039

At the request of Mr. UDALL of New Mexico, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 3039, a bill to prevent drunk driving injuries and fatalities, and for other purposes.

S. 3058

At the request of Mr. DORGAN, the names of the Senator from New Jersey [Mr. MENENDEZ], the Senator from Michigan [Mr. LEVIN] and the Senator from Pennsylvania [Mr. SPECTER] were added as cosponsors of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3062

At the request of Mr. CARPER, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 3062, a bill to extend credits related to the production of electricity from offshore wind, and for other purposes.

S. 3111

At the request of Mr. LEAHY, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 3111, a bill to establish the Commission on Freedom of Information Act Processing Delays.

S. 3165

At the request of Ms. LANDRIEU, the name of the Senator from Delaware [Mr. CARPER] was added as a cosponsor of S. 3165, a bill to authorize the Administrator of the Small Business Administration to waive the non-Federal share requirement under certain programs.

S. 3172

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 3172, a bill to support counternarcotics and related efforts in the Inter-American region.

SENATE RESOLUTION 409

At the request of Mr. GRASSLEY, his name was added as a cosponsor of Senate Resolution 409, a resolution calling on members of the Parliament in Uganda to reject the proposed "Anti-Homosexuality Bill", and for other purposes.

At the request of Mr. FEINGOLD, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of Senate Resolution 409, supra.

SENATE RESOLUTION 410

At the request of Mr. BAYH, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of Senate Resolution 410, a resolution supporting and recognizing the goals and ideals of "RV Centennial Celebration Month" to commemorate 100 years of enjoyment of recreation vehicles in the United States.

MOMENT OF SILENCE

Pursuant to the order of today,

At 3:30 p.m.,

The Senate observed a moment of silence in solidarity with the people of West Virginia on the loss of the miners in the Massey Energy mine disaster of last week.

MOTION TO PROCEED TO CONSIDER BILL H.R. 4851

Pursuant to the order of Friday, March 26, 2010,

The ACTING PRESIDENT pro tempore laid before the Senate the motion, made by Mr. REID on Thursday, March 25, 2010, that the Senate proceed to consider the bill

(H.R. 4851) to provide a temporary extension of certain programs, and for other purposes;

and

The Senate resumed consideration of the motion to proceed.

The question being on agreeing to the motion.

Pending debate,

The hour of 5:30 p.m. having arrived,

Pursuant to the order of Friday, March 26, 2010,

The PRESIDING OFFICER (Mr. KAUFMAN in the chair) laid before the Senate the motion, presented by Mr. REID on Thursday, March 25, 2010, to bring to a close debate on the motion to proceed to consider bill H.R. 4851.

Pursuant to the order of Friday, March 26, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the affirmative---
yeas... 60, nays... 34

[Rollcall Vote No. 109 Leg.]

YEAS --- 60

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (MA), Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS --- 34

Alexander, Barrasso, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Thune, Vitter, Wicker.

So the motion was agreed to; three-fifths of Senators duly chosen and sworn having voted in the affirmative.

The question being on agreeing to the motion to proceed.

ORDER FOR CONSIDERATION OF THE MOTION TO PROCEED TO CONSIDER BILL H.R. 4851 ON TOMORROW

By unanimous consent, on the request of Mr. REID,

Ordered, That, following morning business on tomorrow, the Senate resume consideration of the motion to proceed to consider bill H.R. 4851; that, at 2:15 p.m., time for debate thereon, pursuant to rule XXII of the Standing Rules of the Senate, be concluded; that the motion to proceed then be agreed to; and that the Senate then proceed to consider the bill.

Pending debate,

TRICARE AFFIRMATION ACT

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That the Committee on Finance be discharged from the further consideration of the bill (H.R. 4887) to amend the Internal Revenue Code of 1986 to ensure that health coverage provided by the Department of Defense is treated as minimal essential coverage.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

BILL READ THE FIRST TIME

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER (Mrs. SHAHEEN in the chair) laid before the Senate the bill (S. 3194) to provide collective bargaining rights for public safety officers employed by States or their political subdivisions, introduced today by Mr. REID, and at the desk; which was read the first time.

Mr. SHERROD BROWN asked unanimous consent that the bill be read the second time.

Mr. SHERROD BROWN objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period of one hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; that the majority control the first half therein, and the minority control the second half therein; and that, following morning business, the Senate resume consideration of the motion to proceed to consider bill H.R. 4851, as pursuant to the order of today.

Ordered further, That time in morning business, adjournment, or recess be counted against time for debate, pursuant to rule XXII of the Standing Rules of the Senate.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 2:15 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mr. SHERROD BROWN,

At 6:37 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

TUESDAY, APRIL 13, 2010

Mrs. JEANNE SHAHEEN, from the State of New Hampshire, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mrs. SHAHEEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, April 13, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. SHAHEEN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by Mrs. Neiman, one of his secretaries:

NOTICE OF EXECUTIVE ORDER BLOCKING THE PROPERTY OF CERTAIN PERSONS CONTRIBUTING TO THE CONFLICT IN SOMALIA—PM 50

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

To the Congress of the United States:

Consistent with subsection 204(b) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(b) (IEEPA), and section 301 of the National Emergencies Act, 50 U.S.C. 1631 (NEA), I hereby report that I have issued an Executive Order (the "order") blocking the property of certain persons contributing to the conflict in Somalia. In that order, I declared a national emergency to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States posed by that conflict, as described below.

The United Nations Security Council, in Resolution 1844 of November 20, 2008, reaffirmed its condemnation of all acts of violence in Somalia and incitement to violence inside Somalia, and expressed its concern at all acts intended to prevent or block a peaceful political process. United Nations Security Council Resolution (UNSCR) 1844 also expressed grave concern over the recent increase in acts of piracy and armed robbery at sea against vessels off the coast of Somalia, and noted the role piracy may play in financing violations of the arms embargo on Somalia imposed by UNSCR 733 of January 23, 1992. In UNSCR 1844, the United Nations Security Council determined that the situation in Somalia poses a threat to international peace and security in the region and called on member States to apply certain measures against persons responsible for the continuing conflict. The United Nations Security Council has continued to express grave concern about the crisis in Somalia in UNSCR 1846 of December 2, 2008, UNSCR 1851 of December 16, 2008, and UNSCR 1872 of May 26, 2009.

Pursuant to the IEEPA and the NEA, I have determined that the deterioration of the security situation and the persistence of violence in Somalia, and acts of piracy and armed robbery at sea off the coast of Somalia, constitute an unusual and extraordinary threat to the national security and foreign policy of the United States. The order declares a national emergency to deal with this threat.

The order is not targeted at the entire country of Somalia, but rather is intended to target those who threaten peace and stability in Somalia, who inhibit the delivery of humanitarian assistance to Somalia or the distribution of such assistance in Somalia, or who supply arms or related materiel in violation of the arms embargo. The order blocks the property and interests in property in the United States, or in the possession or control of United States persons, of the persons listed in the Annex to the order, as well as of any person determined by the Secretary of the Treasury, in consultation with the Secretary of State:

to have engaged in acts that directly or indirectly threaten the peace, security, or stability of Somalia, including but not limited to (1) acts that threaten the Djibouti Agreement of August 18, 2008, or the political process, or (2) acts that threaten the Transitional Federal Institutions, the African Union Mission in Somalia (AMISOM), or other international peacekeeping operations related to Somalia;

to have obstructed the delivery of humanitarian assistance to Somalia, or access to, or distribution of, humanitarian assistance in Somalia; or

to have directly or indirectly supplied, sold, or transferred to Somalia, or to have been the recipient in the territory of Somalia of, arms or any related materiel, or any technical advice, training, or assistance, including financing and financial assistance, related to military activities.

The designation criteria will be applied in accordance with applicable Federal law including, where appropriate, the First Amendment to the United States Constitution. The designation criteria will also be applied taking into consideration the arms embargo on Somalia imposed by UNSCR 733 of January 23, 1992, as elaborated upon and amended by subsequent resolutions.

The order also authorizes the Secretary of the Treasury, in consultation with the Secretary of State, to designate for blocking any person determined to have materially assisted, sponsored, or provided financial, material, logistical, or technical support for, or goods or services in support of, the activities described above or any person whose property and interests in property are blocked pursuant to the order. I determined that, among other threats to the peace, security, or stability of Somalia, acts of piracy or armed robbery at sea off the coast of Somalia threaten the peace, security, or stability of Somalia. I further authorized the Secretary of the Treasury, in consultation with the Secretary of State, to designate for blocking any person (defined as an individual or entity) determined to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the order.

I delegated to the Secretary of the Treasury, in consultation with the Secretary of State, the authority to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA and the United Nations Participation Act, as may be necessary to carry out the purposes of the order. All executive agencies are directed to take all appropriate measures within their authority to carry out the provisions of the order.

The order, a copy of which is enclosed, became effective at 12:01 a.m. eastern daylight time on April 13, 2010.

BARACK OBAMA.

THE WHITE HOUSE, *April 13, 2010.*

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5288. A communication from the Secretary of the Air Force, transmitting, pursuant to law, a report relative to the Average Procurement Unit Cost for the Wideband Global SATCOM (WGS) program satellites; to the Committee on Armed Services.

EC-5289. A communication from the Secretary of the Army, transmitting, pursuant to law, a report relative to the Average Procurement Unit Cost for the Advanced Threat Infrared Countermeasure and Common Missile Warning System (ATIRCM/CMWS) program; to the Committee on Armed Services.

EC-5290. A communication from the Assistant Secretary of the Navy (Financial Management and Comptroller), Department of Defense, transmitting, pursuant to law, a report relative to meals sold by messes for the United States Navy and Naval Auxiliary vessels; to the Committee on Armed Services.

EC-5291. A communication from the Assistant Secretary of the Army (Acquisition,

Logistics and Technology), Department of Defense, transmitting, pursuant to law, a report relative to the Army's intent to enter into a contract in support of depot maintenance programs performed at Corpus Christi Army Depot, Texas, for the AH-64 and CH-47 Systems; to the Committee on Armed Services.

EC-5292. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Potato Research and Promotion Plan" (Docket Nos. AMS-FV-09-0024; FV-09-706C), received during adjournment of the Senate in the Office of the President of the Senate on March 31, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5293. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency declared in Executive Order 13224 of September 23, 2001, with respect to persons who commit, threaten to commit, or support terrorism; to the Committee on Banking, Housing, and Urban Affairs.

EC-5294. A communication from the Chairman, Federal Financial Institutions Examination Council, transmitting, pursuant to law, the Council's 2009 Annual Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-5295. A communication from the Chairman, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, a report relative to the Buy American Act; to the Committee on Banking, Housing, and Urban Affairs.

EC-5296. A communication from the Deputy to the Chairman for Legal Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Transitional Safe Harbor Protection for Treatment by the Federal Deposit Insurance Corporation as Conservator or Receiver of Financial Assets Transferred by an Insured Depository Institution in Connection With a Securitization or Participation" (RIN3064-AD55), received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5297. A communication from the Assistant to the Board of Governors, Division of Consumer and Community Affairs, Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Electronic Fund Transfers" (FRS Docket No. R-1377), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5298. A communication from the Assistant General Counsel for Legislation and Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Energy Conservation Standards for Small Electric Motors" (RIN1904-AB70), received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2010; to the Committee on Energy and Natural Resources.

EC-5299. A communication from the Assistant Secretary for Fish and Wildlife Parks, National Wildlife Refuge Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Refuge Specific Regulations; Public Use; Kodiak National Wildlife Refuge" (RIN1018-AW15) as received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2010; to the Committee on Environment and Public Works.

EC-5300. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Delegation of New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants for the State of Louisiana" (FRL No. 9137-2), received in the Office of the President of the Senate on April 12, 2010; to the Committee on Environment and Public Works.

EC-5301. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Wyoming; Revisions to the Wyoming Air Quality Standards and Regulations; Direct Final Rule" (FRL No. 9136-6), received in the Office of the President of the Senate on April 12, 2010; to the Committee on Environment and Public Works.

EC-5302. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Striping Transactions for Qualified Tax Credit Bonds" (Notice No. 2010-28), received during adjournment of the Senate in the Office of the President of the Senate on March 31, 2010; to the Committee on Finance.

EC-5303. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "American Recovery and Reinvestment Tax Act of 2009 Clarifications" (Notice No. 2010-18), received during adjournment of the Senate in the Office of the President of the Senate on March 31, 2010; to the Committee on Finance.

EC-5304. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Issuance of Opinion and Advisory Letters and Opening of the EGTRRA Determination Letter Program for Pre-Approved Defined Benefit Plans" (Announcement 2010-20), received during adjournment of the Senate in the Office of the President of the Senate on March 31, 2010; to the Committee on Finance.

EC-5305. A communication from the Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, a report relative to the waiver of the restrictions contained in Section 907 of the FREEDOM Support Act of 1992; to the Committee on Foreign Relations.

EC-5306. A communication from the Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, a report relative to the withdrawal of certification granted to Mexico in relation to the incidental capture of sea turtles in commercial shrimping operations; to the Committee on Foreign Relations.

EC-5307. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including, technical data, and defense services for the manufacture of Small Diameter Bomb Increment I (SDB I) Weapon System in Italy; to the Committee on Foreign Relations.

EC-5308. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services for the continued manufacture of M791, M792, and M793 Ammunition and Components for sale to Turkey; to the Committee on Foreign Relations.

EC-5309. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services for the manufacture of Combat Identification System Products, Subsystems, and Ancillary Equipment for the Italian Ministry of Defense; to the Committee on Foreign Relations.

EC-5310. A communication from the Assistant Secretary, Bureau of Legislative

Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Israel for the manufacture of the Video Matrix Switch with Quad Processor (VMS-Q) in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-5311. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services to support the Proton launch of the Astra 1N Commercial Communication Satellite from the Baikonur Cosmodrome in Kazakhstan in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-5312. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, including, technical data, and defense services to develop, integrate, and manufacture the Integrated Color Display System for modernization of the Republic of China (Taiwan) Air Force Indigenous Defense Fighter in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-5313. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services for the continued manufacture of the T55-L712 and 55-L714A engines powering the Japanese Ministry of Defense's CH-47J Helicopter in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-5314. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to U.S. support for Taiwan's participation as an observer at the 63rd World Health Assembly and in the work of the World Health Organization; to the Committee on Foreign Relations.

EC-5315. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the justification for the President's waiver of the restrictions on the provision of funds to the Palestinian Authority; to the Committee on Foreign Relations.

EC-5316. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Federal Civil Penalties Inflation Adjustment Act - 2009 Implementation" (RIN1625-AB40), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5317. A communication from the Assistant General Counsel for Regulatory Services, Office of Elementary and Secondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Race to the Top Fund" (RIN1810-AB10), received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5318. A communication from the Acting Director, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Parts 4022 and 4044), received during adjournment of the Senate in the Office of the President of the Senate on March 29, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5319. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Listing of Color Additives Exempt From Certification; Bismuth Citrate" (Docket No. FDA-2008-C-0098), received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5320. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Advisory Committees; Technical Amendment" (Docket No. FDA-2010-N-0001), received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5321. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Technical Amendment" (Docket No. FDA-2010-N-0010), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5322. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Administrative Practices and Procedures; Good Guidance Practices; Technical Amendment" (Docket No. FDA-1999-N-3539), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5323. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "New Animal Drugs; Removal of Obsolete and Redundant Regulations" (Docket No. FDA-2003-N-0446), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5324. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Revision of Organization and Conforming Changes to Regulations" (Docket No. FDA-2010-N-0148), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5325. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Pediatric Uses of Devices; Requirement for Submission of Information on Pediatric Subpopulations That Suffer From a Disease or Condition That a Device is Intended to Treat, Diagnose, or Cure; Direct Final Rule" (Docket No. FDA-2009-N-0458), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5326. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the Nevada Test Site, Mercury, Nevada, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-5327. A communication from the Secretary of Health and Human Services,

transmitting, pursuant to law, the report of a petition to add workers from the Lawrence Livermore National Laboratory, Livermore, California, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-5328. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the Lawrence Berkeley National Laboratory in Berkeley, California, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-5329. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the Westinghouse Electric Corp., Bloomfield, Illinois, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-5330. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the Area IV of Santa Susana Field, Santa Susana, California, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-5331. A communication from the Director of the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "High-Voltage Continuous Mining Machine Standard for Underground Coal Miners" (RIN1219-AB34), received in the Office of the President of the Senate on April 12, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5332. A communication from the Director of the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Coal Mine Dust Sampling Devices" (RIN1219-AB61), received in the Office of the President of the Senate on April 12, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5333. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-329, "Service Animal Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5334. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-330, "Uniform Interstate Depositions and Discovery Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5335. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-331, "Closing of a Portion of an Unimproved Public Alley in Square 5795, S.O. 08-7766, Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. KERRY, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 409. A resolution calling on members of the Parliament in Uganda to reject the proposed "Anti-Homosexuality Bill", and for other purposes.

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 446. A resolution commemorating the 40th anniversary of the Treaty on the Non-Proliferation of Nuclear Weapons.

INTRODUCTION OF A BILL

The following bill was introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. KAUFMAN (for himself, Mr. VOINOVICH, Mr. AKAKA, and Mr. LIEBERMAN):

S. 3196. A bill to amend the Presidential Transition Act of 1963 to provide that certain transition services shall be available to eligible candidates before the general election; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mrs. HAGAN:

S. Res. 478. A resolution expressing support for designation of March as "National Whole Child Month"; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 211

At the request of Mrs. MURRAY, the names of the Senator from Delaware [Mr. CARPER] and the Senator from Colorado [Mr. UDALL] were added as cosponsors of S. 211, a bill to facilitate nationwide availability of 2-1-1 telephone service for information and referral on human services and volunteer services, and for other purposes.

S. 362

At the request of Mr. ROCKEFELLER, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 362, a bill to amend title 38, United States Code, to improve the collective bargaining rights and procedures for review of adverse actions of certain employees of the Department of Veterans Affairs, and for other purposes.

S. 435

At the request of Mr. CASEY, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 435, a bill to provide for evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention to help build individual, family, and community strength and resiliency to ensure that youth lead productive, safe, healthy, gang-free, and law-abiding lives.

S. 450

At the request of Mr. BAUCUS, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 450, a bill to understand and comprehensively address the oral health problems associated with methamphetamine use.

S. 535

At the request of Mr. NELSON of Florida, the name of the Senator from Nebraska [Mr. NELSON] was added as a cosponsor of S. 535, a bill to amend title 10, United States Code, to repeal requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 732

At the request of Mr. AKAKA, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 732, a bill to amend the National Dam Safety Program Act to establish a program to provide grant assistance to States for the rehabilitation and repair of deficient dams.

S. 753

At the request of Mr. SCHUMER, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 753, a bill to prohibit the manufacture, sale, or distribution in commerce of children's food and beverage containers composed of bisphenol A, and for other purposes.

S. 781

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 781, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 1233

At the request of Ms. LANDRIEU, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 1233, a bill to reauthorize and improve the SBIR and STTR programs and for other purposes.

S. 1275

At the request of Mr. WARNER, the name of the Senator from Indiana [Mr. BAYH] was added as a cosponsor of S. 1275, a bill to establish a National Foundation on Physical Fitness and Sports to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports.

S. 1352

At the request of Mr. DODD, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 1352, a bill to provide for the expansion of Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme and other tick-borne diseases, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. 1382

At the request of Mr. DODD, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 1382, a bill to improve and expand the Peace Corps for the 21st century, and for other purposes.

S. 1492

At the request of Ms. MIKULSKI, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 1492, a bill to amend the Public Health Service Act to fund breakthroughs in Alzheimer's disease research while providing more help to caregivers and increasing public education about prevention.

S. 1789

At the request of Mr. DURBIN, the names of the Senator from Alabama [Mr. SESSIONS], the Senator from Utah [Mr. HATCH], the Senator from South Carolina [Mr. GRAHAM] and the Senator from Oklahoma [Mr. COBURN] were added as cosponsors of S. 1789, a bill to restore fairness to Federal cocaine sentencing.

S. 1939

At the request of Mrs. GILLIBRAND, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 1939, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 2962

At the request of Mr. DODD, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 2962, a bill to amend title II of the Social Security Act to apply an earnings test in determining the amount of monthly insurance benefits for individuals entitled to disability insurance benefits based on blindness.

S. 2989

At the request of Ms. LANDRIEU, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 2989, a bill to improve the Small Business Act, and for other purposes.

S. 3039

At the request of Mr. UDALL of New Mexico, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 3039, a bill to prevent drunk driving injuries and fatalities, and for other purposes.

S. 3068

At the request of Mrs. HUTCHISON, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of S. 3068, a bill to reauthorize the National Aeronautics and Space Administration Human Space Flight Activities, and for other purposes.

S. 3122

At the request of Mr. ENSIGN, the name of the Senator from South Dakota [Mr. THUNE] was added as a cosponsor of S. 3122, a bill to require the Attorney General of the United States to compile, and make publicly available, certain data relating to the Equal Access to Justice Act, and for other purposes.

S. 3165

At the request of Ms. LANDRIEU, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 3165, a bill to authorize the Administrator of the Small Business Administration to waive the non-Federal share requirement under certain programs.

S. 3180

At the request of Mr. LEMIEUX, the name of the Senator from Utah [Mr. BENNETT] was added as a cosponsor of S. 3180, a bill to prohibit the use of funds for the termination of the Constellation Program of the National Aeronautics and Space Administration, and for other purposes.

SENATE RESOLUTION 477

At the request of Mr. MENENDEZ, the names of the Senator from Wisconsin [Mr. FEINGOLD], the Senator from California [Mrs. FEINSTEIN], the Senator from Vermont [Mr. LEAHY] and the Senator from Pennsylvania [Mr. CASEY] were added as cosponsors of Senate Resolution 477, a resolution honoring the accomplishments and legacy of Cesar Estrada Chavez.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. ROCKEFELLER,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on April 13, 2010, at 2:15 p.m.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "ESEA Reauthorization: School Turnaround" on April 13, 2010. The hearing will commence at 2 p.m. in room 430 of the Dirksen Senate Office Building.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

The Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 13, 2010, at 9:30 a.m., to conduct a hearing entitled, "Wall Street and the Financial Crisis: The Role of High Risk Home Loans."

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on April 13, 2010, at 2:30 p.m.

SUBCOMMITTEE ON AIRLAND

The Subcommittee on Airland of the Committee on Armed Services be authorized to meet during the session of the Senate on April 13, 2010, at 9:30 a.m.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICE, AND INTERNATIONAL SECURITY

The Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on April 13, 2010, at 2:30 p.m. to conduct a hearing entitled, "Removing the Shroud of Secrecy: Making Government More Transparent and Accountable Part II."

IMPEACHMENT TRIAL COMMITTEE

The Impeachment Trial Committee on the Articles against Judge G. Thomas Porteous, Jr. be authorized to meet during the session of the Senate on April 13, 2010, at 4 p.m.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3194) to provide collective bargaining rights for public safety officers employed by States or their political subdivisions, introduced on yesterday by Mr. REID, and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

RECESS

Pursuant to the order of yesterday, as modified,

At 12:22 p.m.,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) declared the Senate recessed until 2:15 p.m.

AT 2:15 P.M.

The PRESIDING OFFICER (Mr. BEGICH in the chair) called the Senate to order.

MOTION TO PROCEED TO CONSIDER BILL H.R. 4851

Pursuant to the order of yesterday,

The Senate resumed consideration of its unfinished business, viz, the motion to proceed to consider the bill (H.R. 4851) to provide a temporary extension of certain programs, and for other purposes.

The question being on agreeing to the motion.

Pursuant to the order of yesterday,

The motion was agreed to.

Whereupon,

CONTINUING EXTENSION ACT

Pursuant to the order of yesterday,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 4851) to provide a temporary extension of certain programs, and for other purposes; and

The Senate proceeded to consider the bill.

The question being on passage of the bill.

Pending debate,

On motion by Mr. BAUCUS to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 3721, in the nature of a substitute).

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate resumes consideration of bill H.R. 4851 following morning business on tomorrow, time until 12 noon be equally divided and controlled for debate between the two leaders, or their designees; that during said time for debate, it be in order for the minority leader, or his designee, to raise a relevant point of order against amendment No. 3721 (in the nature of a substitute); that it be in order for the amendment to be modified with provisions relative to the extension of small business programs; that, if a point of order is raised against the amendment, as may be modified, it be in order for Mr. BAUCUS, or his designee, to move to waive applicable provisions; that, at 12 noon, the Senate vote on the question of agreeing to the motion to waive; and that no intervening motion or amendment be in order during said period for debate.

The question being on agreeing to amendment No. 3721 (in the nature of a substitute) to the bill.

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That the foregoing order that the Senate vote on the question of agreeing to the motion to waive at 12 noon be modified such that the Senate instead vote at 12:30 p.m. on tomorrow; that the additional time for debate be divided and controlled between the two leaders, or their designees; and that all other provisions of said order remain in effect.

The question being on agreeing to amendment No. 3721 (in the nature of a substitute) to the bill.

CELL PHONE CONTRABAND ACT

By unanimous consent, on the request of Mr. SHERROD BROWN,

The Senate proceeded to consider the bill (S. 1749) to amend title 18, United States Code, to prohibit the possession or use of cell phones and similar wireless devices by Federal prisoners.

The question being on agreeing to the reported amendments.

The reported amendments were agreed to.

The question being on passage of the bill, as amended.

On motion by Mr. SHERROD BROWN (for Mrs. FEINSTEIN) to further amend the bill, at the end thereof, by adding certain words (being amendment No. 3722).

The amendment was agreed to.

The question being on passage of the bill, as amended.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CALLING ON MEMBERS OF THE PARLIAMENT IN UGANDA TO REJECT THE PROPOSED "ANTI-HOMOSEXUALITY BILL"

By unanimous consent, on the request of Mr. SHERROD BROWN,

The Senate proceeded to consider the resolution (S. Res. 409) calling on members of the Parliament in Uganda to reject the proposed "Anti-Homosexuality Bill", and for other purposes.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then observe a moment of silence, in solidarity with the people of Poland.

Ordered further, That, following the moment of silence, the Senate proceed to a period of morning business, with Senators permitted to speak relative to Poland; that, following remarks thereon, the Senate proceed to a period of 1 hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; that the minority control the first 30 minutes therein, and the majority control the second 30 minutes therein; and that, following morning business, the Senate resume consideration of bill H.R. 4851, as pursuant to the order of today.

ADJOURNMENT

By unanimous consent, on the request of Mr. SHERROD BROWN,

At 7:12 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

WEDNESDAY, APRIL 14, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 9:31 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, April 14, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. TOM UDALL took the chair.

MOMENT OF SILENCE

Pursuant to the order of yesterday,

At 9:34 a.m.,

The Senate observed a moment of silence, in solidarity with the people of Poland.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5336. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-332, "Office on Latino Affairs Grant-Making Authority Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5337. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-333, "Rhode Island Place Shopping Center Working Group Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5338. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-334, "Rent Administrator Hearing Authority Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5339. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-335, "Legalization of Marijuana for Medical Treatment Initiative Applicability Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5340. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-336, "Real Property Tax Reform Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5341. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-337, "Healthy DC Equal Access Fund and Hospital Stabilization Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5342. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-338, "Haiti Earthquake Relief Drug and Medical Supply Assistance Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5343. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-339, "Energy Efficiency Financing Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5344. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flutolanil; Pesticide Tolerances" (FRL No. 8817-9), received during adjournment of the Senate in the Office of the President of the Senate on March 31, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5345. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Thifensulfuron methyl; Pesticide Tolerances" (FRL No. 8818-9), received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5346. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Kasugamycin; Pesticide Tolerances for Emergency Exemptions" (FRL No. 8808-7), received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5347. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Alkyl (C12-C16) Dimethyl Ammonio Acetate; Exemption from the Requirement of a Tolerance" (FRL No. 8816-5), received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5348. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Changes in Hourly Fee Rates for Science and Technology Laboratory Services - Fiscal Years 2010-2012" (Docket No. AMS-ST-09-0016), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5349. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Nectarines and Peaches Grown in California; Changes in Handling Requirements for Fresh Nectarines and Peaches" (Docket Nos. AMS-FV-09-0090; FV10-916/917-1 IFR), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5350. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Citrus Seed Imports; Citrus Greening and Citrus Variegated Chlorosis" (Docket No. APHIS-2008-0052), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5351. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Irish Potatoes Grown in Colorado; Relaxation of the Handling Regulation for Area No. 3" (Docket Nos. AMS-FV-08-0115; FV09-948-2 IFR), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5352. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Grapes Grown in a Designated Area of Southeastern California and Imported Table Grapes; Relaxation of Handling Requirements" (Docket Nos. AMS-FV-09-

0085; FV10-925-1 IFR), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5353. A communication from the Chief of Research and Analysis, Food and Nutrition Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Vendor Cost Containment" (RIN0584-AD71), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5354. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Cranberries Grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York; Revised Nomination and Balloting Procedures" (Docket Nos. AMS-FV-09-0070; FV09-929-1 FR), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5355. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "U.S. Honey Producer Research, Promotion, and Consumer Information Order; Referendum Procedures" (Docket Nos. AMS-FV-07-0091; FV-07-706 FR), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5356. A communication from the Chief of Research and Analysis, Food and Nutrition Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Child and Adult Care Food Program: At-Risk Afterschool Meals in Eligible States" (RIN0584-AD15), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5357. A communication from the Administrator, Risk Management Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Common Crop Insurance Regulations; Florida Avocado Crop Insurance Provisions" (RIN0563-AC22), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5358. A communication from the Administrator, Risk Management Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Common Crop Insurance Regulations; Basic Provisions; and Various Crop Insurance Provisions" (RIN0563-AB96), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5359. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, (98) Selected Acquisition Reports (SARs) for the quarter ending December 31, 2009; to the Committee on Armed Services.

EC-5360. A communication from the Under Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Joseph Maguire, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-5361. A communication from the Under Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Michael K. Loose, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services

EC-5362. A communication from the Under Secretary of Defense, transmitting a report on the approved retirement of General Charles C. Campbell, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-5363. A communication from the Secretary of the Army, transmitting, pursuant to law, a report relative to the Program Acquisition Unit Cost and the Average Procurement Unit Cost for the Longbow Apache Block III (AB3) program exceeding the Acquisition Program Baseline values by more than 25 percent; to the Committee on Armed Services.

EC-5364. A communication from the Secretary of the Army, transmitting, pursuant to law, a report relative to the man-portable and vehicle mounted guided missile systems to replace the current Javelin and Tube-launched, Optically tracked, Wire-guided missile (TOW) systems; to the Committee on Armed Services.

EC-5365. A communication from the Assistant Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, the 2009 annual report relative to the STARBASE Program; to the Committee on Armed Services.

EC-5366. A communication from the Under Secretary of Defense (Personnel and Readiness), Department of Defense, transmitting, pursuant to law, a report relative to activities under the Secretary's personnel management demonstration project authorities for Department of Defense Science and Technology Reinvention Laboratories; to the Committee on Armed Services.

EC-5367. A communication from the Assistant Secretary of Defense (Special Operations/Low-Intensity Conflict and Interdependent Capabilities), Department of Defense, transmitting, pursuant to law, a report relative to the training of the U.S. Special Operations Forces with friendly foreign forces during fiscal year 2009; to the Committee on Armed Services.

EC-5368. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Freedom of Information Act" (RIN1557-AD22), received in the Office of the President of the Senate on April 12, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5369. A communication from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Financial Crimes Enforcement Network; Amendment to the Bank Secrecy Act Regulations; Defining Mutual Funds as Financial Institutions" (RIN1506-AA93), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5370. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67)(Docket No. FEMA-2010-0003)), received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5371. A communication from the Assistant Secretary, Department of the Treasury, transmitting, pursuant to law, a report relative to the acquisition of articles, materials, and supplies manufactured outside of the United States; to the Committee on Banking, Housing, and Urban Affairs.

EC-5372. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to the Kingdom of Morocco; to the Committee on Banking, Housing, and Urban Affairs.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. FEINGOLD:

S. 3197. A bill to require a plan for the safe, orderly, and expeditious redeployment

of United States Armed Forces from Afghanistan; to the Committee on Foreign Relations.

By Mr. NELSON of Nebraska:

S. 3198. A bill to provide that Members of Congress shall not receive a cost of living adjustment in pay during fiscal year 2011; to the Committee on Homeland Security and Governmental Affairs.

By Ms. SNOWE (for herself and Mr. HARKIN):

S. 3199. A bill to amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND:

S. 3200. A bill to designate the facility of the United States Postal Service located at 23 Genesee Street in Hornell, New York, as the "Zachary Smith Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. UDALL of Colorado (for himself, Mr. BEGICH, Mrs. MCCASKILL, Ms. LANDRIEU, Mr. WARNER, Mr. NELSON of Nebraska, Mr. BENNET, Mr. LEAHY, Ms. MIKULSKI, Mrs. MURRAY, Mr. KERRY, Mr. BAYH, Ms. KLOBUCHAR, Mrs. LINCOLN, Mr. CASEY, Mr. MENENDEZ, Mr. CARDIN, Mr. BROWN of Ohio, Mr. SANDERS, Mr. LAUTENBERG, Mr. WHITEHOUSE, and Mr. DURBIN):

S. 3201. A bill to amend title 10, United States Code, to extend TRICARE coverage to certain dependents under the age of 26; to the Committee on Armed Services.

By Mr. LUGAR (for himself and Mr. LEAHY):

S. 3202. A bill to promote the strengthening of the Haitian private sector; to the Committee on Foreign Relations.

By Mr. VITTER:

S. 3203. A bill to extend the National Flood Insurance Program through May 31, 2010; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN of Ohio:

S. 3204. A bill to authorize the Secretary of Education to award grants to improve access to, sharing of, and use of, education data to improve student outcomes, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER (for himself, Mr. MENENDEZ, Mr. LAUTENBERG, Mrs. LINCOLN, Mrs. SHAHEEN, Ms. KLOBUCHAR, Mr. CARDIN, Mr. BEGICH, Mrs. MCCASKILL, Mr. LEAHY, Mr. HARKIN, and Mr. SANDERS):

S. 3205. A bill to amend the Internal Revenue Code of 1986 to provide that fees charged for baggage carried into the cabin of an aircraft are subject to the excise tax imposed on transportation of persons by air; to the Committee on Finance.

By Mr. HARKIN (for himself, Mrs. BOXER, Mr. BEGICH, Mr. BINGAMAN, Mr. BROWN of Ohio, Mr. BURRIS, Mr. DODD, Mr. DURBIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. KERRY, Mr. LAUTENBERG, Mr. MERKLEY, Ms. MIKULSKI, Mrs. MURRAY, Mr. SCHUMER, and Ms. STABENOW):

S. 3206. A bill to establish an Education Jobs Fund; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mrs. GILLIBRAND, and Mrs. MURRAY):

S. 3207. A bill to protect victims of crime or serious labor violations from deportation during Department of Homeland Security enforcement actions, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent and Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. DURBIN (for himself, Mr. JOHANNS, Mr. KERRY, Ms. MIKULSKI, Mr. VOINOVICH, Mr. BROWN of Ohio, Mr. CARDIN, Mr. REID, Mr. MCCONNELL, Mr. KYL, Mr. AKAKA, Mr. ALEXANDER, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BEGICH, Mr. BENNET, Mr. BENNETT, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BURRIS, Mr. BYRD, Ms. CANTWELL, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mr. DORGAN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JOHNSON, Mr. KAUFMAN, Ms. KLOBUCHAR, Mr. KOHL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEMIEUX, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 479. A resolution expressing sympathy for the people of Poland in the aftermath of the devastating plane crash that killed the country's President, First Lady, and 94 other high ranking government, military, and civic leaders on April 10, 2010; considered and agreed to.

By Mr. GREGG (for himself, Mr. MCCONNELL, Mr. BENNETT, Mr. BROWNBACK, Ms. COLLINS, Mr. LIEBERMAN, and Mr. LEAHY):

S. Res. 480. A resolution condemning the continued detention of Burmese democracy leader Daw Aung San Suu Kyi and calling on the military regime in Burma to permit a credible and fair election process and the transition to civilian, democratic rule; to the Committee on Foreign Relations.

By Mr. AKAKA (for himself, Mr. VOINOVICH, Mr. LIEBERMAN, Ms. COLLINS, Mr. LEVIN, Mr. CARPER, Mr. LAUTENBERG, Mr. BURRIS, and Mr. KAUFMAN):

S. Res. 481. A resolution expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the Nation during Public Service Recognition Week, May 3 through 9, 2010; to the Committee on Homeland Security and Governmental Affairs.

By Ms. KLOBUCHAR (for herself and Mr. BURR):

S. Res. 482. A resolution designating April 2010 as "National 9-1-1 Education Month"; considered and agreed to.

By Mr. LEMIEUX (for himself, Mr. RISCH, and Mr. DEMINT):

S. Con. Res. 57. A concurrent resolution establishing an expedited procedure for consideration of a bill returning spending levels to 2007 levels; to the Committee on the Budget.

ADDITIONAL COSPONSORS

S. 379

At the request of Mr. LEAHY, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 379, a bill to provide fair compensation to artists for use of their sound recordings.

S. 484

At the request of Mrs. FEINSTEIN, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 484, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 704

At the request of Mr. HARKIN, the names of the Senator from Idaho [Mr. CRAPO] and the Senator from Montana [Mr. TESTER] were added as cosponsors of S. 704, a bill to direct the Comptroller General of the United States to conduct a study on the use of Civil Air Patrol personnel and resources to support homeland security missions, and for other purposes.

S. 752

At the request of Mr. DURBIN, the name of the Senator from Delaware [Mr. KAUFMAN] was added as a cosponsor of S. 752, a bill to reform the financing of Senate elections, and for other purposes.

S. 891

At the request of Mr. BROWNBACK, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 891, a bill to require annual disclosure to the Securities and Exchange Commission of activities involving columbite-tantalite, cassiterite, and wolframite from the Democratic Republic of Congo, and for other purposes.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from Idaho [Mr. RISCH] was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1674

At the request of Mr. WYDEN, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 1674, a bill to provide for an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 1743

At the request of Mrs. LINCOLN, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 1743, a bill to amend the Internal Revenue Code of 1986 to expand the rehabilitation credit, and for other purposes.

S. 2781

At the request of Ms. MIKULSKI, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 2781, a bill to change references in Federal law to mental retardation to references to an intellectual disability, and to change references to a mentally retarded individual to references to an individual with an intellectual disability.

S. 2882

At the request of Mr. KERRY, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 2882, a bill to amend the Internal Revenue Code of 1986 to modify the rules relating to the treatment of individuals as independent contractors or employees, and for other purposes.

S. 2919

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of S. 2919, a bill to amend the Federal Credit Union Act to advance the ability of credit unions to promote small business growth and economic development opportunities, and for other purposes.

S. 2925

At the request of Mr. WYDEN, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 2925, a bill to establish a grant program to benefit victims of sex trafficking, and for other purposes.

S. 3031

At the request of Mr. LEAHY, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 3031, a bill to authorize Drug Free Communities enhancement grants to address major emerging drug issues or local drug crises.

S. 3106

At the request of Mrs. HAGAN, the names of the Senator from New Mexico [Mr. BINGAMAN] and the Senator from Minnesota [Ms. KLOBUCHAR] were added as cosponsors of S. 3106, a bill to authorize States to exempt certain nonprofit housing organizations from the licensing requirements of the S.A.F.E. Mortgage Licensing Act of 2008.

S. 3195

At the request of Mr. CARDIN, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 3195, a bill to prohibit air carriers from charging fees for carry-on baggage and to require disclosure of passenger fees, and for other purposes.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. WARNER,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on April 14, 2010, at 10:30 a.m.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on April 14, 2010, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works be authorized to meet during the session of the Senate on April 14, 2010, at 10 a.m. in room 406 of the Dirksen Office Building.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on April 14, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Using Unemployment Insurance to Help Americans Get Back to Work: Creating Opportunities and Overcoming Challenges."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on April 14, 2010, at 9:30 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Oversight of the Department of Justice."

EUROPEAN AFFAIRS SUBCOMMITTEE

The Committee on Foreign Relations be authorized to meet during the session of the Senate on April 14, 2010, at 2:40 p.m., to hold a European Affairs subcommittee hearing entitled "Unfinished Business in Southeast Europe."

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

The Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on April 14, 2010, at 2:30 p.m. to conduct a hearing entitled "Deployed Federal Civilians: Advancing Security and Opportunity in Afghanistan."

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

The Subcommittee on Readiness and Management support of the Committee on Armed Services be authorized to meet during the session of the Senate on April 14, 2010, at 2:30 p.m.

SUBCOMMITTEE ON STRATEGIC FORCES

The Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on April 14, 2010, at 2:30 p.m.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10:57 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 4887. An act to amend the Internal Revenue Code of 1986 to ensure that health coverage provided by the Department of Defense is treated as minimal essential coverage.

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the PRESIDENT pro tempore.

At 4:55 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House agrees to the amendments of the Senate to the bill (H.R. 4573) to urge the Secretary of the Treasury to instruct the United States Executive Directors at the International Monetary Fund, the World Bank, the Inter-American Development Bank, and other multilateral development institutions to use the voice, vote, and influence of the United States to cancel immediately and completely Haiti's debts to such institutions, and for other purposes.

At 6:59 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 4573. An act to urge the Secretary of the Treasury to instruct the United States Executive Directors at the International Monetary Fund, the World Bank, the Inter-American Development Bank, and other multilateral development institutions to use the voice, vote, and influence of the United States to cancel immediately and completely Haiti's debts to such institutions, and for other purposes.

EXPRESSING SYMPATHY FOR THE PEOPLE OF POLAND

On the request of Mr. DURBIN,

The ACTING PRESIDENT pro tempore laid before the Senate the resolution (S. Res. 479) expressing sympathy for the people of Poland in the aftermath of the devastating plane crash that killed the country's President, First Lady, and 94 other high ranking government, military, and civic leaders on April 10, 2010, submitted today by Mr. DURBIN (for himself, Mr. JOHANNS, Mr. KERRY, Ms. MIKULSKI, Mr. VOINOVICH, Mr. SHERROD BROWN, Mr. CARDIN, Mr. REID, Mr. MCCONNELL, Mr. KYL, Mr. AKAKA, Mr. ALEXANDER, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BEGICH, Mr. BENNET, Mr. BENNETT, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. SCOTT BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BURRIS, Mr. BYRD, Ms. CANTWELL, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mr. DORGAN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JOHNSON, Mr. KAUFMAN, Ms. KLOBUCHAR, Mr. KOHL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEMIEUX, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MURKOWSKI, Mrs. MURRAY, Mr. BEN NELSON, Mr. BILL NELSON, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. MARK UDALL, Mr. TOM UDALL, Mr. VITTER, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CONTINUING EXTENSION ACT

Pursuant to the order of yesterday,

The PRESIDING OFFICER (Mr. BURRIS in the chair) laid before the Senate its pending business, viz, the bill (H.R. 4851) to provide a temporary extension of certain programs, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3721 (in the nature of a substitute), proposed by Mr. BAUCUS, to the bill.

Pending debate,

Under the authority of the order of yesterday,

Mr. BAUCUS modified his pending amendment (in the nature of a substitute).

The question then being on agreeing to amendment No. 3721 (in the nature of a substitute), as modified, to the bill.

Pending debate,

Mr. LEMIEUX raised a point of order, viz, that the emergency designation contained in the pending amendment (in the nature of a substitute) violates provisions of section 4(g)-(3) of Public Law 111-139, and therefore is not in order.

On motion by Mr. BAUCUS, under section 904 of the Congressional Budget Act of 1974 and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and Law, and Budget resolutions, for consideration of the pending amendment (in the nature of a substitute) and of the bill.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

The question being taken.

It was determined in the negative---

yeas... 58, nays... 40

[Rollcall Vote No. 110 Leg.]

YEAS --- 58

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS --- 40

Alexander, Barrasso, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Reid, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Wicker.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The question recurring on the point of order raised by Mr. LEMIEUX.

The PRESIDING OFFICER (Mrs. HAGAN in the chair) held the point of order well-taken, and the emergency designation contained within the amendment was stricken.

The question being on agreeing to amendment No. 3721 (in the nature of a substitute), as modified and altered by the foregoing point of order.

Mr. REID thereupon entered a motion to reconsider the vote disagreeing to the foregoing motion to waive.

ORDER FOR FURTHER PERIOD OF MORNING BUSINESS AND FOR FURTHER CONSIDERATION OF BILL H.R. 4851

By unanimous consent, on the request of Mr. REID,

Ordered, That the Senate proceed to a further period for the transaction of morning business until 2 p.m.; that, at 2 p.m., the Senate resume consideration of the bill; and that, at 2:15 p.m., Mr. COBURN be recognized to propose an amendment.

Pending debate,

CONTINUING EXTENSION ACT

The hour of 2 p.m. having passed,

Pursuant to the order of today, as modified,

The Senate resumed consideration of bill H.R. 4851.

The question being on agreeing to amendment No. 3721 (in the nature of a substitute), as modified and altered, to the bill.

The hour of 2:15 p.m. having passed,

Pursuant to the order of today, as modified,

On motion by Mr. COBURN to amend the pending amendment (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 3723).

Pending debate,

OBJECTION TO CONSIDERATION OF BILL S. 3203

Mr. VITTER asked unanimous consent that the chair lay before the Senate the bill (S. 3203) to extend the National Flood Insurance Program through May 31, 2010, introduced on today by Mr. VITTER, and at the desk; that the bill be read twice, considered, read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. BAUCUS objected.

CONTINUING EXTENSION ACT

The Senate resumed consideration of bill H.R. 4851.

The question being on agreeing to amendment No. 3723 to amendment No. 3721 (in the nature of a substitute), as modified and altered, to the bill.

Pending debate,

Mr. COBURN modified his pending amendment.

The question then being on agreeing to amendment No. 3723, as modified, to amendment No. 3721 (in the nature of a substitute), as modified and altered, to the bill.

On motion by Mr. BAUCUS to lay the pending amendment, as modified, on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 51, nays... 46

[Rollcall Vote No. 111 Leg.]

YEAS --- 51

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Kohl, Landrieu, Lautenberg, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Wyden.

NAYS --- 46

Alexander, Barrasso, Bayh, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Klobuchar, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

On motion by Mr. BAUCUS to reconsider the vote agreeing to the motion.

On motion by Mr. BAUCUS,

The motion to reconsider was laid on the table.

The question recurring on agreeing to the motion, entered by Mr. REID, to reconsider the vote disagreeing to the motion to waive under section 904 of the Congressional Budget Act of 1974 and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and Law, and Budget resolutions, for consideration of the pending amendment (in the nature of a substitute) and of the bill.

Pending debate,

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That, at 5:45 p.m. on today, a motion to proceed to consider the motion to reconsider the vote disagreeing to the motion, under section 904 of the Congressional Budget Act of 1974 and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and Law, and Budget resolutions, for consideration of the pending amendment (in the nature of a substitute) and of the bill be considered made and agreed to; that the motion to reconsider be agreed to; and that the Senate then vote on the question of agreeing to the motion to waive.

The question being on agreeing to the motion to reconsider.

Pending debate,

The pending motion was laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3721 (in the nature of a substitute), as modified and altered, to the bill.

On motion by Mr. COBURN to amend the pending amendment (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 3726).

The pending motion and amendment were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3721 (in the nature of a substitute), as modified and altered, to the bill.

On motion by Mr. COBURN to amend the pending amendment (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 3727).

Pending debate,

Mr. REID presented a motion to bring to a close debate on the pending amendment No. 3721 (in the nature of a substitute); which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on amendment No. 3721 (in the nature of a substitute) to bill H.R. 4851:

JAY ROCKEFELLER, BEN CARDIN, JEANNE SHAHEEN, AL FRANKEN, DANIEL K. AKAKA, KENT CONRAD, S. WHITEHOUSE, PATTY MURRAY, TOM UDALL, BERNARD SANDERS, DICK DURBIN, RON WYDEN, ROBERT P. CASEY, JR., EDWARD E. KAUFMAN, PATRICK J. LEAHY, MARK PRYOR, BYRON L. DORGAN.

Mr. REID presented a motion to bring to a close debate on the pending bill H.R. 4851; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on bill H.R. 4851:

JAY ROCKEFELLER, BEN CARDIN, JEANNE SHAHEEN, AL FRANKEN, DANIEL K. AKAKA, KENT CONRAD, S. WHITEHOUSE, PATTY MURRAY, TOM UDALL, BERNARD SANDERS, DICK DURBIN, RON WYDEN, ROBERT P. CASEY, JR., EDWARD E. KAUFMAN, PATRICK J. LEAHY, MARK PRYOR, BYRON L. DORGAN.

The hour of 5:45 p.m. having passed,

Pursuant to the order of today, as modified,

The motion to proceed to consider the motion, entered by Mr. REID on today, to reconsider the vote disagreeing to the motion, under section 904 of the Congressional Budget Act of 1974 and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and Law, and Budget resolutions, for consideration of the pending amendment (in the nature of a substitute) and of the bill, was agreed to.

The question being on agreeing to the motion to reconsider.

Pursuant to the order of today,

The motion to reconsider was agreed to.

Pursuant to the order of today,

The question being taken on agreeing to the motion, under section 904 of the Congressional Budget Act of 1974 and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and Law, and Budget resolutions, for consideration of the pending amendment (in the nature of a substitute) and of the bill.

It was determined in the affirmative---
yeas... 60, nays... 40

[Rollcall Vote No. 112 Leg.]

YEAS --- 60

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS --- 40

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Wicker.

So the motion was agreed to; three-fifths of the Senators duly chosen and sworn having voted in the affirmative.

The motion to waive having been agreed to, upon reconsideration, the previous action of the PRESIDING OFFICER holding the point of order by Mr. LEMIEUX well-taken was annulled, and the emergency designation stricken was restored to the amendment.

The question then being on agreeing to amendment No. 3727 to amendment No. 3721 (in the nature of a substitute), as modified, to the bill.

DESIGNATING "NATIONAL CONGENITAL DIAPHRAGMATIC HERNIA AWARENESS DAY"

By unanimous consent, on the request of Mr. CASEY,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 204) designating March 31, 2010, as "National Congenital Diaphragmatic Hernia Awareness Day".

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HONORING THE BLACKSTONE VALLEY TOURISM COUNCIL ON THE CELEBRATION OF ITS 25TH ANNIVERSARY

By unanimous consent, on the request of Mr. CASEY,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 468) honoring the Blackstone Valley Tourism Council on the celebration of its 25th anniversary.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL 9-1-1 EDUCATION MONTH"

On the request of Mr. CASEY,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 482) designating April 2010 as "National 9-1-1 Education Month", submitted today by Ms. KLOBUCHAR (for herself, and Mr. BURR), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. CASEY,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period of one hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; that the majority control the first half therein, and the minority control the second half therein; and that, following morning business, the Senate resume consideration of bill H.R. 4851.

QUORUMS UNDER RULE XXII OF THE STANDING RULES OF THE SENATE WAIVED

By unanimous consent, on the request of Mr. CASEY,

Ordered, That the quorums under rule XXII of the Standing Rules of the Senate, relative to the motions presented on today to bring to a close debate on amendment No. 3721 (in the nature of a substitute) and bill H.R. 4851, be waived.

ADJOURNMENT

By unanimous consent, on the request of Mr. CASEY,

At 8 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

THURSDAY, APRIL 15, 2010

Mrs. KIRSTEN E. GILLIBRAND, from the State of New York, called the Senate to order at 9:30 a.m., the Dr. Vaughn W. Baker, Pastor of Christ United Methodist Church, Fort Worth, Texas, offered a prayer, and Mrs. GILLIBRAND led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, April 15, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. GILLIBRAND took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5373. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of brigadier general in accordance with

title 10, United States Code, section 777; to the Committee on Armed Services.

EC-5374. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Oklahoma Regulatory Program" (SATS No. OK-032-FOR), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Energy and Natural Resources.

EC-5375. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Reconsideration of Interpretation of Regulations that Determine Pollutants Covered by Clean Air Act Permitting Programs" (FRL No. 9133-6), received during adjournment of the Senate in the Office of the President of the Senate on March 31, 2010; to the Committee on Environment and Public Works.

EC-5376. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Indiana; Alternate Monitoring Requirements for Indianapolis Power and Light - Harding Street Station" (FRL No. 9124-9), received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2010; to the Committee on Environment and Public Works.

EC-5377. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Particulate Matter Standards" (FRL No. 9129-7), received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2010; to the Committee on Environment and Public Works.

EC-5378. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Sacramento Metropolitan Air Quality Management District" (FRL No. 9124-5), received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2010; to the Committee on Environment and Public Works.

EC-5379. A communication from the Assistant Secretary for Fish and Wildlife Parks, National Wildlife Refuge Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "2009-2010 Refuge-Specific Hunting and Sport Fishing Regulations - Additions" (RIN1018-AW49) as received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Environment and Public Works.

EC-5380. A communication from the Director of Congressional Affairs, Office of Nuclear Reactor Regulations, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Increase in the Primary Nuclear Liability Insurance Premium" (RIN3150-AI74), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Environment and Public Works.

EC-5381. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Policy and Technical Changes to the Medicare Advantage and the Medicare Prescription Drug Benefit Programs" (RIN0938-AP77), received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2010; to the Committee on Finance.

EC-5382. A communication from the Program Manager, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Temporary Assistance for Needy Families (TANF) Carry-over Funds" (RIN0970-AC40), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Finance.

EC-5383. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Liquor Dealer Recordkeeping and Registration, and Repeal of Certain Special (Occupational) Taxes" (RIN1513-AB63), received during adjournment of the Senate in the Office of the President of the Senate on April 7, 2010; to the Committee on Finance.

EC-5384. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Travel Expenses of State Legislators" (RIN1545-BG92), received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2010; to the Committee on Finance.

EC-5385. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Publication of Inflation Adjustment Factor, Nonconventional Source Fuel Credit, and Reference Price for Calendar Year 2009" (Notice No. 2010-31), received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2010; to the Committee on Finance.

EC-5386. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "PFIC Shareholder Reporting Under New Section 1298(f) for Tax Years Beginning Before March 18, 2010" (Notice No. 2010-34), received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2010; to the Committee on Finance.

EC-5387. A communication from the Assistant Secretary of the Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Attestation Applications by Facilities Temporarily Employing H-1C Nonimmigrant Foreign Workers as Registered Nurses; Final Rule" (RIN1205-AB52), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Finance.

EC-5388. A communication from the Assistant Secretary of the Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Trade Adjustment Assistance; Merit Staffing of State Administration and Allocation of Training Funds to States" (RIN1205-AB56), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Finance.

EC-5389. A communication from the Commissioner, Social Security Administration, transmitting, pursuant to law, a report relative to the Administration's competitive sourcing efforts during fiscal year 2009; to the Committee on Finance.

EC-5390. A communication from the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, a report relative to the use of funds appropriated by the Deficit Reduction Act of 2005; to the Committee on Finance.

EC-5391. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010-0056 - 2010-0063); to the Committee on Foreign Relations.

EC-5392. A communication from the Principal Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export

Control Act, the certification of a proposed technical assistance agreement for the transfer of technical data, and defense services to support the transfer of the ProtoStarII Satellite Commercial Communication Satellite from Bermuda to Isle of Man, British Isles in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-5393. A communication from the Principal Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the transfer of technical data, and defense services to support the Proton launch of the OS-2 Commercial Communications Satellite from the Baikonur Cosmodrome in Kazakhstan in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-5394. A communication from the Deputy Associate General Counsel for General Law, Office of the General Counsel, Department of Homeland Security, transmitting, pursuant to law, (3) reports relative to vacancies in the Department of Homeland Security, received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5395. A communication from the Chairman of the Chief Human Capital Officers Council, Director of the Office of Personnel Management, transmitting, pursuant to law, the annual report of the Chief Human Capital Officers Council for fiscal year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-5396. A communication from the Assistant Secretary for Management and Chief Financial Officer, Department of the Treasury, transmitting, pursuant to law, the Department's Fiscal Year 2009 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-5397. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the Department's Fiscal Year 2009 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-5398. A communication from the Administrator of the U.S. Small Business Administration, transmitting, pursuant to law, the Administration's Fiscal Year 2009 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-5399. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Office of Personnel Management's Fiscal Year 2009 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-5400. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's Fiscal Year 2009 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-5401. A communication from the Chief Judge, Superior Court of the District of Columbia, transmitting, pursuant to law, a report relative to activities carried out by the Family Court during 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-5402. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to the Department's activities under the Civil Rights of Institutionalized Persons Act; to the Committee on the Judiciary.

EC-5403. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, the 2009 Annual Report of the Director of the Administrative Office of the U.S. Courts and a report relative to the 2009 Judicial Business of the United States Court; to the Committee on the Judiciary.

EC-5404. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the third annual report of the Department of Justice's Office of Privacy and Civil Liberties; to the Committee on the Judiciary.

EC-5405. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the quarterly report of the Department of Justice's Office of Privacy and Civil Liberties; to the Committee on the Judiciary.

EC-5406. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "2008 Annual Report of the National Institute of Justice"; to the Committee on the Judiciary.

EC-5407. A communication from the Deputy Under Secretary of Defense (Policy), Department of Defense, transmitting, pursuant to law, a report relative to National Guard Counterdrug Schools Activities; to the Committee on the Judiciary.

EC-5408. A communication from the Chairman of the Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled "Collection of Administrative Debts; Collection of Debts Arising from Enforcement and Administration of Campaign Finance Laws" (Notice No. 2010-10), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 3031. A bill to authorize Drug Free Communities enhancement grants to address major emerging drug issues or local drug crises.

By Mr. DODD, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 3217. An original bill to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. MENENDEZ (for himself, Mr. COCHRAN, Mr. NELSON of Florida, Mr. LEMIEUX, and Mr. KAUFMAN):

S. 3208. A bill to amend the Internal Revenue Code of 1986 to provide a special rule for allocating the cover over of distilled spirits taxes between Puerto Rico and the Virgin Islands; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 3209. A bill to amend the Toxic Substances Control Act to ensure that risks from chemicals are adequately understood and managed, and for other purposes; to the Committee on Environment and Public Works.

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

S. 3210. A bill to establish a Design Excellence Program at the Department of State, to reestablish the Architectural Advisory Board, to assess the Standard Embassy Design Program, and for other purposes; to the Committee on Foreign Relations.

By Mrs. SHAHEEN (for herself, Ms. STABENOW, Mrs. HAGAN, and Mr. FRANKEN):

S. 3211. A bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by designating certain certified diabetes educators as certified providers for purposes of outpatient diabetes self-management training services under part B of the Medicare Prorgram; to the Committee on Finance.

By Mr. MENENDEZ:

S. 3212. A bill to amend the Internal Revenue Code of 1986 and section 1603 of the American Recovery and Reinvestment Tax Act of 2009 to provide that qualified energy efficiency property is eligible for the energy credit and the Department of Treasury grant; to the Committee on Finance.

By Mr. LEVIN (for himself, Mrs. HUTCHISON, Mr. VITTER, Ms. STABENOW, Mr. SHELBY, Ms. COLLINS, Mr. BROWN of Ohio, and Ms. LANDRIEU):

S. 3213. A bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance; to the Committee on Environment and Public Works.

By Mr. SPECTER (for himself, Mr. FEINGOLD, and Mr. KAUFMAN):

S. 3214. A bill to prohibit any person from engaging in certain video surveillance except under the same conditions authorized under chapter 119 of title 18, United States Code, or as authorized by the Foreign Intelligence Surveillance Act of 1978; to the Committee on the Judiciary.

By Mr. BINGAMAN (for himself, Mr. SCHUMER, Mr. KERRY, Mr. MENENDEZ, Mr. AKAKA, Mr. BROWN of Ohio, Mr. DODD, Mr. DURBIN, Mr. LIEBERMAN, Mr. MERKLEY, Mr. PRYOR, and Mr. UDALL of New Mexico):

S. 3215. A bill to amend the Internal Revenue Code of 1986 to provide taxpayer protection and assistance, and for other purposes; to the Committee on Finance.

By Mr. GRASSLEY:

S. 3216. A bill to amend title XVIII of the Social Security Act to ensure Medicare beneficiary access to physicians, to ensure equitable reimbursement under the Medicare program for all rural States, and to eliminate sweetheart deals for frontier States; to the Committee on Finance.

By Mr. DODD:

S. 3217. An original bill to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; from the Committee on Banking, Housing, and Urban Affairs; placed on the calendar.

By Mr. CONRAD (for himself and Mr. SESSIONS):

S. 3218. A bill to amend the Controlled Substances Act to clarify that persons who enter into a conspiracy within the United States to possess or traffic illegal controlled substances outside the United States, or engage in conduct within the United States to aid or abet drug trafficking outside the United States, may be criminally prosecuted in the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. DURBIN (for himself, Mr. FRANKEN, and Mr. WHITEHOUSE):

S. 3219. A bill to amend title 11, United States Code, with respect to certain exceptions to discharge in bankruptcy; to the Committee on the Judiciary.

By Ms. SNOWE:

S. 3220. A bill to amend the Employee Retirement Income Security Act of 1974 and the Public Health Service Act to provide parity under group health plans and group health insurance coverage for the provision of benefits for prosthetics and custom orthotics and benefits for other medical and surgical services; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. VOINOVICH (for himself, Mr. KERRY, Mr. LUGAR, Mrs. SHAHEEN, and Mr. CARDIN):

S. Res. 483. A resolution congratulating the Republic of Serbia's application for European Union membership and recognizing Serbia's active efforts to integrate into Europe and the global community; to the Committee on Foreign Relations.

By Mrs. BOXER (for herself and Mr. INHOFE):

S. Res. 484. A resolution designating the week of May 16 through May 22, 2010, as "National Public Works Week"; considered and agreed to.

By Mr. AKAKA (for himself and Mr. ENZI):

S. Res. 485. A resolution designating April 2010 as "Financial Literacy Month"; considered and agreed to.

By Mr. SCHUMER (for himself and Mr. SESSIONS):

S. Res. 486. A resolution supporting the mission and goals of the 2010 National Crime Victims' Rights Week to increase public awareness of the rights, needs, and concerns of victims and survivors of crime in the United States, no matter the country of origin or creed of the victim, and to commemorate the National Crime Victims' Rights Week theme referred to as "Crime Victims' Rights: Fairness. Dignity. Respect."; considered and agreed to.

By Mr. BYRD (for himself, Mr. ROCKEFELLER, Mr. HARKIN, Mr. ENZI, Mr. REID, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BEGICH, Mr. BENNET, Mr. BENNETT, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BURRIS, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mrs. HAGAN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON, Mr. KAUFMAN, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEMIEUX, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 487. A resolution honoring the coal miners who perished in the Upper Big Branch Mine-South in Raleigh County, West Virginia, extending the condolences of the United States Senate to the families of the fallen coal miners, and recognizing the valiant efforts of the emergency response workers; considered and agreed to.

ADDITIONAL COSPONSORS

S. 653

At the request of Mr. CARDIN, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of

the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 752

At the request of Mr. DURBIN, the names of the Senator from Maryland [Mr. CARDIN], the Senator from Delaware [Mr. CARPER] and the Senator from Minnesota [Ms. KLOBUCHAR] were added as cosponsors of S. 752, a bill to reform the financing of Senate elections, and for other purposes.

S. 843

At the request of Mr. BENNET, his name was added as a cosponsor of S. 843, a bill to establish background check procedures for gun shows.

S. 1153

At the request of Mr. SCHUMER, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 1153, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible designated beneficiaries of employees.

S. 1789

At the request of Mr. DURBIN, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 1789, a bill to restore fairness to Federal cocaine sentencing.

S. 2862

At the request of Ms. SNOWE, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 2862, a bill to amend the Small Business Act to improve the Office of International Trade, and for other purposes.

S. 2882

At the request of Mr. KERRY, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 2882, a bill to amend the Internal Revenue Code of 1986 to modify the rules relating to the treatment of individuals as independent contractors or employees, and for other purposes.

S. 3031

At the request of Mr. LEAHY, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 3031, a bill to authorize Drug Free Communities enhancement grants to address major emerging drug issues or local drug crises.

S. 3102

At the request of Mr. MERKLEY, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 3102, a bill to amend the miscellaneous rural development provisions of the Farm Security and Rural Investment Act of 2002 to authorize the Secretary of Agriculture to make loans to certain entities that will use the funds to make loans to consumers to implement energy efficiency measures involving structural improvements and investments in cost-effective, commercial off-the-shelf technologies to reduce home energy use.

S. 3111

At the request of Mr. LEAHY, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 3111, a bill to establish the Commission on Freedom of Information Act Processing Delays.

S. 3134

At the request of Mr. SCHUMER, the name of the Senator from Nebraska [Mr. NELSON] was added as a cosponsor of S. 3134, a bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

S. 3165

At the request of Ms. LANDRIEU, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 3165, a bill to authorize the Administrator of the Small Business Administration to waive the non-Federal share requirement under certain programs.

S. 3170

At the request of Mr. BOND, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 3170, a bill to provide for preferential duty treatment to certain apparel articles of the Philippines.

S. 3171

At the request of Mrs. LINCOLN, the names of the Senator from Florida [Mr. LEMIEUX], the Senator from Louisiana [Ms. LANDRIEU], the Senator from Vermont [Mr. LEAHY] and the Senator from Pennsylvania [Mr. SPECTER] were added as cosponsors of S. 3171, a bill to amend title 38, United States Code, to provide for the approval of certain programs of education for purposes of the Post-9/11 Educational Assistance Program.

S. 3180

At the request of Mr. LEMIEUX, the name of the Senator from Texas [Mr. CORNYN] was added as a cosponsor of S. 3180, a bill to prohibit the use of funds for the termination of the Constellation Program of the National Aeronautics and Space Administration, and for other purposes.

S. 3184

At the request of Mrs. BOXER, the names of the Senator from Connecticut [Mr. DODD] and the Senator from Indiana [Mr. BAYH] were added as cosponsors of S. 3184, a bill to provide United States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes.

S. 3188

At the request of Mrs. SHAHEEN, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 3188, a bill to amend the Internal Revenue Code of 1986 to provide an investment tax credit for biomass heating property.

S. 3195

At the request of Mr. CARDIN, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 3195, a bill to prohibit air carriers from charging fees for carry-on baggage and to require disclosure of passenger fees, and for other purposes.

S. 3205

At the request of Mr. SCHUMER, the name of the Senator from Nebraska [Mr. NELSON] was added as a cosponsor of S. 3205, a bill to amend the Internal Revenue Code of 1986 to provide that fees charged for baggage carried into the cabin of an aircraft are subject to the excise tax imposed on transportation of persons by air.

SENATE CONCURRENT RESOLUTION 55

At the request of Mr. FEINGOLD, the names of the Senator from Oregon [Mr. WYDEN] and the Senator from Rhode Island [Mr. WHITEHOUSE] were added as cosponsors of Senate Concurrent Resolution 55, a concurrent resolution commemorating the 40th anniversary of Earth Day and honoring the founder of Earth Day, the late Senator Gaylord Nelson of the State of Wisconsin.

SENATE RESOLUTION 316

At the request of Mr. MENENDEZ, the names of the Senator from New Jersey [Mr. LAUTENBERG] and the Senator from Minnesota [Ms. KLOBUCHAR] were added as cosponsors of Senate Resolution 316, a resolution calling upon the President to ensure that the foreign policy of the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes.

SENATE RESOLUTION 339

At the request of Mr. LEAHY, his name was added as a cosponsor of Senate Resolution 339, a resolution to express the sense of the Senate in support of permitting the televising of Supreme Court proceedings.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on April 15, 2010, at 9:30 a.m.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs, be authorized to meet during the session of the Senate on April 15, 2010, at 9:30 a.m. to conduct a hearing entitled "Legislative Proposals in the Department of

Housing and Urban Development's FY 2011 Budget Request".

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "ESEA Reauthorization: Teachers and Leaders" on April 15, 2010. The hearing will commence at 10 a.m. in room 106 of the Dirksen Senate Office Building.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on April 15, 2010, at 10 a.m. in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Filing Season Update: Current IRS Issues."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on April 15, 2010, at 11 a.m., to hold an East Asian Affairs subcommittee hearing entitled "US-Japan Relations."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on April 15, 2010, at 10 a.m. in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration be authorized to meet during the session of the Senate on April 15, 2010, at 10 a.m.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on April 15, 2010, at 10 a.m. to conduct a hearing entitled "Assessing Access: Obstacles and Opportunities for Minority Small Business Owners in Today's Capital Markets."

AD HOC SUBCOMMITTEE ON CONTRACTING OVERSIGHT

The Ad Hoc Subcommittee on Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 15, 2010, at 2:30 p.m. to conduct a hearing entitled, "Contracts for Afghan National Police Training."

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on April 15, 2010, at 2:30 p.m.

SUBCOMMITTEE ON AIRLAND

The Committee on Airland of the Committee on Armed Services be authorized to meet during the session of the Senate on April 15, 2010, at 2 p.m.

SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND COAST GUARD

The Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on April 15, 2010, at 10 a.m. in room 253 of the Russell Senate Office Building.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 11:40 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1258. An act to amend the Communications Act of 1934 to prohibit manipulation of caller ID information, and for other purposes.

H.R. 3125. An act to require an inventory of radio spectrum bands managed by the National Telecommunications and Information Administration and the Federal Communications Administration.

H.R. 3506. An act to amend the Gramm-Leach-Bliley Act to provide an exception from the continuing requirement for annual privacy notices for financial institutions which do not change their policies and practices with regard to disclosing nonpublic personal information from the policies and practices that were disclosed in the most recent disclosure sent to consumers, and for other purposes.

H.R. 4275. An act to designate the annex building under construction for the Elbert P. Tuttle United States Court of appeals Building in Atlanta, Georgia, as the "John C. Godbold Federal Building".

H.R. 4994. An act to amend the Internal Revenue Code of 1986 to reduce taxpayer burdens and enhance taxpayer protections, and for other purposes.

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

S.J. Res. 25. Joint resolution granting the consent and approval of Congress to amendments made by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to the Washington Metropolitan Area Transit Regulation Compact.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 243. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha.

ENROLLED BILL SIGNED

The PRESIDENT pro tempore reported that he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 4573. An act to urge the Secretary of the Treasury to instruct the United States Executive Directors at the International Monetary Fund, the World Bank, the Inter-American Development Bank, and other multilateral development institutions to use the voice, vote, and influence of the United States to cancel immediately and completely Haiti's debts to such institutions, and for other purposes.

HOUSE BILLS REFERRED

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

H.R. 3506. To amend the Gramm-Leach-Bliley Act to provide an exception from the continuing requirement for annual privacy notices for financial institutions which do not change their policies and practices with regard to disclosing nonpublic personal information from the policies and practices that were disclosed in the most recent disclosure sent to consumers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 4275. To designate the annex building under construction for the Elbert P. Tuttle United States Court of Appeals Building in Atlanta, Georgia, as the "John C. Godbold Federal Building"; to the Committee on Environment and Public Works.

H.R. 4994. An act to amend the Internal Revenue Code of 1986 to reduce taxpayer burdens and enhance taxpayer protections, and for other purposes; to the Committee on Finance.

HOUSE BILLS PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 3125. An act to require an inventory of radio spectrum bands managed by the National Telecommunications and Information Administration and the Federal Communications Commission.

H.R. 1258. To amend the Communications Act of 1934 to prohibit manipulation of caller ID information, and for other purposes.

CONTINUING EXTENSION ACT

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (H.R. 4851) to provide a temporary

extension of certain programs, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3727, proposed by Mr. COBURN, to amendment No. 3721 (in the nature of a substitute), as modified, proposed by Mr. BAUCUS, to the bill.

Pending debate,

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That the time until 12:10 p.m. be equally divided and controlled in the usual form; that, at 12:10 p.m., the Senate vote in relation to amendment No. 3726; that, upon disposition of the amendment, the question recur on agreeing to amendment No. 3727; that there be two minutes, equally divided and controlled in the usual form, for debate thereon; that, upon conclusion of debate, the Senate vote in relation to the amendment; and that no amendment be in order to either amendment prior to the vote.

The question being on agreeing to amendment No. 3727 to amendment No. 3721 (in the nature of a substitute), as modified, to the bill.

Pending debate,

The hour of 12:10 p.m. having passed,

Pursuant to the order of today, as modified,

The question recurring on agreeing to amendment No. 3726, proposed by Mr. COBURN, to amendment No. 3721 (in the nature of a substitute), as modified, to the bill.

On motion by Mr. BAUCUS to lay the pending amendment on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 50, nays... 48

[Rollcall Vote No. 113 Leg.]

YEAS --- 50

Akaka, Baucus, Begich, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (NM), Webb, Whitehouse, Wyden.

NAYS --- 48

Alexander, Barrasso, Bayh, Bennet, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Pryor, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Udall (CO), Vitter, Voinovich, Wicker.

So the motion was agreed to.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3727 to amendment No. 3721 (in the nature of a substitute), as modified, to the bill.

On motion by Mr. BAUCUS to lay the pending amendment on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 53, nays... 45

[Rollcall Vote No. 114 Leg.]

YEAS --- 53

Akaka, Baucus, Begich, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (NM), Webb, Whitehouse, Wyden.

NAYS --- 45

Alexander, Barrasso, Bayh, Bennet, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Udall (CO), Vitter, Voinovich, Wicker.

So the motion was agreed to.

The question being on agreeing to amendment No. 3721 (in the nature of a substitute), as modified, to the bill.

Pending debate,

On motion by Mr. MCCAIN to amend the pending amendment (in the nature of a substitute), at the appropriate place, by inserting certain words (being amendment No. 3724).

Mr. MCCAIN modified his pending amendment.

The question then being on agreeing to amendment No. 3724, as modified, to amendment No. 3721 (in the nature of a substitute), as modified, to the bill.

On motion by Mr. MCCAIN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment, as modified.

The question being on agreeing to amendment No. 3724, as modified, to amendment No. 3721 (in the nature of a substitute), as modified, to the bill.

Pending debate,

By unanimous consent, on the request of Mr. REID,

Ordered, That, at 5 p.m. on today, the Senate vote in relation to amendment No. 3724, as modified; that, upon disposition of the amendment, no further amendment be in order to be proposed; that the Senate then vote on the question of agreeing to the motion to bring to a close debate on amendment No. 3721 (in the nature of a substitute), as modified; that, if said motion is agreed to, time for debate pursuant to rule XXII of the Standing Rules of the Senate be concluded; that amendment No. 3721 (in the nature of a substitute), as modified and as may be amended, be agreed to; and that the bill, as thus amended, be read the third time.

Ordered further, That, following the reading of the PAYGO letter from the chairman of the Committee on the Budget, pursuant to Public Law 111-139, the motion to bring to a close debate on the bill be withdrawn; and that the Senate then vote on passage of the bill, as amended.

The question being on agreeing to amendment No. 3724, as modified, to amendment No. 3721 (in the nature of a substitute), as modified, to the bill.

After debate,

The question being taken.

It was determined in the affirmative---
yeas... 85, nays... 13

[Rollcall Vote No. 115 Leg.]

YEAS --- 85

Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bennett, Bond, Boxer, Brown (MA), Brownback, Bunning, Burr, Burris, Cantwell, Carper, Casey, Chambliss, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dodd, Durbin, Ensign, Enzi, Feingold, Feinstein, Franken, Gillibrand, Graham, Grassley, Gregg, Hagan, Harkin, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, LeMieux, Lieberman, Lincoln, Lugar, McCain, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Pryor, Reid, Risch, Roberts, Rockefeller, Sanders, Schumer, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Vitter, Wicker, Wyden.

NAYS --- 13

Akaka, Bingaman, Brown (OH), Byrd, Cardin, Dorgan, Kaufman, Levin, Reed, Udall (NM), Voinovich, Webb, Whitehouse.

So the amendment, as modified, was agreed to.

On motion by Mr. BAUCUS to reconsider the vote agreeing to the amendment, as modified.

On motion by Mr. BAUCUS,

The motion to reconsider was laid on the table.

The question being on agreeing to amendment No. 3721 (in the nature of a

substitute), as modified and amended, to the bill.

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That the next two votes each be 10 minutes in duration.

Pursuant to the order of today,

The PRESIDING OFFICER (Mrs. SHAHEEN in the chair) laid before the Senate the motion, presented by Mr. REID on yesterday, to bring to a close debate on the pending amendment (in the nature of a substitute), as modified.

Pursuant to the order of yesterday,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the affirmative---
yeas... 60, nays... 38

[Rollcall Vote No. 116 Leg.]

YEAS --- 60

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Webb, Whitehouse, Wyden.

NAYS --- 38

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Thune, Vitter, Wicker.

So the motion was agreed to; three-fifths of Senators duly chosen and sworn having voted in the affirmative.

Pursuant to the order of today,

The time for debate pursuant to rule XXII of the Standing Rules of the Senate was concluded.

Pursuant to the order of today,

Amendment No. 3721 (in the nature of a substitute), as modified and amended, was agreed to.

Pursuant to the order of today,

The bill, as amended, was read the third time.

Pursuant to the order of today,

Pending the reading of the PAYGO letter from the chairman of the Committee on the Budget, pursuant to Public Law 111-139,

When

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That reading of the letter be waived.

Pursuant to the order of today,

The motion to bring to a close debate on the bill was withdrawn.

The question being on passage of the bill, as amended.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of passage of the bill, as amended.

On the question, Shall it pass?

It was determined in the affirmative---
yeas... 59, nays... 38

[Rollcall Vote No. 117 Leg.]

YEAS --- 59

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Webb, Whitehouse, Wyden.

NAYS --- 38

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Thune, Vitter, Wicker.

So it was,

Resolved, That the bill, as amended, do pass.

MOTION TO PROCEED TO EXECUTIVE SESSION

On motion by Mr. REID that the Senate proceed to executive session to consider the nomination of Lael Brainard, of the District of Columbia, to be an Under Secretary of the Treasury.

The question being on agreeing to the motion.

The motion was agreed to; and

EXECUTIVE SESSION

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

On motion by Mr. REID that the Senate resume its legislative session.

The motion was agreed to; and

The Senate resumed its legislative session.

MOTION TO PROCEED TO EXECUTIVE SESSION

On motion by Mr. REID that the Senate proceed to executive session to consider the nomination of Marisa J. Demeo, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia.

The question being on agreeing to the motion.

The motion was agreed to; and

EXECUTIVE SESSION

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

On motion by Mr. REID that the Senate resume its legislative session.

The motion was agreed to; and

The Senate resumed its legislative session.

MOTION TO PROCEED TO EXECUTIVE SESSION

On motion by Mr. REID that the Senate proceed to executive session to consider the nomination of Christopher H. Schroeder, of North Carolina, to be an Assistant Attorney General.

The question being on agreeing to the motion.

The motion was agreed to; and

EXECUTIVE SESSION

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

On motion by Mr. REID that the Senate resume its legislative session.

The motion was agreed to; and

The Senate resumed its legislative session.

MOTION TO PROCEED TO EXECUTIVE SESSION

On motion by Mr. REID that the Senate proceed to executive session to consider the nomination of Thomas I. Vanaskie, of Pennsylvania, to be United States Circuit Judge for the Third Circuit. The question being on agreeing to the motion.

The motion was agreed to; and

EXECUTIVE SESSION

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

On motion by Mr. REID that the Senate resume its legislative session.

The motion was agreed to; and

The Senate resumed its legislative session.

MOTION TO PROCEED TO EXECUTIVE SESSION

On motion by Mr. REID that the Senate proceed to executive session to consider the nomination of Denny Chin, of New York, to be United States Circuit Judge for the Second Circuit.

The question being on agreeing to the motion.

The motion was agreed to; and

EXECUTIVE SESSION

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

On motion by Mr. REID that the Senate resume its legislative session.

The motion was agreed to; and

The Senate resumed its legislative session.

DESIGNATING "NATIONAL PUBLIC WORKS WEEK"

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 484) designating the week of May 16 through May 22, 2010, as "National Public Works Week", submitted today by Mrs. BOXER (for herself and Mr. INHOFE), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "FINANCIAL LITERACY MONTH"

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 485) designating April 2010 as "Financial Literacy Month", submitted today by Mr. AKAKA (for himself and Mr. ENZI), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

SUPPORTING THE MISSION AND GOALS OF THE 2010 NATIONAL CRIME VICTIMS' RIGHTS WEEK

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 486) supporting the mission and goals of the 2010 National Crime Victims' Rights Week to increase public awareness of the rights, needs, and concerns of victims and survivors of crime in the United States, no matter the country of origin or creed of the victim, and to commemorate the National Crime Victims' Rights Week theme referred to as "Crime Victims' Rights: Fairness. Dignity. Respect", submitted today by Mr. SCHUMER (for himself and Mr. SESSIONS), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HONORING THE COAL MINERS WHO PERISHED IN THE UPPER BIG BRANCH MINE—SOUTH IN RALEIGH COUNTY, WEST VIRGINIA

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 487) honoring the coal miners who perished in the Upper Big Branch Mine—South in Raleigh County, West Virginia, extending the condolences of the United States Senate to the families of the fallen coal miners, and recognizing the valiant efforts of the emergency response workers, submitted today by Mr. BYRD (for himself, Mr. ROCKEFELLER, Mr. HARKIN, Mr. ENZI, Mr. REID, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BEGICH, Mr. BENNET, Mr. BENNETT, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. SCOTT BROWN, Mr. SHERROD BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BURRIS, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mrs. HAGAN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON, Mr. KAUFMAN, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEMIEUX, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. BEN NELSON, Mr. BILL NELSON, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. MARK UDALL, Mr. TOM UDALL, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, APRIL 19, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2 p.m. on Monday, April 19, 2010; that, on Monday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 3 p.m., with Senators permitted to speak for 10 minutes each therein; and that, following morning business, the Senate proceed to executive session to consider the nomination of Lael Brainard, of the District of Columbia, to be an Under Secretary of the Treasury.

AUTHORIZING SIGNING OF ENROLLED BILLS AND JOINT RESOLUTIONS

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That, on today and tomorrow, the majority leader be authorized to sign duly enrolled bills and joint resolutions.

ORDER FOR ADJOURNMENT ON TODAY

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That the Senate adjourn, following remarks by Mr. SESSIONS.

After debate,

ADJOURNMENT

Under the authority of the order of today,

At 7:26 p.m.,

The PRESIDING OFFICER declared the Senate adjourned, under its order of today, until 2 p.m. on Monday, April 19, 2010.

MONDAY, APRIL 19, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, April 19, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

ORDER FOR MOMENT OF SILENCE

By unanimous consent, on the request of Mr. REID,

Ordered, That the Senate observe a moment of silence in memory of those who were at the Oklahoma City bombing in 1995 and many other victims and survivors of terrorism at home and abroad.

MOMENT OF SILENCE

Pursuant to the foregoing order,

At 2:03 p.m.,

The Senate observed a moment of silence.

THE JOURNAL

Pursuant to the order of Thursday, April 15, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Thursday, April 15, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Thursday, April 15, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the order of the Senate of January 6, 2009, the Secretary of the Senate, on April 15, 2010, during the adjournment of the Senate, received a message from the House announcing that the Speaker has signed the following enrolled bill and joint resolution:

H.R. 4851. An act to provide a temporary extension of certain programs, and for other purposes.

S.J. Res. 25. Joint resolution granting the consent and approval of Congress to amendments made by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to the Washington Metropolitan Area Transit Regulation Compact.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Under the authority of the order of April 15, 2010, the enrolled bill and joint resolution were signed on April 15, 2010, during the adjournment of the Senate, by the ACTING PRESIDENT pro tempore (Mr. REID).

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on Friday, April 16, 2010, she had presented to the President of the United States the following enrolled joint resolution:

S.J. Res. 25. A joint resolution granting the consent and approval of Congress to amendments made by the State of Maryland, the Commonwealth of Virginia, and the District of Columbia to the Washington Metropolitan Area Transit Regulation Compact.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5409. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Hawker Beechcraft Corporation Model G58 Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2009-1176)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5410. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 and 440) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0656)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5411. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2009-0649)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5412. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A300 B4-2C, B4-103, and B4-203 Airplanes; and Model A300 B4-601, B4-603, B4-620, B4-622, B4-605R, and B4-622R Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2009-0993)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5413. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A300 B2-1C, B2-203, B2K-3C, B4-103, B4-203, B4-2C Airplanes; Model A310 Series Airplanes; and Model A300 B4-601, B4-603, B4-605R, B4-620, B4-622, and B4-622R Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0789)), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5414. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness

Directives; Rolls-Royce plc RB211-Trent 800 Series Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2009-1004)), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5415. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 757 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0795)), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5416. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 and Model ERJ 190 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0274)), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5417. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce plc RB-211-Trent 500, 700, and 800 Series Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2009-0674)), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5418. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Various Aircraft Equipped with Honeywell Primus II RNZ-850( )/-851( ) Integrated Navigation Units" ((RIN2120-AA64)(Docket No. FAA-2008-0556)), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5419. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 737-600, -700, -700C, -800, -900, and -900ER Series Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2010-0230)), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5420. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 747-200C and -200F Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0684)), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5421. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier Inc. Model BD-100-1A10 (Challenger 300) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1214)), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5422. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Kelly Aerospace Energy Systems, LLC Rebuilt Turbochargers" ((RIN2120-AA64)(Docket No. FAA-2009-1259)), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5423. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce plc RB211-Trent 700 Series Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2005-19559)), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5424. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; SOCATA Model TBM 700 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1256)), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5425. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Aircraft Industries a.s. Model L 23 Super Blanik Gliders" ((RIN2120-AA64)-(Docket No. FAA-2010-0357)), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5426. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca ARRIEL 1B, 1D, 1D1, 2B, and 2B1 Turboshaft Engines" ((RIN2120-AA64)(Docket No. FAA-2009-0302)), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5427. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Mount Pleasant, SC" ((RIN2120-AA66)(Docket No. FAA-2010-0069)), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5428. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Quitman, GA" ((RIN2120-AA66)(Docket No. FAA-2010-0053)), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5429. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Panama City, Tyndall AFB, FL" ((RIN2120-AA66)(Docket No. FAA-2010-0249)), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5430. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Kindred, ND" ((RIN2120-AA66)(Docket No. FAA-2009-0802)), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5431. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Luverne, MN" ((RIN2120-AA66)(Docket No. FAA-2009-1150)), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5432. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Killeen, TX" ((RIN2120-AA66)(Docket No. FAA-2009-0928)), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5433. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Certification of Aircraft and Airmen for the Operation of Light-Sport Aircraft; Modifications to Rules for Sport Pilots and Flight Instructors With a Sport Pilot Rating; Correction" ((RIN2120-AJ10)(Docket No. FAA-2007-29015)), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5434. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Extension of the Compliance Date for Cockpit Voice Recorder and Digital Flight Data Recorder Regulations" ((RIN2120-AJ65)(Docket No. FAA-2005-20245)), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5435. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Prohibited Area P-49; Crawford, TX" ((RIN2120-AA66)(Docket No. FAA-2009-0921)), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5436. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Low Altitude Area Navigation Route (T-284); Houston, TX" ((RIN2120-AA66)-(Docket No. FAA-2009-0878)), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5437. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Using Agency for Restricted Areas R-3005A, R-3305B, R-3005C, R-3005D and R-3005E; Fort Stewart, GA" ((RIN2120-AA66)(Docket No. FAA-2010-0201)), received in the Office of the President of the Senate on April 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5438. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment to Restricted Area R-2510A; El Centro, CA" ((RIN2120-AA66)(Docket No. FAA-2010-0346)), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5439. A communication from the Assistant Chief Counsel for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Registration and Fee Assessment Program" (RIN2137-AE47), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5440. A communication from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Civil Penalty Factors" (16 CFR Part 1119), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5441. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Electronic On-Board Recorders for Hours-of-Service Compliance" (RIN2126-AA89), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5442. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District of the Gulf of Alaska" (RIN0648-XV51), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5443. A communication from the Acting Assistant Chief for Legislation and Regulations, Maritime Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "America's Marine Highway Program" (RIN2133-AB70), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5444. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska" (RIN0648-XU72), received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5445. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Issuance of Electronic Documents and Related Recordkeeping Requirements" (RIN0694-AE66), received during adjournment of the Senate in the Office of the President of the Senate on April 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5446. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Television Broadcasting Services; Atlantic City, NJ" (MB Docket No. 09-231), received during adjournment of the Senate in the Office of the President of the Senate on March 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5447. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Digital Audio Broadcasting Systems and Their Impact on the Terrestrial Radio Broadcast Service" (MB Docket No. 99-325), received during adjournment of the Senate in the Office of the President of the Senate on March 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5448. A communication from the Acting Associate Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Subpart F - Universal Service Support for Schools and Libraries, Other Supported Special Services, Services Provided by Non-Telecommunications Carriers" (FCC09-105), received during adjournment of the Senate in the Office of the President of the Senate on March 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5449. A communication from the Acting Legal Advisor and Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Part 90 of the Commission's Rules" (WP Doc. 07-100), received during adjournment of the Senate in the Office of the President of the Senate on March 29, 2010; to

the Committee on Commerce, Science, and Transportation.

EC-5450. A communication from the Secretary of Transportation, transmitting, pursuant to law, an annual report relative to the accomplishments made under the Airport Improvement Program during fiscal year 2008; to the Committee on Commerce, Science, and Transportation.

EC-5451. A joint communication from the Administrator of the National Highway Traffic Safety Administration and the Assistant Secretary for Communications and Information of the National Telecommunications and Information Administration, transmitting, pursuant to law, a report relative to the Implementation Coordination Office's activities relative to development of comprehensive and technologically enhanced 911 (E-911) services; to the Committee on Commerce, Science, and Transportation.

EC-5452. A communication from the President and Chief Executive Officer, National Railroad Passenger Corporation, AMTRAK, transmitting, pursuant to law, a report relative to AMTRAK's Grant and Legislative Request for Fiscal Year 2011; to the Committee on Commerce, Science, and Transportation.

EC-5453. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "2010 Rates for Pilotage on the Great Lakes" (RIN1625-AB39), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5454. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulations; Great Egg Harbor Bay, Between Beesleys Point and Somers Point, NJ" (RIN1625-AA09), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5455. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; AICW Closure Safety Zone for Ben Sawyer Bridge Replacement Project, Sullivan's Island, SC" ((RIN1625-AA00)-(Docket No. USCG-2009-0878)), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5456. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Havasu Landing Annual Regatta; Colorado River, Lake Havasu Lending, CA" ((RIN1625-AA00)-(Docket No. USCG-2009-1060)), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5457. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Baltimore Captain of Port Zone" ((RIN1625-AA00)(Docket No. USCG-2009-1130)), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5458. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Todd Pacific Shipyards Vessel Launch, West Duwamish Waterway, Seattle, WA" ((RIN1625-AA00)(Docket No. USCG-2009-1073)), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5459. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Congress Street Bridge, Pequonnock River, Bridgeport, CT" ((RIN1625-AA00)(Docket No. USCG-2009-1072)), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5460. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Escorted U.S. Navy Submarines in Sector Seattle Captain of the Port Zone" ((RIN1625-AA87)(Docket No. USCG-2009-1057)), received during adjournment of the Senate in the Office of the President of the Senate on April 9, 2010; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-94. A joint resolution adopted by the Legislature of the State of Wyoming affirming Wyoming's sovereignty under the Tenth Amendment to the Constitution of the United States of America over all powers not otherwise enumerated and granted to the federal government by the Constitution of the United States of America; to the Committee on Homeland Security and Governmental Affairs.

ENROLLED JOINT RESOLUTION NO. 2

Whereas, the Tenth Amendment to the Constitution of the United States reads as follows: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"; and

Whereas, the Tenth Amendment defines the total scope of federal power as being that specifically granted by the Constitution of the United States and no more; and

Whereas, the scope of power defined by the Tenth Amendment means that the federal government was created by the states specifically to be an agent of the states; and

Whereas, the states are demonstrably treated as agents of the federal government; and

Whereas, many federal laws are directly in violation of the Tenth Amendment to the Constitution of the United States; and

Whereas, the Tenth Amendment assures that we, the people of the United States of America and each sovereign state in the union of states, now have, and have always had, rights the federal government may not usurp; and

Whereas, Section 4, Article IV, of the Constitution says, "The United States shall guarantee to every State in this Union a Republican Form of Government," and the Ninth Amendment states that "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people"; and

Whereas, Congress may not simply commandeer the legislative and regulatory processes of the states; and

Whereas, the United States Congress frequently considers and enacts laws, and the executive agencies of the federal government frequently promulgate regulations, the constitutional authority for which is either absent or tenuous, including, without limitation, the Real ID Act, which imposes significant unfunded mandates upon the states with respect to the traditional state function of drivers licensing, the Endangered Species Act, which, as construed by the United States Fish and Wildlife Service, authorizes a federal executive agency to require specific state legislation related to the traditional state function of wildlife management, the Clean Water Act, which, as construed by the Environmental Protection Agency, authorizes a federal executive agency to exercise regulatory jurisdiction over waters that are not subject to federal regulation, the Federal Land Policy and Management Act, which implements a policy of federal lands retention in derogation of the

"equal footing" doctrine. Now, therefore, be it

Resolved by the members of the legislature of the State of Wyoming:

Section 1. That the State of Wyoming Legislature claims sovereignty on behalf of the State of Wyoming and for its citizens under the Tenth Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government or reserved to the people by the Constitution of the United States.

Section 2. That the rights and liberties of Wyoming, its costates and their respective citizens must be protected from any dangers by declaring that Congress is limited by the Tenth Amendment to the Constitution of the United States and that this state calls on its costates for an expression of their sentiments on acts not authorized by the United States Constitution.

Section 3. That this resolution serve as notice and demand to the federal government, as our agent, to cease and desist, effective immediately, from enacting mandates that are beyond the scope of these constitutionally delegated powers. The state of Wyoming will not enforce such mandates.

Section 4. That all compulsory federal legislation that directs states to comply under threat of civil or criminal penalties or sanctions be prohibited or repealed.

Section 5. That the Secretary of State of Wyoming transmit copies of this resolution to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress and to the Wyoming Congressional Delegation, with a request that this resolution be officially entered in the congressional record as a memorial to the Congress of the United States of America.

POM-95. A joint resolution adopted by the Legislature of the State of Wyoming requesting Congress oppose House Resolution 980, titled the Northern Rockies Ecosystem Protection Act; to the Committee on Energy and Natural Resources.

ENROLLED JOINT RESOLUTION NO. 1

Whereas, H.R. 980 was introduced in the United States House of Representatives on February 11, 2009; and

Whereas, H.R. 980 would designate an additional six million five hundred fourteen thousand (6,514,000) acres to the national wilderness system in the Greater Yellowstone Ecosystem, regardless of their unsuitability and failure to meet the wilderness criteria outlined in the 1964 Wilderness Act; and

Whereas, these additions to the National Wilderness System will have tremendous negative impacts to the economies of the counties in which they occur and ultimately to the economy of surrounding counties and the State of Wyoming; and

Whereas, the continuance of all multiple use activities, including motorized recreation, outfitting, grazing, timber harvesting activities and mineral development is crucial to the long term economic diversity of all Wyoming counties and the State of Wyoming; and

Whereas, the Wyoming congressional delegation, representing a state heavily impacted by the proposed wilderness expansion, is not on record in support of the designation; and

Whereas, the United States Congress does not customarily make wilderness designations without first seeking concurrence with the states affected. Now, therefore, be it

Resolved by the members of the legislature of the State of Wyoming:

Section 1. That the Legislature of the State of Wyoming is adamantly opposed to the Northern Rockies Ecosystem Protection Act, H.R. 980, and hereby requests that the United States House of Representatives Natural Resources Committee oppose this legislation.

Section 2. That the Secretary of State of Wyoming transmit copies of this resolution to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress and to the Wyoming Congressional Delegation, with a request that this resolution be officially entered in the congressional record as a memorial to the Congress of the United States of America.

POM-96. A joint resolution adopted by the Legislature of the State of Wyoming relative to Congress amending the tenth amendment of the Constitution of the United States and amending the interstate commerce clause, article 1, section 8 of the Constitution; to the Committee on Homeland Security and Governmental Affairs.

ENROLLED JOINT RESOLUTION NO. 3

Whereas, the tenth amendment to the Constitution of the United States reads as follows: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."; and

Whereas, the tenth amendment to the Constitution of the United States defines the total scope of federal power as being that specifically granted by the Constitution of the United States and no more; and

Whereas, the scope of the power defined by the tenth amendment to the Constitution of the United States means that the federal government was created by the states specifically to be an agent of the states; and

Whereas, the states are demonstrably treated as agents of the federal government; and

Whereas, many powers assumed by the federal government and federal mandates are directly in violation of the tenth amendment to the United States Constitution; and

Whereas, the interstate commerce clause in article 1, section 8 of the Constitution of the United States provides that Congress shall have the power: "To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes;" and

Whereas, the interstate commerce clause is limited to the federal government regulating trade between the states and between the states and other nations, to help prevent conflicts between states over commercial activities and to prevent the erection of barriers to commerce between the states; and

Whereas, the interstate commerce clause should not be used to provide Congress with authority to regulate matters that are primarily intrastate with only an insignificant or collateral effect upon interstate commerce; and

Whereas, many federal laws are beyond the scope and intent of the interstate commerce clause and the tenth amendment to the Constitution of the United States; and

Whereas, the tenth amendment to the Constitution of the United States assures that we, the people of the United States of America and each sovereign state in the union of states, now have, and have always had, rights the federal government may not usurp; and

Whereas, article 4, section 4, of the Constitution of the United States says: "The United States shall guarantee to every State in this Union a Republican Form of Government," and the ninth amendment to the Constitution of the United States adds "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."; and

Whereas, Congress may not simply commandeer the legislative and regulatory processes of the states. Now, therefore, be it

Resolved by the members of the legislature of the State of Wyoming:

Section 1. That the Wyoming Congressional delegation and Congress take action to initiate the amendment process provided by article 5 of the Constitution of the United States to amend the tenth amendment and article 1, section 8 (the interstate commerce clause), of the Constitution of the United States.

Section 2. That Congress amend the tenth amendment of the Constitution of the United States as follows, with proposed changes indicated in italic text:

The powers not *expressly* delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people. *This amendment shall be considered by all courts as a rule of interpretation and construction in*

any case involving an interpretation of any constitutional power claimed by the Congress.

Section 3. That Congress amend the interstate commerce clause, article 1, section 8, of the Constitution of the United States as follows, with proposed changes indicated in italic text:

To *directly* regulate Commerce with foreign nations, and among the several states, and with the Indian Tribes, *with no authority in Congress to regulate matters that are primarily intrastate with only an insignificant or collateral effect upon interstate commerce;*

Section 4. That Congress shall specify that the amendments to the tenth amendment and the interstate commerce clause, article 1, section 8, of the Constitution of the United States, as provided herein, shall be operative upon ratification by the legislatures of three-fourths of the several states, provided that such ratification shall occur within seven years from the date of the submission of the amendments to the states by Congress.

Section 5. That this state calls on its costates for an expression of their sentiments on the need to amend the tenth amendment and article 1, section 8 of the Constitution of the United States as provided in this resolution.

Section 6.

(a) That the Secretary of State of Wyoming transmit copies of this resolution:

(i) To the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress and to the Wyoming Congressional Delegation, with a request that the Wyoming Congressional delegation take all reasonable and necessary actions to initiate the amendment process to amend the Constitution of the United States consistent with the language proposed in this resolution and that this resolution be officially entered in the congressional record as a memorial to the Congress of the United States of America; and

(ii) To the speaker of the house of representatives and president of the senate, or their equivalent, and the governor of each of the other forty-nine states.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. REID (for Mrs. BOXER), from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 1397. A bill to authorize the Administrator of the Environmental Protection Agency to award grants for electronic device recycling research, development, and demonstration projects, and for other purposes (Rept. No. 111-168).

S. 1660. A bill to amend the Toxic Substances Control Act to reduce the emissions of formaldehyde from composite wood products, and for other purposes (Rept. No. 111-169).

By Mr. LEAHY, from the Committee on the Judiciary, with amendments:

S. 3111. A bill to establish the Commission on Freedom of Information Act Processing Delays.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. KOHL (for himself, Mr. GRASSLEY, Mr. JOHNSON, Ms. LANDRIEU, Mr. HARKIN, Mr. BOND, Mr. FEINGOLD, Mr. BENNET, Mr. NELSON of Nebraska, Mr. LEAHY, and Mr. DURBIN):

S. 3221. A bill to amend the Farm Security and Rural Investment Act of 2002 to extend the suspension of limitation on the period for which certain borrowers are eligible for guaranteed assistance; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 3222. A bill to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating interpreting the role of the Buffalo Soldiers in the early years of the National Parks, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. SNOWE (for herself and Mr. HARKIN):

S. 3223. A bill to amend the Employee Retirement Income Security Act of 1974 and the Public Health Service Act to provide parity under group health plans and group health insurance coverage for the provision of benefits for prosthetics and custom orthotics and benefits for other medical and surgical services; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of New Mexico (for himself, Mr. BINGAMAN, Mr. CRAPO, Mr. UDALL of Colorado, Mr. RISCH, and Mr. BENNET):

S. 3224. A bill to amend the Radiation Exposure Compensation Act to improve compensation for workers involved in uranium mining, and for other purposes; to the Committee on the Judiciary.

By Mr. BEGICH (for himself, Ms. KLOBUCHAR, and Mr. SCHUMER):

S. 3225. A bill to direct the Secretary of Commerce to establish a comprehensive grant program to promote domestic regional tourism; to the Committee on Commerce, Science, and Transportation.

By Mr. BROWN of Ohio (for himself, Mr. CARPER, Ms. COLLINS, Ms. SNOWE, and Mr. KAUFMAN):

S. 3226. A bill to require the Secretary of Energy to take actions to stimulate the emergence of an offshore wind power industry in the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HATCH (for himself, Mr. LEVIN, Mr. BENNETT, Mrs. GILLIBRAND, Mr. KERRY, Mrs. SHAHEEN, and Mr. SCHUMER):

S. 3227. A bill to authorize the Archivist of the United States to make grants to States for the preservation and dissemination of historical records; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent and Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. SPECTER:

S. Res. 488. A resolution congratulating the Pennsylvania State University IFC/Panhellenic Dance Marathon (THON) on its continued success in support of the Four Diamonds Fund at Penn State Hershey Children's Hospital; to the Committee on the Judiciary.

By Mr. ALEXANDER (for himself, Mr. BURRIS, Mr. CORKER, Mr. CARDIN, Mr. FEINGOLD, and Mr. DURBIN):

S. Res. 489. A resolution honoring the life and achievements of Dr. Benjamin L. Hooks; considered and agreed to.

By Mr. WHITEHOUSE:

S. Res. 490. A resolution recognizing the measurable, positive impact that the National Committee for Quality Assurance has made on the quality of care patients in the United States have received during the 20 years since the formation of the organization; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN (for herself, Mr. MCCAIN, and Mr. FEINGOLD):

S. Con. Res. 58. A concurrent resolution recognizing Doris "Granny D" Haddock, who inspired millions of people through remarkable acts of political activism, and extending the condolences of Congress on the death of Doris "Granny D" Haddock; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 305

At the request of Mr. SCHUMER, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 305, a bill to amend title IV of the Public Health Service Act to create a National Childhood Brain Tumor Prevention Network to provide grants and coordinate research

with respect to the causes of and risk factors associated with childhood brain tumors, and for other purposes.

S. 653

At the request of Mr. CARDIN, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 718

At the request of Mr. HARKIN, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 718, a bill to amend the Legal Services Corporation Act to meet special needs of eligible clients, provide for technology grants, improve corporate practices of the Legal Services Corporation, and for other purposes.

S. 781

At the request of Mr. ROBERTS, the name of the Senator from Idaho [Mr. RISCH] was added as a cosponsor of S. 781, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 891

At the request of Mr. BROWNBACK, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 891, a bill to require annual disclosure to the Securities and Exchange Commission of activities involving columbite-tantalite, cassiterite, and wolframite from the Democratic Republic of Congo, and for other purposes.

S. 1203

At the request of Mr. BAUCUS, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 1203, a bill to amend the Internal Revenue Code of 1986 to extend the research credit through 2010 and to increase and make permanent the alternative simplified research credit, and for other purposes.

S. 1313

At the request of Mr. LUGAR, the names of the Senator from Mississippi [Mr. WICKER] and the Senator from Washington [Mrs. MURRAY] were added as cosponsors of S. 1313, a bill to amend the Internal Revenue Code of 1986 to permanently extend and expand the charitable deduction for contributions of food inventory.

S. 1382

At the request of Mr. DODD, the name of the Senator from Florida [Mr. NELSON] was added as a cosponsor of S. 1382, a bill to improve and expand the Peace Corps for the 21st century, and for other purposes.

S. 1551

At the request of Mr. SPECTER, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 1551, a bill to amend section 20 of the Securities Exchange Act of 1934 to allow for a private civil action against a person that provides substantial assistance in violation of such Act.

S. 1700

At the request of Mr. LUGAR, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 1700, a bill to require certain issuers to disclose payments to foreign governments for the commercial development of oil, natural gas, and minerals, to express the sense of Congress that the President should disclose any payment relating to the commercial development of oil, natural gas, and minerals on Federal land, and for other purposes.

S. 1939

At the request of Mrs. GILLIBRAND, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 1939, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 2899

At the request of Mrs. FEINSTEIN, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 2899, a bill to amend the American Recovery and Reinvestment Act of 2009 and the Internal Revenue Code of 1986 to provide incentives for the development of solar energy.

S. 2989

At the request of Ms. LANDRIEU, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 2989, a bill to improve the Small Business Act, and for other purposes.

S. 3098

At the request of Mr. MERKLEY, the name of the Senator from Florida [Mr. NELSON] was added as a cosponsor of S. 3098, a bill to prohibit proprietary trading and certain relationships with hedge funds and private equity funds, to address conflicts of interest with respect to certain securitizations, and for other purposes.

S. 3102

At the request of Mr. MERKLEY, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 3102, a bill to amend the miscellaneous rural development provisions of the Farm Security and Rural Investment Act of 2002 to authorize the Secretary of Agriculture to make loans to certain entities that will use the funds to make loans to consumers to implement energy efficiency measures involving structural improvements and investments in cost-effective, commercial off-the-shelf technologies to reduce home energy use.

S. 3106

At the request of Mrs. HAGAN, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 3106, a bill to authorize States to exempt certain nonprofit housing organizations from the licensing requirements of the S.A.F.E. Mortgage Licensing Act of 2008.

S. 3169

At the request of Mrs. MURRAY, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 3169, a bill to require the Attorney General to make recommendations to the Interstate Commission for Adult Offender Supervision on policies and minimum standards to better protect public and officer safety.

S. 3205

At the request of Mr. SCHUMER, the name of the Senator from Virginia [Mr. WEBB] was added as a cosponsor of S. 3205, a bill to amend the Internal Revenue Code of 1986 to provide that fees charged for baggage carried into the cabin of an aircraft are subject to the excise tax imposed on transportation of persons by air.

S. 3206

At the request of Mr. HARKIN, the names of the Senator from New Jersey [Mr. MENENDEZ] and the Senator from New Mexico [Mr. UDALL] were added as cosponsors of S. 3206, a bill to establish an Education Jobs Fund.

S. 3211

At the request of Mrs. SHAHEEN, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 3211, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by designating certain certified diabetes educators as certified providers for purposes of outpatient diabetes self-management training services under part B of the Medicare Prorgram.

S. 3213

At the request of Mr. LEVIN, the name of the Senator from Ohio [Mr. VOINOVICH] was added as a cosponsor of S. 3213, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

SENATE CONCURRENT RESOLUTION 55

At the request of Mr. FEINGOLD, the names of the Senator from Colorado [Mr. BENNET], the Senator from Oregon [Mr. MERKLEY], the Senator from Washington [Mrs. MURRAY], the Senator from Maryland [Mr. CARDIN], the Senator from Illinois [Mr. DURBIN], the Senator from Delaware [Mr. CARPER] and the Senator from Nevada [Mr. REID] were added as cosponsors of Senate Concurrent Resolution 55, a concurrent resolution commemorating the 40th anniversary of Earth Day and honoring the founder of Earth Day, the late Senator Gaylord Nelson of the State of Wisconsin.

SENATE CONCURRENT RESOLUTION 56

At the request of Mr. LIEBERMAN, the names of the Senator from Mississippi [Mr. COCHRAN] and the Senator from Georgia [Mr. ISAKSON] were added as cosponsors of Senate Concurrent Resolution 56, a

concurrent resolution congratulating the Commandant of the Coast Guard and the Superintendent of the Coast Guard Academy and its staff for 100 years of operation of the Coast Guard Academy in New London, Connecticut, and for other purposes.

SENATE RESOLUTION 411

At the request of Mrs. LINCOLN, the name of the Senator from New Hampshire [Mr. GREGG] was added as a cosponsor of Senate Resolution 411, a resolution recognizing the importance and sustainability of the United States hardwoods industry and urging that United States hardwoods and the products derived from United States hardwoods be given full consideration in any program to promote construction of environmentally preferable commercial, public, or private buildings.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 2:08 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4715. An act to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 222. Concurrent resolution recognizing the leadership and historical contributions of Dr. Hector Garcia to the Hispanic community and his remarkable efforts to combat racial and ethnic discrimination in the United States of America.

The message further announced that the House agreed to the amendment of the Senate to the bill (H.R. 4851) to provide a temporary extension of certain programs, and for other purposes.

HOUSE BILL AND CONCURRENT RESOLUTION REFERRED

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

H.R. 4715. An act to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes; to the Committee on Environment and Public Works.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 222. Concurrent resolution recognizing the leadership and historical contributions of Dr. Hector Garcia to the Hispanic community and his remarkable efforts to combat racial and ethnic discrimination in the United States of America; to the Committee on the Judiciary.

EXECUTIVE SESSION

Pursuant to the order of Thursday, April 15, 2010,

The Senate proceeded to executive session; and after the consideration of executive business (involving one rollcall Vote).

LEGISLATIVE SESSION

Pursuant to the order of Thursday, April 15, 2010,

The Senate resumed its legislative session.

HONORING THE LIFE AND ACHIEVEMENTS OF DR. BENJAMIN L. HOOKS

On the request of Mr. DURBIN,

The PRESIDING OFFICER (Mrs. SHAHEEN in the chair) laid before the Senate the resolution (S. Res. 489) honoring the life and achievements of Dr. Benjamin L. Hooks, submitted today by Mr. ALEXANDER (for himself, Mr. BURRIS, Mr. CORKER, Mr. CARDIN, Mr. FEINGOLD, and Mr. DURBIN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR AN EVENT TO CELEBRATE THE BIRTHDAY OF KING KAMEHAMEHA

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the concurrent resolution (H. Con. Res. 243) authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha, received from the House of Representatives for concurrence on Thursday, April 15, 2010, and remaining undisposed of.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING THE MAJOR CHARLES ROBERT SOLTES, JR., O.D. DEPARTMENT OF VETERANS AFFAIRS BLIND REHABILITATION CENTER

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on Veterans Affairs be discharged from the further consideration of the bill (H.R. 4360) to designate the Department of Veterans Affairs blind rehabilitation center in Long Beach, California, as the "Major Charles Robert Soltes, Jr., O.D. Department of Veterans Affairs Blind Rehabilitation Center".

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period of one hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; that the minority control the first half therein, and the majority control the second half therein; and that, following morning business, the Senate proceed to executive session, as pursuant to the order of today.

ADJOURNMENT

By unanimous consent, on the request of Mr. DURBIN,

At 6:45 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

TUESDAY, APRIL 20, 2010

Mrs. JEANNE SHAHEEN, from the State of New Hampshire, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mrs. SHAHEEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, April 20, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. SHAHEEN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5461. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Aminopyralid; Pesticide Tolerances" (FRL No. 8808-9), received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5462. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Chlorantraniliprole; Extension of Time-Limited Pesticide Tolerances" (FRL No. 8820-3), received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5463. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Nicosulfuron; Pesticide Tolerances" (FRL No. 8818-4), received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5464. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pendimethalin; Pesticide Tolerances" (FRL No. 8817-4), received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5465. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (3) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-5466. A communication from the Principal Deputy, Office of the Assistant Secretary (Energy, Installations and Environment), Department of the Navy, transmitting, pursuant to law, a report relative to the cancellation of (4) public-private competitions on February 25, 2010; to the Committee on Armed Services.

EC-5467. A communication from the Principal Deputy General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Transmission Relay Loadability Reliability Standard" (FERC Docket No. RM08-13-000), received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2010; to the Committee on Energy and Natural Resources.

EC-5468. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Idaho: Incorporation by Reference of Approved State Hazardous Waste Management Program" (FRL No. 9122-8), received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Environment and Public Works.

EC-5469. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New Mexico; Interstate Transport of Pollution" (FRL No. 9134-8), received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Environment and Public Works.

EC-5470. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Texas; Control of Air Pollution from Motor Vehicles" (FRL No. 9135-6), received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Environment and Public Works.

EC-5471. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Delaware; Reasonable Further Progress Plan, 2002 Base Year Inventory, Reasonably Available Control Measures, Contingency Measures, and Transportation Conformity Budgets for the Delaware Portion of the Philadelphia 1997 8-Hour Ozone Moderate Nonattainment Area" (FRL No. 9134-9), received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Environment and Public Works.

EC-5472. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Arizona State Implementation Plan; Pinal County" (FRL No. 9096-8), received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Environment and Public Works.

EC-5473. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans;

Texas; Revisions to the New Source Review (NSR) State Implementation Plan (SIP); Modification of Existing Qualified Facilities Program and General Definitions" (FRL No. 9135-7), received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Environment and Public Works.

EC-5474. A communication from the Secretary of the Interior, transmitting, a report relative to the Preliminary Revised Outer Continental Shelf (OCS) Oil and Gas Leasing Program (PRP) for 2007-2012; to the Committee on Environment and Public Works.

EC-5475. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, a report relative to the Prevention of Significant Deterioration (PSD): Reconsideration of Interpretation of Regulations that Determine Pollutants Covered by the Federal PSD Permit Program; to the Committee on Environment and Public Works.

EC-5476. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Industry Director's Directive No. 3 on IRC 172(f) Specified Liability Losses" (LMSB-4-0210-009), received in the Office of the President of the Senate on April 15, 2010; to the Committee on Finance.

EC-5477. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Fringe Benefits Aircraft Valuation Formula" (Revenue Ruling No. 2010-10), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Finance.

EC-5478. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Industry Director's Directive No. 3 on Enhanced Oil Recovery Credit" (LMSB-4-0210-007), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Finance.

EC-5479. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Coordinated Issue: Distressed Asset Trust (DAT) Tax Shelters" (LMSB-4-0210-008), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Finance.

EC-5480. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Life Insurance Reserves - Actuarial Guideline XLIII" (Notice No. 2010-29), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Finance.

EC-5481. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Announcement and Report Concerning Advance Pricing Agreements" (Announcement No. 2010-21), received in the Office of the President of the Senate on April 13, 2010; to the Committee on Finance.

EC-5482. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice No. 2010-36), received in the Office of the President of the Senate on April 14, 2010; to the Committee on Finance.

EC-5483. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Finalizing Medicare Regulations under Section 902 of the Medicare Prescription Drug, Improvement, and Modernization Act (MMA) of 2003 for Calendar Year 2009"; to the Committee on Finance.

EC-5484. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010-0047 - 2010-0055); to the Committee on Foreign Relations.

EC-5485. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, two reports entitled "The National Healthcare Quality Report 2009" and "The National Healthcare Disparities Report 2009"; to the Committee on Health, Education, Labor, and Pensions.

EC-5486. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-40; Small Entity Compliance Guide" (FAC 2005-40), received in the Office of the President of the Senate on April 12, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5487. A communication from the Associate General Counsel for General Law, Office of the General Counsel, Department of Homeland Security, transmitting, pursuant to law, (2) reports relative to vacancies in the Department of Homeland Security, received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5488. A communication from the Associate Attorney General, Department of Justice, transmitting, pursuant to law, the Department's 2009 annual report on certain activities pertaining to the Freedom of Information Act; to the Committee on the Judiciary.

EC-5489. A communication from the Deputy Assistant Administrator of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Electronic Prescriptions for Controlled Substances" (RIN1117-AA61), received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on the Judiciary.

EC-5490. A communication from the Deputy Associate Director for Management and Administration and Designated Reporting Official, Office of National Drug Control Policy, Executive Office of the President, transmitting, pursuant to law, a report relative to a vacancy in the position of Deputy Director for Demand Reduction, Office of National Drug Control Policy; to the Committee on the Judiciary.

EC-5491. A communication from the Director of Regulation Policy and Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Grants to States for Construction or Acquisition of State Home Facilities - Update of Authorized Beds" (RIN2900-AM70), received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2010; to the Committee on Veterans' Affairs.

EC-5492. A communication from the Director of Regulation Policy and Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Revision of 38 CFR 1.17 to Remove Obsolete References to Herbicides Containing Dioxin" (RIN2900-AN56), received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2010; to the Committee on Veterans' Affairs.

EC-5493. A communication from the Secretary, Office of the General Counsel, Federal Maritime Commission, transmitting, pursuant to law, the report of a rule entitled "Repeal of Marine Terminal Agreement Exemption" received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5494. A communication from the Attorney Advisor, U.S. Coast Guard,

Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Invista Inc Facility Docks, Victoria Barge Canal, Victoria, TX" ((RIN1625-AA00)(Docket No. USCG-2009-0797)), received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5495. A communication from the Assistant Secretary for Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Commerce Acquisition Regulation (CAR); Correction" (RIN0605-AA26), received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5496. A communication from the Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Parts 25, 74, 78 and 101 of the Rules Regarding Coordination Between the Non-Geostationary and Geostationary Satellite Orbit Fixed Satellite Service and Fixed, Broadcast Auxiliary and Cable Television Relay Services in the 7 GHz, 10 GHz, and 13 GHz Frequency Bands" ((ET Docket No. 03-254)(FCC 10-15)), received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5497. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Halibut Fisheries; Catch Sharing Plan" (RIN0648-AY31), received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5498. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XV34), received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5499. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod for American Fisheries Act Catcher Processors Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XV66), received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5500. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska" (RIN0648-XV45), received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5501. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XV21), received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5502. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District of the Gulf of Alaska" (RIN0648-XV51), received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5503. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska" (RIN0648-XU73), received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5504. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska" (RIN0648-XV32), received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5505. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast (NE) Multispecies Fishery; Modification of the Yellowtail Flounder Landing Limit for the U.S./Canada Management Area" (RIN0648-XV49), received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5506. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District of the Gulf of Alaska" (RIN0648-XV61), received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5507. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 Feet (18.3 m) Length Overall Using Hook-and-Line or Pot Gear in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XV54), received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5508. A communication from the Administrator of the Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, a report relative to the foreign aviation authorities to which the Administration provided services during fiscal year 2009; to the Committee on Commerce, Science, and Transportation.

EC-5509. A communication from the President of the United States, transmitting, pursuant to law, a report relative to U.S. efforts to ensure the free flow of information to Iran and to enhance the abilities of Iranians to exercise their universal rights; to the Committee on Armed Services.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 878. A bill to amend the Federal Water Pollution Control Act to modify provisions relating to beach monitoring, and for other purposes (Rept. No. 111-170).

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. 933. A bill to amend the Federal Water Pollution Control Act and the Great Lakes Legacy Act of 2002 to reauthorize programs to address remediation of contaminated sediment (Rept. No. 111-171).

S. 937. A bill to amend the Federal Water Pollution Control Act to ensure that sewage treatment plants monitor for and report discharges of raw sewage, and for other purposes (Rept. No. 111-172).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. SCHUMER:

S. 3228. A bill to authorize the Administrator of the Small Business Administration to make grants to small business concerns to assist the commercialization of research developed with funds received under the second phase of the Small Business Innovation Research Program; to the Committee on Small Business and Entrepreneurship.

By Mr. KERRY (for himself, Mr. CARDIN, and Mr. DURBIN):

S. 3229. A bill to direct the Administrator of the United States Agency for International Development to develop a strategy to foster sustainable urban development in developing countries that updates the Making Cities Work Urban Strategy; to the Committee on Foreign Relations.

By Mr. INHOFE (for himself, Mr. BARRASSO, Mr. VITTER, Mr. ENZI, Mr. RISCH, Mr. BENNETT, and Mr. ROBERTS):

S. 3230. A bill to prohibit the use of the National Environmental Policy Act of 1969 to document, predict, or mitigate the climate effects of specific Federal actions; to the Committee on Environment and Public Works.

By Mr. GRASSLEY (for himself, Mr. CONRAD, Mr. THUNE, Mr. NELSON of Nebraska, Mr. JOHANNS, Mr. JOHNSON, and Mr. HARKIN):

S. 3231. A bill to amend the Internal Revenue Code of 1986 to extend certain tax incentives for alcohol used as fuel and to amend the Harmonized Tariff Schedule of the United States to extend additional duties on ethanol; to the Committee on Finance.

By Mr. BURR (for himself and Mr. BURRIS):

S. 3232. A bill to amend the Internal Revenue Code of 1986 to make employers of spouses of military personnel eligible for the work opportunity credit; to the Committee on Finance.

By Mr. BARRASSO (for himself and Mr. NELSON of Nebraska):

S. 3233. A bill to amend the Atomic Energy Act of 1954 to authorize the Secretary of Energy to barter, transfer, or sell surplus uranium from the inventory of the Department of Energy, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. MURRAY (for herself, Mrs. LINCOLN, Mr. BEGICH, Ms. KLOBUCHAR, Mr. REID, Mr. DURBIN, and Ms. MURKOWSKI):

S. 3234. A bill to improve employment, training, and placement services furnished to veterans, especially those serving in Operation Iraqi Freedom and Operation Enduring Freedom, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DORGAN (for himself, Mr. JOHNSON, Mr. TESTER, and Mr. UDALL of New Mexico):

S. 3235. A bill to amend the Act titled "An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases", approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior; to the Committee on Indian Affairs.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. BROWN of Ohio:

S. Res. 491. A resolution commemorating the 40th anniversary of the May 4, 1970, Kent State University shootings; to the Committee on the Judiciary.

By Mr. CARDIN (for himself, Mr. HATCH, Mr. SCHUMER, Mr. VOINOVICH, Mr. SPECTER, Mr. BURRIS, Mrs. GILLIBRAND, Mr. WARNER, Mr. CASEY, Mr. LEVIN, Mr. WEBB, Mr. FEINGOLD, and Ms. LANDRIEU):

S. Res. 492. A resolution honoring the life and achievements of Dr. Dorothy I. Height; considered and agreed to.

By Ms. MURKOWSKI (for herself, Mr. AKAKA, Mr. BEGICH, Mrs. GILLIBRAND, Mrs. LINCOLN, Mrs. MURRAY, Ms. MIKULSKI, Mr. BAYH, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. UDALL of Colorado, Ms. STABENOW, Mr. BINGAMAN, Mrs. HAGAN, Mr. NELSON of Nebraska, Mr. MENENDEZ, Mr. LIEBERMAN, Ms. COLLINS, Mr. GREGG, Mr. LEMIEUX, Mr. BURR, Mr. COCHRAN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. ISAKSON, Mrs. FEINSTEIN, and Mr. DODD):

S. Res. 493. A resolution designating April 23 through 25, 2010, as "Global Youth Service Days"; considered and agreed to.

By Ms. LANDRIEU (for herself and Mr. WICKER):

S. Res. 494. A resolution honoring Ida B. Wells for her activism in the civil rights and women's rights movements and for her influential and inspirational leadership; considered and agreed to.

ADDITIONAL COSPONSORS

S. 182

At the request of Mr. DODD, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 182, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 231

At the request of Mr. LIEBERMAN, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 231, a bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.

S. 584

At the request of Mr. HARKIN, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 584, a bill to ensure that all users of the transportation system, including pedestrians, bicyclists, transit users, children, older individuals, and individuals with disabilities, are able to travel safely and conveniently on and across federally funded streets and highways.

S. 831

At the request of Mr. KERRY, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 831, a bill to amend title 10, United States Code, to include service after September 11, 2001, as service qualifying for the determination of a reduced eligibility age for receipt of non-regular service retired pay.

S. 878

At the request of Mr. MERKLEY, his name was added as a cosponsor of S. 878, a bill to amend the Federal Water Pollution Control Act to modify provisions relating to beach monitoring, and for other purposes.

S. 937

At the request of Mr. MERKLEY, his name was added as a cosponsor of S. 937, a bill to amend the Federal Water Pollution Control Act to ensure that sewage treatment plants monitor for and report discharges of raw sewage, and for other purposes.

S. 1346

At the request of Mr. DURBIN, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 1346, a bill to penalize crimes against humanity and for other purposes.

S. 1743

At the request of Mrs. LINCOLN, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 1743, a bill to amend the Internal Revenue

Code of 1986 to expand the rehabilitation credit, and for other purposes.

S. 1756

At the request of Mr. HARKIN, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 1756, a bill to amend the Age Discrimination in Employment Act of 1967 to clarify the appropriate standard of proof.

S. 2106

At the request of Mrs. LINCOLN, the names of the Senator from Maryland [Mr. CARDIN] and the Senator from Ohio [Mr. BROWN] were added as cosponsors of S. 2106, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first law enforcement agency, the United States Marshals Service.

S. 2821

At the request of Mr. BROWN of Ohio, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 2821, a bill to require a review of existing trade agreements and renegotiation of existing trade agreements based on the review, to establish terms for future trade agreements, to express the sense of the Congress that the role of Congress in making trade policy should be strengthened, and for other purposes.

S. 2920

At the request of Mr. LAUTENBERG, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 2920, a bill to amend chapter 1 of title 23, United States Code, to condition the receipt of certain highway funding by States on the enactment and enforcement by States of certain laws to prevent repeat intoxicated driving.

S. 2947

At the request of Mr. CARDIN, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 2947, a bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation.

S. 2962

At the request of Mr. DODD, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 2962, a bill to amend title II of the Social Security Act to apply an earnings test in determining the amount of monthly insurance benefits for individuals entitled to disability insurance benefits based on blindness.

S. 3030

At the request of Mrs. GILLIBRAND, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 3030, a bill to amend the Public Works and Economic Development Act of 1965 to eliminate cost-sharing requirements in connection with economic adjustment grants made to assist communities that have suffered economic injury as a result of military base closures and realignments, defense contactor reductions in force, and Department of Energy defense-related funding reductions.

S. 3039

At the request of Mr. UDALL of New Mexico, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 3039, a bill to prevent drunk driving injuries and fatalities, and for other purposes.

S. 3141

At the request of Mr. BINGAMAN, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 3141, a bill to amend the Internal Revenue Code of 1986 to provide special rules for treatment of low-income housing credits, and for other purposes.

S. 3152

At the request of Mr. DEMINT, the names of the Senator from Kansas [Mr. BROWNBACK], the Senator from North Carolina [Mr. BURR], the Senator from Kentucky [Mr. BUNNING], the Senator from Arizona [Mr. MCCAIN] and the Senator from Mississippi [Mr. WICKER] were added as cosponsors of S. 3152, a bill to repeal the Patient Protection and Affordable Care Act.

S. 3171

At the request of Mrs. LINCOLN, the names of the Senator from Connecticut [Mr. LIEBERMAN] and the Senator from North Carolina [Mrs. HAGAN] were added as cosponsors of S. 3171, a bill to amend title 38, United States Code, to provide for the approval of certain programs of education for purposes of the Post-9/11 Educational Assistance Program.

S. 3207

At the request of Mr. MENENDEZ, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 3207, a bill to protect victims of crime or serious labor violations from deportation during Department of Homeland Security enforcement actions, and for other purposes.

SENATE CONCURRENT RESOLUTION 57

At the request of Mr. LEMIEUX, the name of the Senator from Mississippi [Mr. WICKER] was added as a cosponsor of Senate Concurrent Resolution 57, a concurrent resolution establishing an expedited procedure for consideration of a bill returning spending levels to 2007 levels.

SENATE RESOLUTION 488

At the request of Mr. SPECTER, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of Senate Resolution 488, a resolution congratulating the Pennsylvania State University IFC/Panhellenic Dance Marathon (THON) on its continued success in support of the Four Diamonds Fund at Penn State Hershey Children's Hospital.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on April 20, 2010, at 9:30 a.m.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on April 20, 2010, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on April 20, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "The President's Proposed Fee on Financial Institutions Regarding TARP: Part 1".

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate to conduct a hearing entitled "Protection from Unjustified Premiums" on April 20, 2010. The hearing will commence at 9:30 a.m. in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on April 20, 2010, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Oversight of the U.S. Department of Justice, Civil Rights Division."

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 20, 2010, at 11 a.m. to conduct a hearing entitled "Border Security: Moving Beyond the Virtual Fence."

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 20, 2010, at 2 p.m.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on April 20, 2010, at 2:30 p.m.

OBJECTIONS TO EXECUTIVE SESSION

Mr. WHITEHOUSE asked unanimous consent that, notwithstanding rule XXII of the

Standing Rules of the Senate, the Senate proceed to executive session to consider the following nominations, en bloc: Albert Diaz, of North Carolina, to be United States Circuit Judge for the Fourth Circuit; and James A. Wynn, of North Carolina, to be United States Circuit Judge for the Fourth Circuit; that the nominations be confirmed, en bloc; that motions to reconsider be made and laid on the table, en bloc; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. KYL objected.

Mr. WHITEHOUSE asked unanimous consent that, notwithstanding rule XXII of the Standing Rules of the Senate, the Senate proceed to executive session to consider the nomination of Nancy D. Freudenthal, of Wyoming, to be United States District Judge for the District of Wyoming; that the nomination be confirmed; that a motion to reconsider be made and laid on the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. KYL objected.

Mr. WHITEHOUSE asked unanimous consent that, notwithstanding rule XXII of the Standing Rules of the Senate, the Senate proceed to executive session to consider the nomination of Denzil Price Marshall, Jr., of Arkansas, to be United States District Judge for the Eastern District of Arkansas; that the nomination be confirmed; that a motion to reconsider be made and laid on the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. KYL objected.

Mr. WHITEHOUSE asked unanimous consent that, notwithstanding rule XXII of the Standing Rules of the Senate, the Senate proceed to executive session to consider the nomination of Timothy S. Black, of Ohio, to be United States District Judge for the Southern District of Ohio; that the nomination be confirmed; that a motion to reconsider be made and laid on the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. KYL objected.

EXECUTIVE SESSION

Pursuant to the order of yesterday,

The Senate proceeded to executive session; and after the consideration of executive business (involving two rollcall Votes).

LEGISLATIVE SESSION

Pursuant to the order of yesterday,

The Senate resumed its legislative session.

OBJECTIONS TO EXECUTIVE SESSION

Mrs. MCCASKILL asked unanimous consent that the Senate proceed to executive session to consider the nomination of Michael F. Mundaca, of New York, to be an Assistant Secretary of the Treasury; that the nomination be confirmed; that a motion to reconsider be made and laid on the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. KYL objected.

Mrs. MCCASKILL asked unanimous consent that the Senate proceed to executive session to consider the nomination of James P. Lynch, of the District of Columbia, to be Director of the Bureau of Justice; that the nomination be confirmed; that a motion to reconsider be made and laid on the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. KYL objected.

Mrs. MCCASKILL asked unanimous consent that the Senate proceed to executive session to consider the nomination of Judith Ann Stewart Stock, of Virginia, to be an Assistant Secretary of State (Educational and Cultural Affairs); that the nomination be confirmed; that a motion to reconsider be made and laid on the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. KYL objected.

Mrs. MCCASKILL asked unanimous consent that the Senate proceed to executive session to consider the nomination of Patricia A. Hoffman, of Virginia, to be an Assistant Secretary of Energy (Electricity Delivery and Energy Reliability); that the nomination be confirmed; that a motion to reconsider be made and laid on the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. KYL objected.

Mrs. MCCASKILL asked unanimous consent that the Senate proceed to executive session to consider the following nominations, en bloc: Gloria M. Navarro to be United States District Judge for the District of Nevada; Jon E. DeGuilio to be United States District Judge for the Northern District of Indiana; Audrey Goldstein Fleissig to be United States District Judge for the Eastern District of Missouri; Lucy Haeran Koh to be United States District Judge for the Northern District of California; Tanya Walton Pratt to be United States District Judge for the Southern District of Indiana; Marilyn A. Brown to be a Member of the Board of Directors of the Tennessee Valley Authority; William B. Sansom to be a Member of the Board of Directors of the Tennessee Valley Authority; Neil G. McBride to be a Member of the Board of Directors of the Tennessee Valley Authority; Barbara Short Haskew to be a Member of the Board of Directors of the Tennessee Valley Authority; Jane E. Magnus to be United States District Judge for the Southern District of Indiana; Brian Anthony Jackson to be United States District Judge for the Middle District of Louisiana; Elizabeth Erny Foote to be United States District Judge for the Western District of Louisiana; Mark A. Goldsmith to be United States District Judge for the Eastern District of Michigan; Marc T. Treadwell to be United States District Judge for the Middle District of Georgia; Josephine Staton Tucker, to be United States District Judge for the Central District of California; William N. Nettles, to be United States Attorney for the District of South Carolina; Wifredo A. Ferrer, to be United States Attorney for the Southern District of Florida; Michael Peter Huerta, to be Deputy Administrator of the Federal Aviation Administration; David T. Matsuda, to be Administrator of the Maritime Administration; Michael F. Tillman, of California, to be a Member of the Marine Mammal Commission; Daryl J. Boness, to be Member of the Marine Mammal Commission; Daryl J. Boness, to be Member of the Marine Mammal Commission; Earl F. Weener, to be Member of the National Transportation Safety Board, National Transportation Safety Board; Jeffrey R. Moreland, to be Director of the Amtrak Board of Directors, Amtrak Board of Directors; Larry Robinson, to be Assistant Secretary of Commerce for Oceans and Atmosphere, Department of Commerce; Vice Adm. Robert J. Papp Jr., to be Commandant of the United States Coast Guard; Rear Adm. Sally Brice-O'Hara, to be Vice Commandant of the United States Coast Guard; Rear Adm. Manson K. Brown, to be Commander, Pacific Area of the United States Coast Guard; Rear Adm. Robert C. Parker, to be Commander, Atlantic Area of the United States Coast Guard; Arthur Allen Elkins, Jr., to be Inspector General, Environmental Protection Agency, Environmental Protection Agency; David A. Capp, to be United States Attorney for the Northern District of Indiana, Department of Justice; Anne M. Tompkins, to be United States Attorney for the Western District of North Carolina, Department of Justice; Kelly McDade Nesbit, to be United States Marshal for the Western District of North Carolina, Department of Justice; Peter Christopher Munoz, to be United States Marshal for the Western District of Michigan, Department of Justice; Carolyn Hessler Radelet, to be Deputy Director, Peace Corps; Elizabeth L. Littlefield, to be President of the Overseas Private Investment Corporation, Overseas Private Investment Corporation; Lana Pollack, to be Commissioner, International Joint Commission, United States and Canada; Victor H. Ashe, to be Member of the Broadcasting Board of Governors,

Broadcasting Board of Governors; Walter Isaacson, to be Member of the Broadcasting Board of Governors, Broadcasting Board of Governors; Walter Isaacson, to be Chairman of the Broadcasting Board of Governors, Broadcasting Board of Governors; Michael Lynton, to be Member of the Broadcasting Board of Governors, Broadcasting Board of Governors; Susan McCue, to be Member of the Broadcasting Board of Governors, Broadcasting Board of Governors; Dennis Mulhaupt, to be Member of the Broadcasting Board of Governors; S. Enders Wimbush, to be Member of the Broadcasting Board of Governors; Bisa Williams, to be Ambassador to the Republic of Niger, Department of State; Raul Yzaguirre, to be Ambassador to the Dominican Republic, Department of State; Theodore Sedgwick, to be Ambassador to the Slovak Republic, Department of State; Robert Stephen Ford, to be Ambassador to the Syrian Arab Republic, Department of State; Gary Scott Feinerman, to be United States District Judge for the Northern District of Illinois; Sharon Johnson Coleman, to be United States District Judge for the Northern District of Illinois; Loretta E. Lynch, to be United States Attorney for the Eastern District of New York; Noel Culver March, to be United States Marshal for the District of Maine; George White, to be United States Marshal for the Southern District of Mississippi; Brian Todd Underwood, to be United States Marshal for the District of Idaho, that the nominations be confirmed, en bloc; that the motions to reconsider be made and laid upon the table, en bloc; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. KYL objected.

HONORING THE LIFE AND ACHIEVEMENTS OF DR. DOROTHY HEIGHT

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) laid before the Senate the resolution (S. Res. 492) honoring the life and achievements of Dr. Dorothy I. Height, submitted today by Mr. CARDIN (for himself, Mr. HATCH, Mr. SCHUMER, Mr. VOINOVICH, Mr. SPECTER, Mr. BURRIS, Mrs. GILLIBRAND, Mr. WARNER, Mr. CASEY, Mr. LEVIN, Mr. WEBB, Mr. FEINGOLD, and Ms. LANDRIEU), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "GLOBAL YOUTH SERVICE DAYS"

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 493) designating April 23 through 25, 2010, as "Global Youth Service Days", submitted today by Ms. MURKOWSKI (for herself, Mr. AKAKA, Mr. BEGICH, Mrs. GILLIBRAND, Mrs. LINCOLN, Mrs. MURRAY, Ms. MIKULSKI, Mr. BAYH, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. MARK UDALL, Ms. STABENOW, Mr. BINGAMAN, Mrs. HAGAN, Mr. BEN NELSON, Mr. MENENDEZ, Mr. LIEBERMAN, Ms. COLLINS, Mr. GREGG, Mr. LEMIEUX, Mr. BURR, Mr. COCHRAN, Mr. CARDIN, Ms. KLOBUCHAR, Mr. ISAKSON, Mrs. FEINSTEIN, and Mr. DODD), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HONORING IDA B. WELLS

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 494) honoring Ida B. Wells for her activism in the civil rights and women's rights movements and for her influential and inspirational leadership, submitted today by Ms. LANDRIEU (for herself and Mr. WICKER), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

APPOINTMENT BY THE PRESIDENT OF THE SENATE

THE BOARD OF TRUSTEES OF THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

The PRESIDING OFFICER announced that the President of the Senate, pursuant to Public Law 85-874, as amended, had appointed Mr. CONRAD to the Board of Trustees of the John F. Kennedy Center for the Performing Arts.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period of one hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; that the majority control the first half therein, and the minority control the second half therein; and that, following morning business, the Senate proceed to executive session, as pursuant to the order of today.

ADJOURNMENT

By unanimous consent, on the request of Mr. SHERROD BROWN,

At 6:33 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

WEDNESDAY, APRIL 21, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, April 21, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. TOM UDALL took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5510. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-346, "Fiscal Year 2010 Balanced Budget and Spending Pressure Control Plan Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5511. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-349, "Newborn Safe Haven Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5512. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-350, "Small Business Stabilization and Job Creation Strategy Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5513. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-351, "Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5514. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-352, "Prohibition Against Selling Tobacco Products to Minors Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5515. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-353, "Third and H Streets, N.E. Economic Development Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5516. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-354, "Foster Care Youth Identity Protection Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5517. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-355, "Jubilee Housing Residential Rental Project Real Property Tax Exemption Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5518. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-356, "Campbell Heights Residents Real Property Tax Exemption Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5519. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-357, "Disposition of the Property Formerly Designated as Federal Reservations 129, 130, and 299 Approval Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5520. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-358, "Old Morgan School Place, N.W., Designation Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5521. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-359, "Special Event Exemption Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5522. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-360, "SOME, Inc., Technical Amendments Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5523. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-361, "IHOP Restaurant #3221 Tax Exemption Clarification Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5524. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-362, "Tregaron Conservancy Clarification Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5525. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-368, "Msgr J. Mundell Way Designation Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5526. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-369, "Ronald H. Brown Way Designation Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5527. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-370, "Rev. Dr. Edward Thomas Way Designation Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5528. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-371, "Council Cable Autonomy and Control Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5529. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-372, "Tenth Street Community Park Designation Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5530. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-373, "Abe Pollin City Title Championship and Title Trophy Designation Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5531. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-374, "Tenant Opportunity to Purchase Preservation Clarification Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5532. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-375, "H Street, N.E. Small Business Streetscape Construction Real Property Tax Deferral Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5533. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-376, "Adams Morgan Main Street Group Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5534. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a

report on D.C. Act 18-377, "Lis Pendens Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5535. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-378, "Certified Capital Companies Improvement Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5536. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-379, "Safe Release of Inmates Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5537. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-380, "Uniform Unsworn Foreign Declarations Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5538. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-381, "DC Circulator Bus Jurisdiction Expansion Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5539. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-382, "Energy Efficiency Financing Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5540. A communication from the Deputy Archivist, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled "National Industrial Security Program Directive No. 1" (RIN3095-AB63), received in the Office of the President of the Senate on April 15, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5541. A communication from the Senior Procurement Analyst, Office of the Secretary, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Acquisition Regulation Rewrite" (RIN1093-AA11), received in the Office of the President of the Senate on April 15, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5542. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-41; Introduction" (FAC 2005-41), received in the Office of the President of the Senate on April 16, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5543. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-41; Small Entity Compliance Guide" (FAC 2005-41), received in the Office of the President of the Senate on April 16, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5544. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2009-005, Use of Project Labor Agreements for Federal Construction Projects" ((RIN9000-AL31)-(FAC 2005-41)), received in the Office of the President of the Senate on April 16, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5545. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the Commission's fiscal year 2009 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-5546. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Polyglyceryl Phthalate Ester of Coconut Oil Fatty Acids; Exemption from the Requirement of a Tolerance; Technical Correction" (FRL No. 8436-3), received in the Office of the President of the Senate on April 16, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5547. A communication from the Under Secretary of Defense (Personnel and Readiness), Department of Defense, transmitting, pursuant to law, a report entitled "Cost and Impact on Recruiting and Retention of Providing Thrift Savings Plan Matching Contributions"; to the Committee on Armed Services.

EC-5548. A communication from the Assistant Secretary of Defense (Global Strategic Affairs), Department of Defense, transmitting, pursuant to law, a report relative to Cooperative Threat Reduction Programs; to the Committee on Armed Services.

EC-5549. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Federal Home Loan Bank Directors' Eligibility, Elections, Compensation and Expenses" (RIN2590-AA03; RIN2590-AA31; RIN2590-AA34), received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5550. A communication from the Associate General Counsel for Legislation and Regulations, Office of Community Planning and Development, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Section 108 Community Development Loan Guarantee Program: Participation of States as Borrowers Pursuant to Section 222 of the Omnibus Appropriations Act, 2009" ((RIN2506-AC28)(Docket No. 5326-F-02)), received in the Office of the President of the Senate on April 14, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5551. A communication from the Acting Director, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, a report relative to the details of the Office's compensation plan for fiscal year 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5552. A communication from the Secretary, Federal Trade Commission, transmitting, pursuant to law, an annual report on the actions taken by the Commission relative to the Fair Debt Collection Practices Act during 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-5553. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Tire Fuel Efficiency Consumer Information Program" (RIN2127-AK45), received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5554. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards; Theft Protection and Rollaway Prevention" (RIN2127-AK38), received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5555. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards; Air Brake Systems" (RIN2127-AK62), received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to

the Committee on Commerce, Science, and Transportation.

EC-5556. A communication from the Deputy Assistant General Counsel, Office of Aviation Enforcement and Proceedings, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Enhancing Airline Passenger Protections: Extension of Compliance Date for Posting of Flight Delay Data on Websites" (RIN2105-AE00), received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5557. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A300 B2-1C, B2K-3C, B2-203, B4-2C, B4-103, and B4-203 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1166)), received in the Office of the President of the Senate on April 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5558. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 767-200, -300, and -300F Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2008-0978)), received in the Office of the President of the Senate on April 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5559. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Lampasas, TX" ((RIN2120-AA66)(Docket No. FAA-2009-0925)), received in the Office of the President of the Senate on April 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5560. A communication from the Director, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, a report relative to the disclosure of financial interest and recusal requirements for Regional Fishery Management Councils and Scientific and Statistical Committees; to the Committee on Commerce, Science, and Transportation.

EC-5561. A communication from the Acting Assistant Secretary of Land and Minerals Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Oil and Gas Sulphur Operations in the Outer Continental Shelf - Oil and Gas Production Requirements" (RIN1010-AD12), received in the Office of the President of the Senate on April 15, 2010; to the Committee on Energy and Natural Resources.

EC-5562. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Standards for Business Practices and Communication Protocols for Public Utilities" (FERC Docket No. RM05-5-017), received in the Office of the President of the Senate on April 14, 2010; to the Committee on Energy and Natural Resources.

EC-5563. A communication from the Secretary of the Department of Energy, transmitting, pursuant to law, a report relative to a National Academy of Sciences study regarding the use of full-fuel-cycle measurements as part of the Department of Energy's appliance standards program; to the Committee on Energy and Natural Resources.

EC-5564. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Revisions to the Kentucky State Implementation Plan" (FRL No. 9139-1), received in the Office of the President of the Senate on April 16, 2010; to the Committee on Environment and Public Works.

EC-5565. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Tennessee; Visibility Impairment Prevention for Federal Class I Areas; Removal of Federally Promulgated Provisions" (FRL No. 9138-9), received in the Office of the President of the Senate on April 16, 2010; to the Committee on Environment and Public Works.

EC-5566. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Transportation Conformity Requirement for Bernalillo County" (FRL No. 9140-2), received in the Office of the President of the Senate on April 16, 2010; to the Committee on Environment and Public Works.

EC-5567. A communication from the Chief, Branch of Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Salt Creek Tiger Beetle" (RIN1018-AT79), received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2010; to the Committee on Environment and Public Works.

EC-5568. A communication from the Director of the U.S. Geological Survey, Department of the Interior, transmitting, pursuant to law, a report entitled, "Mineral Commodity Summaries 2010"; to the Committee on Environment and Public Works.

EC-5569. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, a report entitled "Fiscal Year 2008 Superfund Five-Year Review Report to Congress"; to the Committee on Environment and Public Works.

EC-5570. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the Annexes to the Fiscal Year 2009 Annual Report on U.S. Government Assistance to and Cooperative Activities with Eurasia; to the Committee on Foreign Relations.

EC-5571. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Regulations Restricting the Sale and Distribution of Cigarettes and Smokeless Tobacco to Protect Children and Adolescents" (RIN0910-AG33), received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5572. A communication from the Assistant General Counsel for Regulations, Office of Safe and Drug Free Schools, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Emergency Management for Higher Education Grant Program", received in the Office of the President of the Senate on April 14, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5573. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Family Violence Prevention and Services Program for fiscal years 2007-2008; to the Committee on Health, Education, Labor, and Pensions.

EC-5574. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report relative to Indian Health Service funding for contract support costs of self-determination awards; to the Committee on Indian Affairs.

EC-5575. A communication from the Deputy Assistant Administrator of Diversion Control, Drug Enforcement Agency,

Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Table of Excluded Nonnarcotic Products: Nasal Decongestant Inhalers Manufactured by Classic Pharmaceuticals, LLC" (Docket No. DEA-329F), received during adjournment of the Senate in the Office of the President of the Senate on April 6, 2010; to the Committee on the Judiciary.

EC-5576. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Cancellation of Rule of Practice 41.200(b) before the Board of Patent Appeals and Interference Proceedings" (RIN0651-AC46), received in the Office of the President of the Senate on April 15, 2010; to the Committee on the Judiciary.

EC-5577. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the quarterly report of the Department of Justice's Office of Privacy and Civil Liberties; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-97. A resolution adopted by the Senate of the General Assembly of the State of Tennessee urging Congress to adopt legislation that would postpone the Environmental Protection Agency's effort to regulate greenhouse gas emissions from stationary sources using existing Clean Air Act Authority; to the Committee on Energy and Natural Resources.

SENATE RESOLUTION NO. 200

Whereas, the U.S. Environmental Protection Agency's (EPA's) plan to regulate greenhouse gas (GHG) emissions from new cars and light trucks will trigger the same regulation of GHG emissions from stationary sources like manufacturing facilities, power plants, hospitals, and commercial establishments; and

Whereas, regulating greenhouse gas emissions from stationary sources under the Clean Air Act might be a great anchor on manufacturing and the economy in general; and

Whereas, the pending EPA effort might burden progress on two of the nation's top priorities, environmental improvement and economic recovery, by imposing onerous permitting requirements that will significantly delay or even eliminate investments in new energy-efficient technologies; and

Whereas, over four million jobs were lost in 2009, and the EPA's proposed regulations have the potential to cause even further job losses; and

Whereas, the regulatory requirements of the Clean Air Act will overwhelm state agencies, which are not equipped to handle the estimated six million permitting requests anticipated; and

Whereas, only Congress can act to avoid the significant costs and burdens imposed by such regulations on stationary sources, which even the EPA admits will lead to "absurd results": Now, therefore, be it

Resolved by the Senate of the One Hundred Sixth General Assembly of the State of Tennessee, That we hereby encourage the United States Congress to adopt legislation that would postpone The Environmental Protection Agency's effort to regulate greenhouse gas emissions from stationary sources using existing Clean Air Act authority until Congress adopts a balanced approach to address climate and energy supply issues without crippling the economy. Be it further

Resolved, That an enrolled copy of this resolution be transmitted to the Speaker and the Clerk of the U.S. House of Representatives, the President and the Secretary of the U.S. Senate, and to each member of Tennessee's Congressional delegation.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. SCHUMER (for himself and Mrs. GILLIBRAND):

S. 3236. A bill to expand the National Domestic Preparedness Consortium to include the SUNY National Center for Security and Preparedness; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HARKIN (for himself, Mr. INOUYE, and Mr. CRAPO):

S. 3237. A bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHUMER (for himself, Mr. SPECTER, Mr. CASEY, Mr. LAUTENBERG, Mr. MENENDEZ, and Mrs. GILLIBRAND):

S. 3238. A bill to provide for a medal of appropriate design to be awarded by the President to the next of kin or other representative of those individuals killed as a result of the terrorist attacks of September 11, 2001, and to the memorials established at the 3 sites that were attacked on that day; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FEINGOLD:

S. 3239. A bill to repeal unwarranted provisions from the Patient Protection and Affordable Care Act and to more efficiently use taxpayer dollars in health care spending; to the Committee on Finance.

By Mr. CORNYN (for himself and Mr. KYL):

S. 3240. A bill to increase transparency regarding debt instruments of the United States held by foreign governments, to assess the risks to the United States of such holdings, and for other purposes; to the Committee on Finance.

By Mr. BROWN of Ohio (for himself, Mr. KAUFMAN, Mr. CASEY, Mr. MERKLEY, Mr. WHITEHOUSE, and Mr. HARKIN):

S. 3241. A bill to provide for a safe, accountable, fair, and efficient banking system, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. REED (for himself, Mr. LEMIEUX, and Mr. BROWN of Ohio):

S. 3242. A bill to improve teacher quality, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PRYOR:

S. 3243. A bill to require U.S. Customs and Border Protection to administer polygraph examinations to all applicants for law enforcement positions with U.S. Customs and Border Protection, to require U.S. Customs and Border Protection to complete all periodic background reinvestigations of certain law enforcement personnel, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF A CONCURRENT RESOLUTION

The following concurrent resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. VITTER (for himself, Mr. INHOFE, Mr. KYL, and Mr. CRAPO):

S. Con. Res. 59. A concurrent resolution expressing the sense of Congress that the United States should neither become a signatory to the Rome Statute of the International Criminal Court nor attend the Review Conference of the Rome Statute in Kampala, Uganda in May 2010; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 182

At the request of Mr. DODD, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 182, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 308

At the request of Mr. BAUCUS, the name of the Senator from Idaho [Mr. RISCH] was added as a cosponsor of S. 308, a bill to amend title 23, United States Code, to improve economic opportunity and development in rural States through highway investment, and for other purposes.

S. 309

At the request of Mr. BAUCUS, the name of the Senator from Idaho [Mr. RISCH] was added as a cosponsor of S. 309, a bill to amend title 23, United States Code, to improve highway transportation in the United States, including rural and metropolitan areas.

S. 455

At the request of Mr. ROBERTS, the name of the Senator from Texas [Mrs. HUTCHISON] was added as a cosponsor of S. 455, a bill to require the Secretary of the Treasury to mint coins in recognition of 5 United States Army Five-Star Generals, George Marshall, Douglas MacArthur, Dwight Eisenhower, Henry "Hap" Arnold, and Omar Bradley, alumni of the United States Army Command and General Staff College, Fort Leavenworth, Kansas, to coincide with the celebration of the 132nd Anniversary of the founding of the United States Army Command and General Staff College.

S. 493

At the request of Mr. CASEY, the names of the Senator from Ohio [Mr. BROWN] and the Senator from Minnesota [Ms. KLOBUCHAR] were added as cosponsors of S. 493, a bill to amend the Internal Revenue Code of 1986 to provide for the establishment of ABLE accounts for the care of family members with disabilities, and for other purposes.

S. 632

At the request of Mr. BAUCUS, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 632, a bill to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly.

S. 653

At the request of Mr. CARDIN, the name of the Senator from Indiana [Mr. BAYH] was added as a cosponsor of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 718

At the request of Mr. HARKIN, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 718, a bill to amend the Legal Services Corporation Act to meet special needs of eligible clients, provide for technology grants, improve corporate practices of the Legal Services Corporation, and for other purposes.

S. 1060

At the request of Mr. BINGAMAN, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 1060, a bill to comprehensively prevent, treat, and decrease overweight and obesity in our Nation's populations.

S. 1275

At the request of Mr. WARNER, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 1275, a bill to establish a National Foundation on Physical Fitness and Sports to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports.

S. 2995

At the request of Mr. CARPER, the name of the Senator from Massachusetts [Mr. BROWN] was added as a cosponsor of S. 2995, a bill to amend the Clean Air Act to establish a national uniform multiple air pollutant regulatory program for the electric generating sector.

S. 3078

At the request of Mrs. FEINSTEIN, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 3078, a bill to provide for the establishment of a Health Insurance Rate Authority to establish limits on premium rating, and for other purposes.

S. 3098

At the request of Mr. MERKLEY, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 3098, a bill to prohibit proprietary trading and certain relationships with hedge funds and private equity funds, to address conflicts of interest with respect to certain securitizations, and for other purposes.

S. 3122

At the request of Mr. ENSIGN, the name of the Senator from Oklahoma [Mr. COBURN] was added as a cosponsor of S. 3122, a bill to require the Attorney General of the United States to compile, and make publicly available, certain data relating to the Equal Access to Justice Act, and for other purposes.

S. 3164

At the request of Mr. LAUTENBERG, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 3164, a bill to amend the Internal Revenue Code of 1986 to extend financing of the Superfund.

S. 3184

At the request of Mrs. BOXER, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 3184, a bill to provide United States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes.

S. 3201

At the request of Mr. UDALL of Colorado, the name of the Senator from Montana [Mr. BAUCUS] was added as a cosponsor of S. 3201, a bill to amend title 10, United States Code, to extend TRICARE coverage to certain dependents under the age of 26.

SENATE JOINT RESOLUTION 16

At the request of Mr. DEMINT, the name of the Senator from Louisiana [Mr. VITTER] was added as a cosponsor of Senate Joint Resolution 16, a joint resolution proposing an amendment to the Constitution of the United States relative to parental rights.

SENATE CONCURRENT RESOLUTION 55

At the request of Mr. FEINGOLD, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of Senate Concurrent Resolution 55, a concurrent resolution commemorating the 40th anniversary of Earth Day and honoring the founder of Earth Day, the late Senator Gaylord Nelson of the State of Wisconsin.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. BURRIS,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on April 21, 2010, at 9:30 a.m. in room G50 of the Dirksen Senate Office Building.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on April 21, 2010, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works be authorized to meet during the session of the Senate on April 21, 2010, at 10 a.m. in room 406 of the Dirksen Senate Office Building.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 21, 2010, at 10 a.m. to conduct a hearing entitled "The Lessons and Implications of the Christmas Day Attack: Securing the Visa Process."

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on April 21, 2010, at 2:30 p.m. to conduct a hearing entitled "The FY2011 budget Request for the Small Business Administration."

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs be authorized to meet during the session of the Senate on April 21, 2010. The Committee will meet in room 418 of the Russell Senate Office building beginning at 9:30 a.m.

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

The Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on April 21, 2010, at 10 a.m.

SUBCOMMITTEE ON STRATEGIC FORCES

The Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on April 21, 2010, at 2:30 p.m.

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

The Subcommittee on Public Lands and Forests be authorized to meet during the session of the Senate to conduct a hearing on April 21, 2010, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 1:30 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 4360. An act to designate the Department of Veterans Affairs blind rehabilitation center in Long Beach, California, as the "Major Charles Robert Soltes, Jr., O.D. Department of Veterans Affairs Blind Rehabilitation Center".

EXECUTIVE SESSION

Pursuant to the order of yesterday,

The Senate proceeded to executive session; and after the consideration of executive business (involving two rollcall Votes).

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. GRASSLEY,

Ordered, That the Senate resume its legislative session.

RECOGNIZING THE LEADERSHIP AND HISTORICAL CONTRIBUTIONS OF DR. HECTOR GARCIA TO THE HISPANIC COMMUNITY

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the concurrent resolution (H. Con. Res. 222) recognizing the leadership and historical contributions of Dr. Hector Garcia to the Hispanic community and his remarkable efforts to combat racial and ethnic discrimination in the United States of America.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CONGRATULATING THE REPUBLIC OF SERBIA'S APPLICATION FOR EUROPEAN UNION MEMBERSHIP

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That the Committee on Foreign Relations be discharged from the further consideration of the resolution (S. Res. 483) congratulating the Republic of Serbia's application for European Union membership and recognizing Serbia's active efforts to integrate into Europe and the global community.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

BOARD OF TRUSTEES OF THE AMERICAN FOLKLIFE CENTER OF THE LIBRARY OF CONGRESS

The PRESIDING OFFICER announced that the PRESIDENT pro tempore, pursuant to Public Law 94-201, as amended by Public Law 105-275, had appointed the following individuals to serve as members of the Board of Trustees of the American Folklife Center of the Library of Congress: Patricia Atkinson of Nevada, and Joanna Hess, of New Mexico.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period of one hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; that the minority control the first half therein, and the majority control the second half therein; and that, following morning business, the Senate proceed to executive session to consider the nomination of Denny Chin, of New York, to be United States Circuit Judge for the Second Circuit, as pursuant to the order of yesterday.

ADJOURNMENT

By unanimous consent, on the request of Mr. WHITEHOUSE,

At 6:40 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

THURSDAY, APRIL 22, 2010

Mr. HARRY REID, from the State of Nevada, called the Senate to order at 9:33 a.m., the Reverend Sharron Dinnie, Rector of St. Peter and St. Paul Anglican Church, in Spring, South Africa, offered a prayer, and Mr. REID led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, April 22, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HARRY REID, a Senator from the State of Nevada, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. REID took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5578. A communication from the Chief of Research and Analysis, Food and Nutrition Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Supplemental Nutrition Assistance Program, Regulation Restructuring: Issuance Regulation Update and Reorganization to Reflect the End of Coupon Issuance Systems" (RIN0584-AD48), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5579. A communication from the Acting Under Secretary for Research, Education, and Economics, Office of Extramural Programs, National Institute of Food and Agriculture, transmitting, pursuant to law, the report of a rule entitled "Veterinary Medicine Loan Repayment Program (VMLRP)" (RIN0524-AA43), received in the Office of the President of the Senate on April 20, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5580. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the fourth quarter report for calendar year 2009 of the Joint Improvised Explosive Device Defeat Organization; to the Committee on Armed Services.

EC-5581. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 110-429, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-5582. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 10-007, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-5583. A communication from the Assistant Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, a report relative to the States' contribution to the operating costs of a National Guard Youth Challenge Program; to the Committee on Armed Services.

EC-5584. A communication from the Assistant Secretary of Defense (Health Affairs), transmitting, pursuant to law, a report relative to the quality of health care provided by the Department of Defense; to the Committee on Armed Services.

EC-5585. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Export Administration Regulations Based on the 2009 Missile Technology Control Regime Plenary Agreements" (RIN0694-AE79), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5586. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Docket No. FEMA-2008-0020)), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5587. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations (75 FR 18072)" ((44 CFR Part 65)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5588. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations (75 FR 18086)" ((44 CFR Part 65)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5589. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations (77 FR 18090)" ((44 CFR Part 65)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5590. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5591. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5592. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Burma that was declared in Executive Order 13047 of May 20, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC-5593. A communication from the Acting Fiscal Assistant Secretary, Department of the Treasury, transmitting, pursuant to law, a report relative to the notification of Congress that during the period of January 1, 2009, through December 31, 2009, no exceptions to the prohibition against favored treatment of a government securities broker or government securities dealer were granted by the Secretary of the Treasury; to the Committee on Banking, Housing, and Urban Affairs.

EC-5594. A communication from the Acting Fiscal Assistant Secretary, Department of the Treasury, transmitting, pursuant to law, a report relative to material violations or suspected material violations of regulations relating to Treasury auctions and other Treasury securities offerings for the period of January 1, 2009 through December 31, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-5595. A communication from the Secretary of the Interior, transmitting, a legislative proposal relative to the issuance of coins to commemorate the 100th anniversary of the establishment of the National Park Service; to the Committee on Banking, Housing, and Urban Affairs.

EC-5596. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Categorical Exclusions from Environmental Review" (RIN3150-AI27), received in the Office of the President of the Senate on April

20, 2010; to the Committee on Energy and Natural Resources.

EC-5597. A communication from the Chief of Recovery and Delisting Branch, Endangered Species Program, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Reinstatement of Protections for the Grizzly Bear in the Greater Yellowstone Ecosystem in Compliance with Court Order" (RIN1018-AW97), received in the Office of the President of the Senate on April 20, 2010; to the Committee on Environment and Public Works.

EC-5598. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Transitional Guidance for Taxpayers Claiming Relief Under the Military Spouses Residency Relief Act for Taxable Year 2009" (Notice No. 2010-30), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Finance.

EC-5599. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates - May 2010" (Rev. Rul. No. 2010-12), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Finance.

EC-5600. A communication from the Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, the 2009 annual report on voting practices in the United Nations; to the Committee on Foreign Relations.

EC-5601. A communication from the Assistant Secretary of the Treasury, transmitting, proposed legislation relative to the Asian Development Fund and the Asian Development Bank; to the Committee on Foreign Relations.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. FEINGOLD (for himself, Mr. BURR, Mr. VITTER, Mr. BENNET, Mrs. LINCOLN, Mr. GRASSLEY, Mrs. MCCASKILL, Mr. BEGICH, Mr. MCCAIN, Mr. WHITEHOUSE, Mr. LEAHY, Ms. STABENOW, Mr. NELSON of Nebraska, Mr. ENSIGN, and Mr. DURBIN):

S. 3244. A bill to provide that Members of Congress shall not receive a cost of living adjustment in pay during fiscal year 2011; considered and passed.

By Mrs. HAGAN (for herself, Mr. DURBIN, and Mr. SCHUMER):

S. 3245. A bill to establish rules for small denomination, short-term, unsecured cash advances, such as "payday loans"; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WYDEN (for himself and Mr. THUNE):

S. 3246. A bill to exclude from consideration as income under the Native American Housing Assistance and Self-Determination Act of 1996 amounts received by a family from the Department of Veterans Affairs for service-related disabilities of a member of the family; to the Committee on Indian Affairs.

By Mr. UDALL of Colorado (for himself, Mr. LUGAR, Mr. BROWN of Massachusetts, Mrs. HAGAN, Mr. LEVIN, Mr. LIEBERMAN, Mr. MENENDEZ, Ms. KLOBUCHAR, Mrs. SHAHEEN, and Mr. UDALL of New Mexico):

S. 3247. A bill to amend the Fair Credit Reporting Act with respect to fair and reasonable fees for credit scores; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BINGAMAN (for himself, Mr. UDALL of Colorado, Mr. MCCAIN, and Mr. REID):

S. 3248. A bill to designate the Department of the Interior Building in Washington, District of Columbia, as the "Stewart Lee Udall Department of the Interior Building"; to the Committee on Environment and Public Works.

By Mr. LIEBERMAN (for himself and Ms. COLLINS):

S. 3249. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to reauthorize the predisaster hazard mitigation program and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CARPER (for himself and Ms. COLLINS):

S. 3250. A bill to provide for the training of Federal building personnel, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CARPER:

S. 3251. A bill to improve energy efficiency and the use of renewable energy by Federal agencies, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. TESTER:

S. 3252. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to limit the liability of a State performing reclamation work under an approved State abandoned mine reclamation plan; to the Committee on Energy and Natural Resources.

By Ms. LANDRIEU:

S. 3253. A bill to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes; considered and passed.

By Mr. BROWN of Ohio (for himself, Mr. HARKIN, Mr. DURBIN, Mrs. MURRAY, Mr. CASEY, and Mr. MERKLEY):

S. 3254. A bill to amend the Fair Labor Standards Act of 1938 to require persons to keep records of non-employees who perform labor or services for remuneration and to provide a special penalty for persons who misclassify employees as non-employees, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. LINCOLN (for herself and Ms. SNOWE):

S. 3255. A bill to amend title XVIII of the Social Security Act to provide coverage for custom fabricated breast prostheses following a mastectomy; to the Committee on Finance.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Ms. MIKULSKI:

S. Res. 495. A resolution recognizing the continued importance of volunteerism and national service and commemorating the anniversary of the signing of the landmark service legislation, the Edward M. Kennedy Serve America Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WEBB (for himself, Mr. WARNER, Mr. COCHRAN, and Ms. SNOWE):

S. Res. 496. A resolution designating April 23, 2010, as "National Adopt A Library Day"; considered and agreed to.

By Mr. DODD (for himself, Mr. ALEXANDER, Mr. JOHNSON, Mr. LIEBERMAN, and Mr. BAYH):

S. Res. 497. A resolution designating the third week of April 2010 as "National Shaken Baby Syndrome Awareness Week"; considered and agreed to.

By Ms. COLLINS (for herself and Mr. DODD):

S. Res. 498. A resolution designating April 2010 as "National Child Abuse Prevention Month"; to the Committee on the Judiciary.

By Mr. FEINGOLD (for himself, Mr. WICKER, Mr. BROWN of Ohio, Mr. SPECTER, Mr. LUGAR, Mr. DURBIN, Mr. CARDIN, Mr. SANDERS, Mrs. GILLIBRAND, Mr. JOHNSON, and Mr. INHOFE):

S. Res. 499. A resolution supporting the goals and ideals of World Malaria Day, and reaffirming United States leadership and support for efforts to combat malaria as a

critical component of the President's Global Health Initiative; considered and agreed to.

ADDITIONAL COSPONSORS

S. 653

At the request of Mr. CARDIN, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 654

At the request of Mr. BUNNING, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 654, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care.

S. 738

At the request of Ms. LANDRIEU, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of S. 738, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes.

S. 773

At the request of Mr. ROCKEFELLER, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 773, a bill to ensure the continued free flow of commerce within the United States and with its global trading partners through secure cyber communications, to provide for the continued development and exploitation of the Internet and intranet communications for such purposes, to provide for the development of a cadre of information technology specialists to improve and maintain effective cybersecurity defenses against disruption, and for other purposes.

S. 797

At the request of Mr. DORGAN, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 797, a bill to amend the Indian Law Enforcement Reform Act, the Indian Tribal Justice Act, the Indian Tribal Justice Technical and Legal Assistance Act of 2000, and the Omnibus Crime Control and Safe Streets Act of 1968 to improve the prosecution of, and response to, crimes in Indian country, and for other purposes.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1102

At the request of Mr. LIEBERMAN, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 1102, a bill to provide benefits to domestic partners of Federal employees.

S. 1144

At the request of Mr. JOHNSON, the name of the Senator from Idaho [Mr. RISCH] was added as a cosponsor of S. 1144, a bill to improve transit services, including in rural States.

S. 1158

At the request of Ms. STABENOW, the name of the Senator from Virginia [Mr. WARNER] was added as a cosponsor of S. 1158, a bill to authorize the Secretary of Health and Human Services to conduct activities to rapidly advance treatments for spinal muscular atrophy, neuromuscular disease, and other pediatric diseases, and for other purposes.

S. 1346

At the request of Mr. DURBIN, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 1346, a bill to penalize crimes against humanity and for other purposes.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from Delaware [Mr. CARPER] was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 1963

At the request of Mr. AKAKA, the names of the Senator from New Hampshire [Mrs. SHAHEEN] and the Senator from Alaska [Mr. BEGICH] were added as cosponsors of S. 1963, a bill to amend title 38, United States Code, to provide assistance to caregivers of veterans, to improve the provision of health care to veterans, and for other purposes.

S. 2106

At the request of Mrs. LINCOLN, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 2106, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first law enforcement agency, the United States Marshals Service.

S. 2920

At the request of Mr. LAUTENBERG, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 2920, a bill to amend chapter 1 of title 23, United States Code, to condition the receipt of certain highway funding by States on the enactment and enforcement by States of certain laws to prevent repeat intoxicated driving.

S. 3019

At the request of Mr. LIEBERMAN, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 3019, a bill to authorize funding for, and increase accessibility to, the National Missing and Unidentified Persons System, to facilitate data sharing between such system and the National Crime Information Center database of the Federal Bureau of Investigation, to provide incentive grants to help facilitate reporting to such systems, and for other purposes.

S. 3058

At the request of Mr. DORGAN, the name of the Senator from Texas [Mr. CORNYN] was added as a cosponsor of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3141

At the request of Mr. BINGAMAN, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 3141, a bill to amend the Internal Revenue Code of 1986 to provide special rules for treatment of low-income housing credits, and for other purposes.

S. 3201

At the request of Mr. UDALL of Colorado, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 3201, a bill to amend title 10, United States Code, to extend TRICARE coverage to certain dependents under the age of 26.

S. 3205

At the request of Mr. SCHUMER, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 3205, a bill to amend the Internal Revenue Code of 1986 to provide that fees charged for baggage carried into the cabin of an aircraft are subject to the excise tax imposed on transportation of persons by air.

S. 3206

At the request of Mr. HARKIN, the names of the Senator from Pennsylvania [Mr. SPECTER] and the Senator from Delaware [Mr. KAUFMAN] were added as cosponsors of S. 3206, a bill to establish an Education Jobs Fund.

S. 3231

At the request of Mr. GRASSLEY, the name of the Senator from Kansas [Mr. BROWNBACK] was added as a cosponsor of S. 3231, a bill to amend the Internal Revenue Code of 1986 to extend certain tax incentives for alcohol used as fuel and to amend the Harmonized Tariff Schedule of the United States to extend additional duties on ethanol.

SENATE RESOLUTION 483

At the request of Mr. DURBIN, his name was added as a cosponsor of Senate Resolution 483, a resolution congratulating the Republic of Serbia's application for European Union membership and recognizing Serbia's active efforts to integrate into Europe and the global community.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mrs. BOXER,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on April 22, 2010, at 9:30 a.m.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs, be authorized to meet during the session of the Senate on April 22, 2010, at 10 a.m. to conduct a hearing entitled "China's Exchange Rate Policy and Trade Imbalances."

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on April 22, 2010, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on April 22, 2010, at 10:30 a.m., to conduct a hearing entitled "Promoting Global Food Security."

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "Meeting the Needs of the Whole Student" on April 22, 2010. The hearing will commence at 10 a.m. in room 106 of the Dirksen Senate Office Building.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs be authorized to meet during the session of the Senate on April 22, 2010, at 2:15 p.m. in Room 628 of the Dirksen Senate Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on April 22, 2010, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on April 22, 2010, at 3 p.m., in SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations."

COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration be authorized to meet during the session of the Senate on April 22, 2010, at 10 a.m., to conduct a hearing entitled "Examining the Filibuster: History of the Filibuster 1789-2008."

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on April 22, 2010, at 2:30 p.m.

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging be authorized to meet on April 22, 2010, from 2 p.m. until 5 p.m. in Dirksen 562 for the purpose of conducting a hearing.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

The Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on April 22, 2010, at 3:30 p.m. to conduct a hearing entitled, "The Future of the U.S. Postal Service."

SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND COAST GUARD

The Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on April 22, 2010, at 10 a.m., in room 253 of the Russell Senate Office Building.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

The Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on April 22, 2010, at 10 a.m. to conduct a hearing entitled "After the Dust Settles: Examining Challenges and Lessons Learned in Transitioning the Federal Government."

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10:58 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1585. An act to increase awareness of physical activity opportunities at school, and for other purposes.

H.R. 3553. An act to exclude from consideration as income under the Native American Housing Assistance and Self-Determination Act of 1996 amounts received by a family from the Department of Veterans Affairs for service-related disabilities of a member of the family.

H.R. 4178. An act to amend the Federal Deposit Insurance Act to provide for deposit restricted qualified tuition programs, and for other purposes.

The message also announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 1963. An act to amend title 38, United States Code, to provide assistance to caregivers of veterans, to improve the provision of health care to veterans, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 255. Concurrent resolution commemorating the 40th anniversary of Earth Day and honoring the founder of Earth Day, the late Senator Gaylord Nelson of Wisconsin.

At 3:36 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House disagreed to the amendment of the Senate to the bill (H.R. 2194) entitled "An act to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran", and agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints the following as managers of the conference on the part of the House:

From the Committee on Foreign Affairs, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. BERMAN, ACKERMAN, SHERMAN, CROWLEY, SCOTT of Georgia, COSTA, KLEIN of Florida, Ms. ROS-LEHTINEN, Messrs. BURTON of Indiana, ROYCE, and PENCE.

From the Committee on Financial Services, for consideration of sections 3 and 4 of the House bill, and sections 101-103, 106, 203, and 401 of the Senate amendment, and modifications committed to conference: Messrs. FRANK of Massachusetts, MEEKS of New York, and GARRETT of New Jersey.

From the Committee on Ways and Means, for consideration of sections 3 and 4 of the House bill, and sections 101-103 and 401 of the Senate amendment, and modifications committed to conference: Messrs. LEVIN, TANNER, and CAMP.

HOUSE BILLS REFERRED

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

H.R. 1585. To increase awareness of physical activity opportunities at school, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 3553. An act to exclude from consideration as income under the Native American Housing Assistance and Self-Determination Act of 1996 amounts received by a family from the Department of Veterans Affairs for service-related disabilities of a member of the family; to the Committee on Indian Affairs.

H.R. 4178. An act to amend the Federal Deposit Insurance Act to provide for deposit restricted qualified tuition programs, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

ENROLLED BILL SIGNED

The PRESIDENT pro tempore announced that on today, April 22, 2010, he had signed the following enrolled bill, previously signed by the Speaker of the House:

H.R. 4360. An act to designate the Department of Veterans Affairs blind rehabilitation center in Long Beach, California, as the "Major Charles Robert Soltes, Jr., O.D. Department of Veterans Blind Rehabilitation Center".

EXECUTIVE SESSION

Pursuant to the order of Tuesday, April 20, 2010,

The Senate proceeded to executive session; and after the consideration of executive business (involving one rollcall Vote).

LEGISLATIVE SESSION

Pursuant to the order of today,

The Senate resumed its legislative session.

PROVIDING THAT MEMBERS OF CONGRESS SHALL NOT RECEIVE A COST OF LIVING ADJUSTMENT IN PAY DURING FISCAL YEAR 2011

On the request of Mr. FEINGOLD,

The PRESIDING OFFICER (Mrs. HAGAN in the chair) laid before the Senate the bill (S. 3244) to provide that Members of Congress shall not receive a cost of living adjustment in pay during fiscal year 2011, introduced on today by Mr. FEINGOLD (for himself, Mr. BURR, Mr. VITTER, Mr. BENNET, Mrs. LINCOLN, Mr. GRASSLEY, Mrs. MCCASKILL, Mr. BEGICH, Mr. MCCAIN, Mr. WHITEHOUSE, Mr. LEAHY, Ms. STABENOW, Mr. BEN NELSON, Mr. ENSIGN, and Mr. DURBIN), and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. LEAHY,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. LEAHY,

The Senate resumed its legislative session.

OBJECTION TO EXECUTIVE SESSION

Mr. DORGAN asked unanimous consent that the Senate proceed executive session to consider the nomination of Brigadier General Michael J. Walsh to be Major General; that the nomination be confirmed; that a motion to reconsider be made and laid on the table; and that the President be immediately notified of the Senate's action.

Mr. VITTER objected.

OBJECTION TO CONSIDERATION OF BILL S. 3217

Mr. REID asked unanimous consent that, at 3 p.m. on Monday, April 26, 2010, the Senate proceed to consider bill S. 3217.

Mr. MCCONNELL objected.

Pending debate,

MOTION TO PROCEED TO CONSIDER BILL S. 3217

On motion by Mr. REID that the Senate proceed to consider bill the (S. 3217) to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes.

The question being on agreeing to the motion.

Mr. REID presented a motion to bring to a close debate on the pending motion to proceed; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to consider bill S. 3217:

HARRY REID, CHRISTOPHER DODD, BYRON L. DORGAN, MARK UDALL, ROLAND W. BURRIS, D.K. INOUYE, SHERROD BROWN, ROBERT P. CASEY, JR., MARK BEGICH, PATRICK LEAHY, TOM UDALL, PATTY MURRAY, TOM HARKIN, DICK DURBIN, FRANK R. LAUTENBERG, BEN CARDIN, BILL NELSON, JACK REED.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived; and that the Senate vote on the question of agreeing to the pending motion to bring to a close debate at 5 p.m. on Monday next.

The question being on agreeing to the motion to proceed to consider bill S. 3217.

Pending debate,

HOUSE AMENDMENT TO BILL S. 1963

On the request of Mr. DORGAN,

The PRESIDING OFFICER (Mrs. SHAHEEN in the chair) laid before the Senate an amendment (in the nature of a substitute) from the House of Representatives for concurrence to the bill (S. 1963) to amend title 38, United States Code, to provide assistance to caregivers of veterans, to improve the provision of health care to veterans, and for other purposes.

By unanimous consent, on the request of Mr. DORGAN,

Resolved, That the Senate concur in the amendment of the House to the bill.

A motion to reconsider was made and laid on the table, by unanimous consent.

PROVIDING FOR AN ADDITIONAL TEMPORARY EXTENSION OF PROGRAMS UNDER THE SMALL BUSINESS ACT AND THE SMALL BUSINESS INVESTMENT ACT OF 1958

On the request of Mr. DORGAN,

The PRESIDING OFFICER laid before the Senate the bill (S. 3253) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes, introduced on today by Ms. LANDRIEU, and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING AS "NATIONAL ADOPT A LIBRARY DAY"

On the request of Mr. DORGAN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 496) designating April 23, 2010, as "National Adopt A Library Day", submitted today by Mr. WEBB (for himself, Mr. WARNER, Mr. COCHRAN, and Ms. SNOWE), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL SHAKEN BABY SYNDROME AWARENESS WEEK"

On the request of Mr. DORGAN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 497) designating the third week of April 2010 as "National Shaken Baby Syndrome Awareness Week", submitted today by Mr. DODD (for himself, Mr. ALEXANDER, Mr. JOHNSON, Mr. LIEBERMAN, and Mr. BAYH), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. DORGAN,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. DORGAN,

The Senate resumed its legislative session.

APPOINTMENT BY THE MAJORITY LEADER

COMMISSION ON KEY NATIONAL INDICATORS

The PRESIDING OFFICER announced that the majority leader, pursuant to the provisions of Public Law 111-148, had appointed the following individual to the Commission on Key National Indicators: Dr. Ikram Kahn, of Nevada; and Dr. Dean Ornish, of California.

COMMEMORATING THE 40TH ANNIVERSARY OF EARTH DAY AND HONORING THE FOUNDER OF EARTH DAY, THE LATE SENATOR GAYLORD NELSON OF WISCONSIN

On the request of Mr. CASEY,

The PRESIDING OFFICER (Mr. BURRIS in the chair) laid before the Senate the concurrent resolution (H. Con. Res. 255) commemorating the 40th anniversary of Earth Day and honoring the founder of Earth Day, the late Senator Gaylord Nelson of Wisconsin, received from the House of Representatives for concurrence on today, and at the desk.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto.

The question being on agreeing to the accompanying preamble.

On motion by Mr. CASEY (for Mr. COBURN) to strike the preamble and insert in lieu thereof other words (being amendment No. 3729, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The preamble, as amended, was agreed to.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

SUPPORTING THE GOALS AND IDEALS OF WORLD MALARIA DAY

On the request of Mr. CASEY,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 499) supporting the goals and ideals of World Malaria Day, and reaffirming United States leadership and support for efforts to combat malaria as a critical component of the President's Global Health Initiative, submitted today by Mr. FEINGOLD (for himself, Mr. WICKER, Mr. SHERROD BROWN, Mr. SPECTER, Mr. LUGAR, Mr. DURBIN, Mr. CARDIN, Mr. SANDERS, Mrs. GILLIBRAND, Mr. JOHNSON, and Mr. INHOFE), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, APRIL 26, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. CASEY,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2 p.m. on Monday, April 26, 2010; that, on Monday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 3 p.m., with Senators permitted to speak for 10 minutes each therein; and that, following morning business, the Senate resume consideration of the motion to proceed to consider bill S. 3217.

ADJOURNMENT

By unanimous consent, on the request of Mr. CASEY,

At 6:45 p.m.,

The Senate adjourned, under its order of today, until 2 p.m. on Monday, April 26, 2010.

MONDAY, APRIL 26, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, April 26, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of Thursday, April 22, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Thursday, April 22, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Thursday, April 22, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5602. A communication from the Deputy General Counsel, Office of Disaster Assistance, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Disaster Home Loans: FEMA Interaction" (RIN3245-AF97) as received in the Office of the President of the Senate on April 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5603. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; March Fireworks Displays within the Captain of the Port Puget Sound Area of Responsibility (AOR)" ((RIN1625-AA00)-(Docket No. USCG-2010-0143)), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5604. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Dive Platform, Pago Pago Harbor, American Samoa" ((RIN1625-AA00)(Docket No. USCG-2010-0002)), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5605. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Lake Mead Intake Construction; Lake Mead, Boulder City, NV" ((RIN1625-AA00)(Docket No. USCG-2009-1031)), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5606. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; NASSCO Launching of USNS Charles Drew, San Diego Bay, San Diego, CA" ((RIN1625-AA00)(Docket No. USCG-2010-0093)), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5607. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area: Narragansett Bay, RI and Mount Hope Bay, RI and MA, Including the Providence River and Taunton River" ((RIN1625-AA11)-(Docket No. USG-2009-0143)), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5608. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; U.S. Navy Submarines, Hood Canal, WA" ((RIN1625-AA11)(Docket No. USG-2009-1058)), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5609. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Hudson River South of the Troy Locks, New York" ((RIN1625-AA11)(Docket No. USG-2010-0009)), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5610. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulations; Bullards Ferry Bridge, Coquille River, Bandon, OR" ((RIN1625-AA09)-(Docket No. USG-2009-0839)), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5611. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulations; Chester River, Chestertown, MD" ((RIN1625-AA09)(Docket No. USG-2009-0796)), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5612. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Freeport LNG Basin, Freeport, TX" ((RIN1625-AA87)-(Docket No. USG-2008-0124)), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5613. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Brazos River, Freeport, TX" ((RIN1625-AA87)(Docket No. USG-2009-0501)), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5614. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Freeport Channel Entrance, Freeport, TX" ((RIN1625-AA87)(Docket No. USG-2008-0125)), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5615. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Framework Adjustment 44" (RIN0648-AY29), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5616. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Black Sea Bass Recreational Fishery; Emergency Rule Correction and Extension" (RIN0648-AY23), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5617. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; 2010 Sector Operations Plans and Contracts, and Allocation of Northeast Multispecies Annual Catch Entitlements" (RIN0648-XS55), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5618. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled

"Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bearing Sea and Aleutian Islands Management Area" (RIN0648-XV62), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5619. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries in the Western Pacific; Hawaii Bottomfish and Seamount Groundfish Fisheries; Fishery Closure" (RIN0648-XU60), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5620. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; Closure" (RIN0648-XU96), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5621. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast (NE) Multispecies Fishery; Amendment 16" (RIN0648-AW72), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5622. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to the Government in the Sunshine Act; to the Committee on Homeland Security and Governmental Affairs.

EC-5623. A communication from the Chief Privacy Officer, Privacy Office, Department of Homeland Security, transmitting, pursuant to law, a report entitled "Privacy Office Second Quarter Fiscal Year 2010 Report to Congress"; to the Committee on Homeland Security and Governmental Affairs.

EC-5624. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Washington Advisory Committee; to the Committee on the Judiciary.

EC-5625. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, as amended for the six months ending June 30, 2009"; to the Committee on the Judiciary.

EC-5626. A communication from the Deputy General Counsel, Office of Technology, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Innovation Research Program Policy Directive" (RIN3245-AF74), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Small Business and Entrepreneurship.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

H.R. 509. To reauthorize the Marine Turtle Conservation Act of 2004, and for other purposes (Rept. No. 111-173).

H.R. 3537. A bill to amend and reauthorize the Junior Duck Stamp Conservation and Design Program Act of 1994 (Rept. No. 111-174).

By Mr. CONRAD, from the Committee on the Budget, without amendment:

S. Con. Res. 60. An original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2011, revising the appropriate budgetary levels for fiscal year 2010, and setting forth the appropriate budgetary levels for fiscal years 2012 through 2015.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. SCHUMER:

S. 3256. A bill to require a study to determine the feasibility of mitigating damages relating to Federal navigation work conducted at Oklahoma Beach in the State of New York; to the Committee on Environment and Public Works.

By Mr. ENZI (for himself and Ms. LANDRIEU):

S. 3257. A bill to authorize the Department of Labor's voluntary protection program and to expand the program to include more small businesses; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REED:

S. 3258. A bill to amend the securities laws to modernize and strengthen investor protection, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KOHL (for himself, Mr. LEAHY, and Mr. HATCH):

S. 3259. A bill to amend subtitle A of the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to make the operation of such subtitle permanent law; to the Committee on the Judiciary.

By Mr. HARKIN (for himself, Ms. KLOBUCHAR, and Mr. FRANKEN):

S. 3260. A bill to enhance and further research into the prevention and treatment of eating disorders, to improve access to treatment of eating disorders, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent and Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. Res. 500. A resolution expressing the sincere condolences of the Senate to the family, loved ones, United Steelworkers, fellow workers, and the Anacortes community on the tragedy at the Tesoro refinery in Anacortes, Washington; considered and agreed to.

By Mr. CONRAD:

S. Con. Res. 60. An original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2011, revising the appropriate budgetary levels for fiscal year 2010, and setting forth the appropriate budgetary levels for fiscal years 2012 through 2015; from the Committee on the Budget; placed on the calendar.

ADDITIONAL COSPONSORS

S. 46

At the request of Mr. ENSIGN, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 46, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 729

At the request of Mr. DURBIN, the name of the Senator from Delaware [Mr. CARPER] was added as a cosponsor of S. 729, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

S. 753

At the request of Mr. SCHUMER, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 753, a bill to prohibit the manufacture, sale, or distribution in commerce of children's food and beverage containers composed of bisphenol A, and for other purposes.

S. 950

At the request of Mrs. LINCOLN, the name of the Senator from Nevada [Mr. ENSIGN] was added as a cosponsor of S. 950, a bill to amend title XVIII of the Social Security Act to authorize physical therapists to evaluate and treat Medicare beneficiaries without a requirement for a physician referral, and for other purposes.

S. 1111

At the request of Mr. ROCKEFELLER, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 1111, a bill to require the Secretary of Health and Human Services to enter into agreements with States to resolve outstanding claims for reimbursement under the Medicare program relating to the Special Disability Workload project.

S. 1160

At the request of Mr. SCHUMER, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of S. 1160, a bill to provide housing assistance for very low-income veterans.

S. 1190

At the request of Mr. BINGAMAN, the name of the Senator from Texas [Mr. CORNYN] was added as a cosponsor of S. 1190, a bill to provide financial aid to local law enforcement officials along the Nation's borders, and for other purposes.

S. 1215

At the request of Mr. CASEY, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 1215, a bill to amend the Safe Drinking Water Act to repeal a certain exemption for hydraulic fracturing, and for other purposes.

S. 1233

At the request of Ms. LANDRIEU, the names of the Senator from California [Mrs. BOXER] and the Senator from Oregon [Mr. MERKLEY] were added as cosponsors of S. 1233, a bill to reauthorize and improve the SBIR and STTR programs and for other purposes.

S. 1241

At the request of Mr. INHOFE, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of S. 1241, a bill to amend Public Law 106-206 to direct the Secretary of the Interior and the Secretary of Agriculture to require annual permits and assess annual fees for commercial filming activities on Federal land for film crews of 5 persons or fewer.

S. 1371

At the request of Mr. NELSON of Florida, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of S. 1371, a bill to amend the Internal Revenue Code of 1986 to provide for clean renewable water supply bonds.

S. 1611

At the request of Mr. GREGG, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 1611, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 1966

At the request of Mr. DODD, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 1966, a bill to provide assistance to improve the health of newborns, children, and mothers in developing countries, and for other purposes.

S. 2725

At the request of Mrs. FEINSTEIN, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 2725, a bill to provide for fairness for the Federal judiciary.

S. 2737

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 2737, a bill to relocate to Jerusalem the United States Embassy in Israel, and for other purposes.

S. 2807

At the request of Mr. CORNYN, the name of the Senator from Nebraska [Mr. JOHANNS] was added as a cosponsor of S. 2807, a bill to ensure that the victims and victims' families of the November 5, 2009, attack at Fort Hood, Texas, receive the same treatment, benefits, and honors as those Americans who have been killed or wounded in a combat zone overseas and their families.

S. 2869

At the request of Ms. LANDRIEU, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 2869, a bill to increase loan limits for small business concerns, to provide for low interest refinancing for small business concerns, and for other purposes.

S. 2989

At the request of Ms. LANDRIEU, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 2989, a bill to improve the Small Business Act, and for other purposes.

S. 3035

At the request of Mr. BAUCUS, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 3035, a bill to require a report on the establishment of a Polytrauma Rehabilitation Center or Polytrauma Network Site of the Department of Veterans Affairs in the northern Rockies or Dakotas, and for other purposes.

S. 3065

At the request of Mr. LIEBERMAN, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 3065, a bill to amend title 10, United States Code, to enhance the readiness of the Armed Forces by replacing the current policy concerning homosexuality in the Armed Forces, referred to as "Don't Ask, Don't Tell", with a policy of nondiscrimination on the basis of sexual orientation.

S. 3079

At the request of Mr. MERKLEY, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 3079, a bill to assist in the creation of new jobs by providing financial incentives for owners of commercial buildings and multifamily residential buildings to retrofit their buildings with energy efficient building equipment and materials and for other purposes.

S. 3106

At the request of Mrs. HAGAN, the name of the Senator from Nebraska [Mr. JOHANNS] was added as a cosponsor of S. 3106, a bill to authorize States to exempt certain nonprofit housing organizations from the licensing requirements of the S.A.F.E. Mortgage Licensing Act of 2008.

S. 3117

At the request of Mr. WYDEN, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 3117, a bill to strengthen the capacity of eligible institutions to provide instruction in nanotechnology.

S. 3165

At the request of Ms. LANDRIEU, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 3165, a bill to authorize the Administrator of the Small Business Administration to waive the non-Federal share requirement under certain programs.

S. 3190

At the request of Ms. LANDRIEU, the names of the Senator from Oregon [Mr. MERKLEY] and the Senator from Alaska [Mr. BEGICH] were added as cosponsors of S. 3190, a bill to reaffirm that the Small Business Reauthorization Act of 1997 does not limit a contracting officer's discretion regarding whether to make a contract available for award pursuant to any of the restricted competition programs authorized by the Small Business Act.

S. 3201

At the request of Mr. UDALL of Colorado, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 3201, a bill to amend title 10, United States Code, to extend TRICARE coverage to certain dependents under the age of 26.

S. 3241

At the request of Mr. BROWN of Ohio, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 3241, a bill to provide for a safe, accountable, fair, and efficient banking system, and for other purposes.

S. 3244

At the request of Mr. FEINGOLD, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 3244, a bill to provide that Members of Congress shall not receive a cost of living adjustment in pay during fiscal year 2011.

S. 3254

At the request of Mr. BROWN of Ohio, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 3254, a bill to amend the Fair Labor Standards Act of 1938 to require persons to keep records of non-employees who perform labor or services for remuneration and to provide a special penalty for persons who misclassify employees as non-employees, and for other purposes.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 7:05 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 1963. An act to amend title 48, United States Code, to provide assistance to caregivers of veterans, to improve the provision of health care to veterans, and for other purposes.

MOTION TO PROCEED TO CONSIDER BILL S. 3217

Pursuant to the order of Thursday, April 22, 2010, as modified,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the motion, made by Mr. REID on Thursday, April 22, 2010, that the Senate proceed to consider the bill (S. 3217) to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; and

The Senate resumed consideration of the motion to proceed.

The question being on agreeing to the motion.

The hour of 5 p.m. having passed,

Pursuant to the order of Thursday, April 22, 2010, as modified,

The PRESIDING OFFICER (Mr. KAUFMAN in the chair) laid before the Senate the motion, presented by Mr. REID on Thursday, April 22, 2010, to bring to a close debate on the motion to proceed to consider bill S. 3217.

Pursuant to the order of Thursday, April 22, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the negative---
yeas... 57, nays... 41

[Rollcall Vote No. 124 Leg.]

YEAS --- 57

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 41

Alexander, Barrasso, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Reid, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was not agreed to; three-fifths of Senators duly chosen and sworn not having voted in the affirmative.

The question being on agreeing to the motion to proceed to consider the bill.

Mr. REID, having voted on the prevailing side, entered a motion to reconsider the foregoing vote.

Pending debate,

Mr. REID raised a question as to the presence of a quorum.

Whereupon,

The PRESIDING OFFICER (Mrs. SHAHEEN in the chair) directed the roll to be called to ascertain the presence of a quorum.

Pending the ascertainment of a quorum,

When

Fourteen Senators answered to their names, as follows:

[Quorum No. 2]

Brown (OH), Burris, Cardin, Dorgan, Durbin, Kaufman, Klobuchar, Lincoln, McCain, McCaskill, Menendez, Reid, Schumer, Shaheen.

The PRESIDING OFFICER announced that a quorum was not present.

On motion by Mr. REID to instruct the Sergeant at Arms to request the presence of absent Senators.

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to instruct.

The question being taken.

It was determined in the affirmative---
yeas... 50, nays... 31

[Rollcall Vote No. 125 Leg.]

YEAS --- 50

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (MA), Brown (OH), Burris, Cantwell, Cardin, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Kaufman, Kerry, Klobuchar, Lautenberg, Leahy, Levin, Lincoln, McCaskill, Menendez, Merkley, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Whitehouse, Wyden.

NAYS --- 31

Alexander, Barrasso, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, LeMieux, Lugar, McCain, McConnell, Risch, Sessions, Shelby, Snowe, Thune, Vitter.

So the motion was agreed to; and, as indicated by the foregoing rollcall, a quorum being present.

The question being on agreeing to the motion to proceed to consider the bill.

Mr. REID presented a motion to bring to a close debate on the pending motion to proceed; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the pending motion to proceed to consider bill S. 3217:

HARRY REID, CHRISTOPHER J. DODD, BLANCHE L. LINCOLN, S. WHITEHOUSE, JEFF BINGAMAN, BERNARD SANDERS, RUSSELL D. FEINGOLD, KAY R. HAGAN, TOM UDALL, ROBERT P. CASEY, JR., JON TESTER, CHARLES E. SCHUMER, JEFF A. MERKLEY, BYRON L. DORGAN, MARK R. WARNER, JACK REED, ROLAND W. BURRIS.

The question being on agreeing to the motion to proceed to consider the bill.

EXPRESSING CONDOLENCES ON THE TRAGEDY AT THE TESORO REFINERY IN ANACORTES, WASHINGTON

On the request of Mr. DODD,

The PRESIDING OFFICER (Mr. WHITEHOUSE in the chair) laid before the Senate the resolution (S. Res. 500) expressing the sincere condolences of the Senate to the

family, loved ones, United Steelworkers, fellow workers, and the Anacortes community on the tragedy at the Tesoro refinery in Anacortes, Washington, submitted today by Mrs. MURRAY (for herself and Ms. CANTWELL), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DODD,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period of one hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; that the majority control the first half therein, and the minority control the second half therein; and that, following morning business, the Senate resume consideration of the motion to proceed to consider bill S. 3217.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 2:15 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mr. DODD,

At 9:04 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

TUESDAY, APRIL 27, 2010

Mr. MARK L. PRYOR, from the State of Arkansas, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mr. PRYOR led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, April 27, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK L. PRYOR, a Senator from the State of Arkansas, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. PRYOR took the chair.

ORDER RELATIVE TO MOTION TO PROCEED TO CONSIDER BILL S. 3217

By unanimous consent, on the request of Mr. REID,

Ordered, That time from when the Senate resumes consideration of the motion to proceed to consider bill S. 3217 until 12:30 p.m. be equally divided and controlled for debate between the leaders, or their designees; that the time from 2:15 p.m. until 4:30 p.m. be equally divided and controlled for debate between the leaders, or their designees; that the time from 4:15 p.m. until 4:30 p.m. be equally divided and controlled for debate between Mr. DODD and Mr. SHELBY, or their designees; that Mr. DODD control the final seven minutes and 30 seconds therein; that, at 4:30 p.m., a motion to proceed to consider the motion to reconsider the vote disagreeing to the motion to bring to a close debate on the motion to proceed to consider the bill be considered made and agreed to; that the motion to reconsider be agreed to; and that the Senate then vote on the question of agreeing to the motion to bring to a close debate on the motion to proceed to consider the bill.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, Tuesday, April 27, 2010, she had presented to the President of the United States the following enrolled bill:

S. 1963. A bill to amend title 38, United States Code, to provide assistance to caregivers of veterans, to improve the provision of health care to veterans, and for other purposes.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mrs. HUTCHISON:

S. 3261. A bill to establish the Buffalo Bayou National Heritage Area in the State of Texas, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ (for himself, Mr. CRAPO, Mr. KERRY, and Mr. BOND):

S. 3262. A bill to amend the Internal Revenue Code of 1986 to provide that the volume cap for private activity bonds shall not apply to bonds for facilities for the furnishing of water and sewage facilities; to the Committee on Finance.

By Mr. AKAKA (for himself and Mr. ENSIGN):

S. 3263. A bill to establish a Chief Veterinary Officer in the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SCHUMER (for himself and Mrs. MCCASKILL):

S. 3264. A bill to amend the Consumer Credit Protection Act to provide for regulation of debt settlement services, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. McCAIN (for himself, Mr. TESTER, Mr. GRAHAM, Mr. BEGICH, Mr. BURR, Mr. CHAMBLISS, Mr. BROWNBACK, Mr. HATCH, Mr. BENNETT, Mr. WICKER, and Mr. ISAKSON):

S. 3265. A bill to restore Second Amendment rights in the District of Columbia; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BENNET:

S. 3266. A bill to ensure the availability of loan guarantees for rural homeowners; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DODD (for himself, Ms. COLLINS, Mr. LIEBERMAN, Mr. MCCAIN, and Mr. CARPER):

S. 3267. A bill to improve the provision of assistance to fire departments, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent and Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. CASEY (for himself, Mr. BROWNBACK, and Mr. FRANKEN):

S. Res. 501. A resolution recognizing and supporting the goals and ideals of Sexual Assault Awareness Month; considered and agreed to.

By Mr. WYDEN (for himself and Mr. GRASSLEY):

S. Res. 502. A resolution eliminating secret Senate holds; to the Committee on Rules and Administration.

By Mr. BEGICH (for himself, Mr. JOHANNS, Mr. BROWNBACK, Mr. BURRIS, Mr. CRAPO, Mr. INHOFE, Ms. MURKOWSKI, Mr. NELSON of Nebraska, Mr. ROBERTS, Mr. TESTER, and Mrs. GILLIBRAND):

S. Con. Res. 61. A concurrent resolution expressing the sense of the Congress that general aviation pilots and industry should be recognized for the contributions made in response to Haiti earthquake relief efforts; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 182

At the request of Mr. DODD, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 182, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 435

At the request of Mr. CASEY, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 435, a bill to provide for evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention to help build individual, family, and community strength and resiliency to ensure that youth lead productive, safe, healthy, gang-free, and law-abiding lives.

S. 504

At the request of Mr. ROBERTS, the name of the Senator from Massachusetts [Mr. BROWN] was added as a cosponsor of S. 504, a bill to redesignate the Department of the Navy as the Department of the Navy and Marine Corps.

S. 891

At the request of Ms. MIKULSKI, her name was added as a cosponsor of S. 891, a bill to require annual disclosure to the Securities and Exchange Commission of activities involving columbite-tantalite, cassiterite, and wolframite from the Democratic Republic of Congo, and for other purposes.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1057

At the request of Mr. TESTER, the names of the Senator from Hawaii [Mr. INOUYE] and the Senator from Arkansas [Mrs. LINCOLN] were added as cosponsors of S. 1057, a bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes.

S. 1190

At the request of Mr. BINGAMAN, the name of the Senator from New Mexico [Mr. UDALL] was added as a cosponsor of S. 1190, a bill to provide financial aid to local law enforcement officials along the Nation's borders, and for other purposes.

S. 1235

At the request of Ms. LANDRIEU, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 1235, a bill to amend the Public Health Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a minor child's congenital or developmental deformity or disorder due to trauma, infection, tumor, or disease.

S. 1239

At the request of Mr. BINGAMAN, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 1239, a bill to amend section 340B of the Public Health Service Act to revise and expand the drug discount program under that section to improve the provision of discounts on drug purchases for certain safety net providers.

S. 1598

At the request of Mr. SCHUMER, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 1598, a bill to amend the National Child Protection Act of 1993 to establish a permanent background check system.

S. 2882

At the request of Mr. KERRY, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 2882, a bill to amend the Internal Revenue Code of 1986 to modify the rules relating to the treatment of individuals as independent contractors or employees, and for other purposes.

S. 2989

At the request of Ms. LANDRIEU, the name of the Senator from California [Mrs. BOXER] was withdrawn as a cosponsor of S. 2989, a bill to improve the Small Business Act, and for other purposes.

S. 3065

At the request of Ms. MIKULSKI, her name was added as a cosponsor of S. 3065, a bill to amend title 10, United States Code, to enhance the readiness of the Armed Forces by replacing the current policy concerning homosexuality in the Armed Forces, referred to as "Don't Ask, Don't Tell", with a policy of nondiscrimination on the basis of sexual orientation.

S. 3178

At the request of Mr. BROWN of Ohio, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 3178, a bill to amend the Workforce Investment Act of 1998 to provide for the establishment of Youth Corps programs and provide for wider dissemination of the Youth Corps model.

S. 3213

At the request of Mr. LEVIN, the name of the Senator from Texas [Mr. CORNYN] was added as a cosponsor of S. 3213, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 3244

At the request of Mr. FEINGOLD, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 3244, a bill to provide that Members of Congress shall not receive a cost of living adjustment in pay during fiscal year 2011.

S. 3259

At the request of Mr. KOHL, the name of the Senator from Alabama [Mr. SESSIONS] was added as a cosponsor of S. 3259, a bill to amend subtitle A of the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to make the operation of such subtitle permanent law.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on April 27, 2010, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on April 27, 2010, at 2:15 p.m.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate to conduct a hearing entitled "Putting Safety First: Strengthening Enforcement and Creating a Culture of Compliance at Mines and Other Dangerous Workplaces" on April 27, 2010. The hearing will commence at 2 p.m. in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on April 27, 2010, at 10 a.m. in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Oversight of the Department of Homeland Security."

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on April 27, 2010, at 10 a.m. to conduct a hearing entitled "Connecting Main Street to the World: Federal Efforts to Expand Small Business Internet Access."

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

The Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 27, 2010, at 10 a.m., to conduct a hearing entitled "Wall Street and the Financial Crisis: The Role of Investment Banks."

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence by authorized to meet during the session of the Senate on April 27, 2010, at 2:30 p.m.

SUBCOMMITTEE ON COMPETITIVENESS, INNOVATION, AND EXPORT PROMOTION

The Subcommittee on Competitiveness, Innovation, and Export Promotion of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on April 27, 2010, at 10 a.m., in room 253 of the Russell Senate Office Building.

SUBCOMMITTEE ON WATER AND POWER

The Subcommittee on Water and Power be authorized to meet during the session of the Senate to conduct a hearing on April 27, 2010, at 3 p.m., in room SD-366 of the Dirksen Senate Office Building.

SUBCOMMITTEE ON WATER AND WILDLIFE

The Subcommittee on Water and Wildlife of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on April 27, 2010, at 10 a.m. in room 406 of the Dirksen Office Building.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10:13 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4543. An act to designate the facility of the United States Postal Service located at 4285 Payne Avenue in San Jose, California, as the "Anthony J. Cortese Post Office Building".

H.R. 4861. An act to designate the facility of the United States Postal Service located at 1343 West Irving Park Road in Chicago, Illinois, as the "Steve Goodman Post Office Building".

At 2:15 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 3253. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

ENROLLED BILL SIGNED

The PRESIDENT pro tempore reported that he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

S. 1963. An act to amend title 38, United States Code, to provide assistance to caregivers of veterans, to improve the provision of health care to veterans, and for other purposes.

At 6:30 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 3253. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

HOUSE BILLS REFERRED

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

H.R. 4543. An act to designate the facility of the United States Postal Service located at 4285 Payne Avenue in San Jose, California, as the "Anthony J. Cortese Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4861. An act to designate the facility of the United States Postal Service located at 1343 West Irving Park Road in Chicago, Illinois, as the "Steve Goodman Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

MOTION TO PROCEED TO CONSIDER BILL S. 3217

Pursuant to the order of yesterday,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) laid before the Senate its pending business, viz, the motion, made by Mr. REID on Thursday, April 22, 2010, that the Senate proceed to consider the bill (S. 3217) to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; and

The Senate resumed consideration of the motion to proceed.

The question being on agreeing to the motion.

RECESS

Pursuant to the order of yesterday, as modified,

At 12:33 p.m.,

The PRESIDING OFFICER declared the Senate recessed until 2:15 p.m.

AT 2:15 P.M.

The PRESIDING OFFICER (Mr. BEGICH in the chair) called the Senate to order.

MOTION TO PROCEED TO CONSIDER BILL S. 3217

The Senate resumed consideration of the motion to proceed to consider bill S. 3217.

The question being on agreeing to the motion.

Pending debate,

By unanimous consent, on the request of Mr. DODD,

Ordered, That he control the final seven minutes, 30 seconds of debate before the votes.

The question being on agreeing to the motion.

Pending debate,

The hour of 4:30 p.m. having arrived,

Pursuant to the order of today,

A motion to proceed to consider the motion to reconsider the vote disagreeing to the motion to bring to a close debate on the motion to proceed to consider the pending bill was considered made and agreed to.

The question then being on agreeing to the motion to reconsider.

Pursuant to the order of today,

The motion to reconsider was agreed to.

Pursuant to the order of today,

The PRESIDING OFFICER (Mr. BURRIS in the chair) laid before the Senate the motion, presented by Mr. REID on Thursday, April 22, 2010, to bring to a close debate on the motion to proceed to consider bill S. 3217.

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the negative---
yeas... 57, nays... 41

[Rollcall Vote No. 126 Leg.]

YEAS --- 57

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 41

Alexander, Barrasso, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So, upon reconsideration, the motion was not agreed to; three-fifths of Senators duly chosen and sworn not having voted in the affirmative.

The question being on agreeing to the motion to proceed to consider bill S. 3217.

Pending debate,

Mr. REID presented a motion to bring to a close debate on the pending motion to proceed; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the pending motion to proceed to consider bill S. 3217:

CHRISTOPHER J. DODD, BLANCHE L. LINCOLN, JEFF BINGAMAN, MARK BEGICH, CHARLES E. SCHUMER, ARLEN SPECTER, ROBERT MENENDEZ, BEN CARDIN, DANIEL INOUYE, JACK REED, EDWARD E. KAUFMAN, BYRON L. DORGAN, DICK DURBIN, TOM UDALL, JOHN KERRY, SHELDON WHITEHOUSE, ROBERT P. CASEY.

By unanimous consent, on the request of Mr. REID,

Ordered, That, on tomorrow, following a period for the transaction of morning business, the Senate resume consideration of the motion to proceed to consider bill S. 3217; that the time until 12:20 p.m. be equally divided and controlled for debate between the leaders, or their designees; that the quorum under the rule be waived; and that, at 12:20 p.m., the Senate vote on the question of agreeing to the motion to bring to a close debate on the motion to proceed to consider the bill.

DESIGNATING "NATIONAL CHILD ABUSE PREVENTION MONTH"

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That the Committee on Judiciary be discharged from the further consideration of the resolution (S. Res. 498) designating April 2010 as "National Child Abuse Prevention Month".

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING AND SUPPORTING THE GOALS AND IDEALS OF SEXUAL ASSAULT AWARENESS MONTH

On the request of Mr. WHITEHOUSE,

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) laid before the Senate the resolution (S. Res. 501) recognizing and supporting the goals and ideals of Sexual Assault Awareness Month, submitted today by Mr. CASEY (for himself, Mr. BROWNBACK, and Mr. FRANKEN) and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that the Senate then proceed to a period of 90 minutes for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; that the minority control the first 30 minutes therein, and the majority control the second 30 minutes therein; and that, following morning business, the Senate resume consideration of the motion to proceed to consider bill S. 3217, as pursuant to the order of today.

ADJOURNMENT

By unanimous consent, on the request of Mr. WHITEHOUSE,

At 7:11 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

WEDNESDAY, APRIL 28, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, April 28, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. TOM UDALL took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mrs. BOXER:

S. 3268. A bill to amend title 49, United States Code, to prohibit individuals who have worked on motor vehicle safety issues at NHTSA from assisting motor vehicle manufacturers with NHTSA compliance matters for a period of 3 years after terminating employment at NHTSA, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. GILLIBRAND (for herself, Mr. DODD, and Ms. KLOBUCHAR):

S. 3269. A bill to provide driver safety grants to States with graduated driver licensing laws that meet certain minimum requirements; to the Committee on Environment and Public Works.

By Mr. McCAIN:

S. 3270. A bill to include the county of Mohave, in the State of Arizona, as an affected area for purposes of making claims under the Radiation Exposure Compensation Act based on exposure to atmospheric nuclear testing; to the Committee on the Judiciary.

By Mr. UDALL of New Mexico:

S. 3271. A bill to amend section 30166 of title 49, United States Code, to require the installation of event data recorders in all motor vehicles manufactured for sale in the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BENNET:

S. 3272. A bill to provide greater controls and restrictions on revolving door lobbying; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CORNYN (for himself and Mrs. HUTCHISON):

S. 3273. A bill to establish a program to provide southern border security assistance grants, to authorize the appointment of additional Federal judges in states along the southern border, and for other purposes; to the Committee on the Judiciary.

By Mr. CORNYN (for himself and Mr. BROWN of Ohio):

S. 3274. A bill to amend the Controlled Substances Act to address the use of intrathecal pumps; to the Committee on the Judiciary.

By Mr. BAUCUS (for himself and Mr. GRASSLEY):

S. 3275. A bill to extend the Caribbean Basin Economic Recovery Act, to provide customs support services to Haiti, and for other purposes; to the Committee on Finance.

By Mr. WYDEN (for himself and Ms. MURKOWSKI):

S. 3276. A bill to provide an election to terminate certain capital construction funds without penalties; to the Committee on Finance.

By Mr. UDALL of New Mexico:

S. 3277. A bill to amend the American Recovery and Reinvestment Act of 2009 to reserve funds under the programs for payments to the Bureau of Indian Education of the Department of the Interior for Indian children; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. WHITEHOUSE (for himself, Ms. COLLINS, Mr. CARDIN, Mr. WYDEN, Mrs. FEINSTEIN, Mr. SANDERS, Ms. CANTWELL, Mr. LEVIN, Mr. KERRY, and Mr. LAUTENBERG):

S. Res. 503. A resolution designating May 21, 2010, as "Endangered Species Day"; to the Committee on the Judiciary.

By Mr. WICKER (for himself and Mr. COCHRAN):

S. Res. 504. A resolution expressing the condolences of the Senate to those affected by the tragic events following the tornado that hit central Mississippi on April 24, 2010; considered and agreed to.

ADDITIONAL COSPONSORS

S. 384

At the request of Mr. LUGAR, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 384, a bill to authorize appropriations for fiscal years 2010 through 2014 to provide assistance to foreign countries to promote food security, to stimulate rural economies, and to improve emergency response to food crises, to amend the Foreign Assistance Act of 1961, and for other purposes.

S. 777

At the request of Mr. BROWN of Ohio, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 777, a bill to promote industry growth and competitiveness and to improve worker training, retention, and advancement, and for other purposes.

S. 781

At the request of Mr. ROBERTS, the name of the Senator from Kansas [Mr. BROWNBACK] was added as a cosponsor of S. 781, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 1055

At the request of Mrs. BOXER, the names of the Senator from Vermont [Mr. SANDERS], the Senator from Arkansas [Mr. PRYOR] and the Senator from Minnesota [Mr. FRANKEN] were added as cosponsors of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1611

At the request of Mr. GREGG, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 1611, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 1681

At the request of Mr. LEAHY, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 1681, a bill to ensure that health insurance issuers and medical malpractice insurance issuers cannot engage in price fixing, bid rigging, or market allocations to the detriment of competition and consumers.

S. 1695

At the request of Mr. BURRIS, the names of the Senator from North Carolina [Mr. BURR] and the Senator from North Carolina [Mrs. HAGAN] were added as cosponsors of S. 1695, a bill to authorize the award of a Congressional gold medal to the Montford Point Marines of World War II.

S. 2862

At the request of Ms. SNOWE, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 2862, a bill to amend the Small Business Act to improve the Office of International Trade, and for other purposes.

S. 2962

At the request of Mr. DODD, the name of the Senator from Alaska [Ms. MURKOWSKI] was added as a cosponsor of S. 2962, a bill to amend title II of the Social Security Act to apply an earnings test in determining the amount of monthly insurance benefits for individuals entitled to disability insurance benefits based on blindness.

S. 2986

At the request of Ms. LANDRIEU, the name of the Senator from Mississippi [Mr. WICKER] was added as a cosponsor of S. 2986, a bill to authorize the Administrator of the Small Business Administration to

waive interest for certain loans relating to damage caused by Hurricane Katrina, Hurricane Rita, Hurricane Gustav, or Hurricane Ike.

S. 3039

At the request of Mr. UDALL of New Mexico, the name of the Senator from Louisiana [Mr. VITTER] was added as a cosponsor of S. 3039, a bill to prevent drunk driving injuries and fatalities, and for other purposes.

S. 3065

At the request of Mr. LIEBERMAN, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 3065, a bill to amend title 10, United States Code, to enhance the readiness of the Armed Forces by replacing the current policy concerning homosexuality in the Armed Forces, referred to as "Don't Ask, Don't Tell", with a policy of nondiscrimination on the basis of sexual orientation.

S. 3181

At the request of Mrs. BOXER, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 3181, a bill to protect the rights of consumers to diagnose, service, maintain, and repair their motor vehicles, and for other purposes.

S. 3196

At the request of Mr. KAUFMAN, the name of the Senator from Delaware [Mr. CARPER] was added as a cosponsor of S. 3196, a bill to amend the Presidential Transition Act of 1963 to provide that certain transition services shall be available to eligible candidates before the general election.

S. 3201

At the request of Mr. UDALL of Colorado, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of S. 3201, a bill to amend title 10, United States Code, to extend TRICARE coverage to certain dependents under the age of 26.

S. 3254

At the request of Mr. BROWN of Ohio, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 3254, a bill to amend the Fair Labor Standards Act of 1938 to require persons to keep records of non-employees who perform labor or services for remuneration and to provide a special penalty for persons who misclassify employees as non-employees, and for other purposes.

S. 3262

At the request of Mr. MENENDEZ, the name of the Senator from Idaho [Mr. RISCH] was added as a cosponsor of S. 3262, a bill to amend the Internal Revenue Code of 1986 to provide that the volume cap for private activity bonds shall not apply to bonds for facilities for the furnishing of water and sewage facilities.

S. 3265

At the request of Mr. MCCAIN, the names of the Senator from Montana [Mr. BAUCUS] and the Senator from Kansas [Mr. ROBERTS] were added as cosponsors of S. 3265, a bill to restore Second Amendment rights in the District of Columbia.

SENATE JOINT RESOLUTION 28

At the request of Mr. DODD, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of Senate Joint Resolution 28, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

SENATE CONCURRENT RESOLUTION 61

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of Senate Concurrent Resolution 61, a concurrent resolution expressing the sense of the Congress that general aviation pilots and industry should be recognized for the contributions made in response to Haiti earthquake relief efforts.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate to conduct a hearing entitled "ESEA Reauthorization: Standards and Assessments" on April 28, 2010. The hearing will commence at 2 p.m. in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 28, 2010, at 10 a.m.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on April 28, 2010, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations."

AD HOC SUBCOMMITTEE ON CONTRACTING OVERSIGHT

The Ad Hoc Subcommittee on Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 28, 2010, at 2:30 p.m. to conduct a hearing entitled, "Oversight of Contract Management at the Centers for Medicare & Medicaid Services."

SUBCOMMITTEE ON PERSONNEL

The Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on April 28, 2010, at 10 a.m.

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

The Subcommittee on Public Lands and Forests be authorized to meet during the session of the Senate to conduct a hearing on April 28, 2010, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

SUBCOMMITTEE ON SURFACE TRANSPORTATION AND MERCHANT MARINE INFRASTRUCTURE, SAFETY, AND SECURITY

The Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on April 28, 2010, at 10 a.m., in room 253 of the Russell Senate Office Building.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 9:52 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3808. An act to require any Federal or State court to recognize any notarization made by a notary public licensed by a State other than the State where the court is located when such notarization occurs in or affects interstate commerce.

H.R. 5017. An act to ensure the availability of loan guarantees for rural homeowners.

H.R. 5146. An act to provide that Members of Congress shall not receive a cost of living adjustment in pay during fiscal year 2011.

At 1:23 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5147. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

HOUSE BILLS REFERRED

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

H.R. 3808. An act to require any Federal or State court to recognize any notarization made by a notary public licensed by a State other than the State where the court is located when such notarization occurs in or affects interstate commerce; to the Committee on the Judiciary.

H.R. 5017. An act to ensure the availability of loan guarantees for rural homeowners; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE BILL PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 5146. An act to provide that Members of Congress shall not receive a cost of living adjustment in pay during fiscal year 2011.

MOTION TO PROCEED TO CONSIDER BILL S. 3217

Pursuant to the order of yesterday, as modified,

The PRESIDING OFFICER (Mr. BURRIS in the chair) laid before the Senate its pending business, viz, the motion, made by Mr. REID on Thursday, April 22, 2010, that the Senate proceed to consider the bill (S. 3217) to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; and

The Senate resumed consideration of the motion to proceed.

The question being on agreeing to the motion.

Pending debate,

Pursuant to the order of yesterday,

The PRESIDING OFFICER laid before the Senate the motion, presented by Mr. REID on Monday, April 26, 2010, to bring to a close debate on the motion to proceed to consider bill S. 3217.

Pursuant to the order of yesterday,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the negative---
yeas... 56, nays... 42

[Rollcall Vote No. 127 Leg.]

YEAS --- 56

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 42

Alexander, Barrasso, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Reid, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was not agreed to; three-fifths of Senators duly chosen and sworn not having voted in the affirmative.

The question being on agreeing to the motion to proceed.

Mr. REID, having voted on the prevailing side, entered a motion to reconsider the foregoing vote.

The question being on agreeing to the motion to proceed.

Pending debate,

By unanimous consent, on the request of Mr. REID,

Ordered, That the pending motion to proceed be agreed to; that the Senate proceed to consider the bill; that there then be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; that, on tomorrow following the recognition of the leaders, or their designees, the Senate resume consideration of the bill; that Mr. DODD and Mr. SHELBY be recognized to speak; that, following remarks by them, Mrs. LINCOLN be recognized to speak for 20 minutes; that, on tomorrow, no amendment or motion be in order prior to an amendment (in the nature of a substitute) being proposed by Mr. DODD (for himself and Mrs. LINCOLN); and that, when said amendment is proposed, it be considered read.

The question being on agreeing to the motion to proceed.

After debate,

Pursuant to the foregoing order,

The motion was agreed to.

The motion having been agreed to,

The motion, entered by Mr. REID, to reconsider was rendered moot.

RESTORING AMERICAN FINANCIAL STABILITY ACT

Pursuant to the order of today,

The PRESIDING OFFICER (Mr. BEGICH in the chair) laid before the Senate the bill (S. 3217) to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; and

The Senate proceeded to consider the bill.

The question being on passage of the bill.

PROVIDING THAT MEMBERS OF CONGRESS NOT RECEIVE A COST OF LIVING ADJUSTMENT IN PAY DURING FISCAL YEAR 2011

By unanimous consent, on the request of Mrs. BOXER,

Ordered, That the Senate proceed to consider the bill (H.R. 5146) to provide that Members of Congress shall not receive a cost of living adjustment in pay during fiscal year 2011, the text being identical to bill S. 3244, as passed; that the bill be read the third time, and passed; and that a motion to reconsider be deemed made and laid on the table.

AIRPORT AND AIRWAY EXTENSION ACT

On the request of Mrs. BOXER,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 5147) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes, received from the House of Representatives for concurrence on today, and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXPRESSING CONDOLENCES TO THOSE AFFECTED BY THE TORNADO THAT HIT CENTRAL MISSISSIPPI ON APRIL 24, 2010

On the request of Mrs. BOXER,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 504) expressing the condolences of the Senate to those affected by the tragic events following the tornado that hit central Mississippi on April 24, 2010, submitted today by Mr. WICKER (for himself, and Mr. COCHRAN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 12:15 P.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mrs. BOXER,

Ordered, That, when the Senate concludes its business on today, it adjourn until 12:15 p.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of bill S. 3217, as pursuant to the order of today.

ADJOURNMENT

By unanimous consent, on the request of Mrs. BOXER,

At 7:26 p.m.,

The Senate adjourned, under its order of today, until 12:15 p.m. on tomorrow.

THURSDAY, APRIL 29, 2010

Mrs. KAY R. HAGAN, from the State of North Carolina, called the Senate to order at 12:15 p.m., the Chaplain offered a prayer, and Mrs. HAGAN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, April 29, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KAY R. HAGAN, a Senator from the State of North Carolina, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. HAGAN took the chair.

AUTHORIZING SIGNING OF ENROLLED BILLS AND JOINT RESOLUTIONS

By unanimous consent, on the request of Mr. REID,

Ordered, That, on today and tomorrow, he be authorized to sign duly enrolled bills and joint resolutions.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

RESTORING AMERICAN FINANCIAL STABILITY ACT

Pursuant to the order of yesterday,

The PRESIDING OFFICER (Mr. BURRIS in the chair) laid before the Senate its pending business, viz, the bill (S. 3217) to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on passage of the bill.

Pursuant to the order of yesterday,

On motion by Mr. REID for Mr. DODD (for himself and Mrs. LINCOLN) to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 3739, in the nature of a substitute).

On motion by Mr. REID (for Mrs. BOXER) to amend the pending amendment (in the nature of a substitute), in title II, at the end thereof, by adding certain words (being amendment No. 3737).

Pending debate,

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. FRANKEN,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, Thursday, April 29, 2010, she had presented to the President of the United States the following enrolled bill:

S. 3253. A bill to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5627. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Prevention of Salmonella Enteritidis in Shell Eggs During Production, Storage, and Transportation; Change of Registration Date, Address, and Telephone Number; Technical Amendment" (Docket No. FDA-2000-N-190), received in the Office of the President of the Senate on April 27, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5628. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Papayas From Colombia and Ecuador" ((RIN0579-AC95)(Docket No. APHIS-2008-0050)), received in the Office of the President of the Senate on April 28, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5629. A communication from the Director of the Regulatory Review Group, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Direct and Counter-Cyclical Program and Average Crop Revenue Election Program, Disaster Assistance Programs, Marketing Assistance Loans and Loan Deficiency Payments Program, Supplemental Revenue Assistance Payments Program, and Payment Limitation and Payment Eligibility; Clarifying Amendments" ((7 CFR 1400, 1412, and 1421)(RIN0560-AH84)), received in the Office of the President of the Senate on April 29, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5630. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Service Contract Surveillance" (DFARS Case 2008-D032), received in the Office of the President of the Senate on April 29, 2010; to the Committee on Armed Services.

EC-5631. A communication from the Secretary of Energy, transmitting a legislative proposal relative to the Department of Energy's efforts to develop a sustainable nuclear materials protection, control, and accounting system for the nuclear materials of the Russian Federation that is supported solely by the Russian Federation, received in

the Office of the President of the Senate on April 6, 2010; to the Committee on Armed Services.

EC-5632. A communication from the General Counsel of the Department of Defense, transmitting a legislative proposal relative to the National Defense Authorization Bill for fiscal year 2011, received in the Office of the President of the Senate on March 17, 2010; to the Committee on Armed Services.

EC-5633. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations (75 FR 18070)" ((44 CFR Part 65)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on April 27, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5634. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations (75 FR 18073)" ((44 CFR Part 65)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on April 27, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5635. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations (75 FR 18074)" ((44 CFR Part 65)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on April 27, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5636. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations (75 FR 18079)" ((44 CFR Part 65)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on April 27, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5637. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations (75 FR 18082)" ((44 CFR Part 65)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on April 27, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5638. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations (75 FR 18084)" ((44 CFR Part 65)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on April 27, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5639. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations (75 FR 18088)" ((44 CFR Part 65)(Docket No. FEMA-2010-000)), received in the Office of the President of the Senate on April 27, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5640. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility (75 FR 19891)" ((44 CFR Part 64)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on April 27, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5641. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations (75 FR 19895)" ((44 CFR Part 67)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on April 27, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5642. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Community Disaster Loans Program" ((RIN1660-AA44)(Docket No. FEMA-2005-0051)), received during adjournment of the Senate in the Office of the President of the Senate on April 8, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5643. A communication from the Associate General Counsel for Legislation and Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Regulatory Reporting Requirements for the Indian Community Development Block Grant Program" (RIN2577-AC79), received in the Office of the President of the Senate on April 29, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5644. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing-Federal Housing Commissioner, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Federal Housing Administration: Continuation of FHA Reform; Strengthening Risk Management Through Responsible FHA-Approved Lenders" (RIN2502-AI81), received in the Office of the President of the Senate on April 29, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5645. A communication from the Assistant Director for Policy, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Somalia Sanctions Regulations" (31 CFR Part 551), received in the Office of the President of the Senate on April 29, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5646. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the situation in or in relation to the Democratic Republic of the Congo that was declared in Executive Order 13413 of October 27, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-5647. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-5648. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Syria that was declared in Executive Order 13338 of May 11, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-5649. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Offshore Component in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XU89), received in the Office of the President of the Senate on April 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5650. A communication from the Assistant Secretary of Land and Minerals Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Update of Revised and Reaffirmed Documents Incorporated by Reference" (RIN1010-AD54), received in the Office of the President of the Senate on April 28, 2010; to the Committee on Energy and Natural Resources.

EC-5651. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Lead; Renovation,

Repair, and Painting Program for Public and Commercial Buildings" (FRL No. 8823-6), received in the Office of the President of the Senate on April 28, 2010; to the Committee on Environment and Public Works.

EC-5652. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "LMSB Industry Director Directive on Domestic Production Deduction (DPD) No. 4" (LMSB-4-0310-010), received in the Office of the President of the Senate on April 26, 2010; to the Committee on Finance.

EC-5653. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Specified Tax Credit Bonds" (Notice No. 2010-35), received in the Office of the President of the Senate on April 28, 2010; to the Committee on Finance.

EC-5654. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "LMSB Industry Director Directive Tier II - Extraterritorial Income Exclusion Effective Date and Transition Rules" (LMSB-4-3010-011), received in the Office of the President of the Senate on April 26, 2010; to the Committee on Finance.

EC-5655. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and Medicaid Programs; Waiver of Disapproval of Nurse Aide Training Program in Certain Cases" (RIN0938-AO82), received in the Office of the President of the Senate on April 26, 2010; to the Committee on Finance.

EC-5656. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of Homeland Security, transmitting, proposed legislation relative to Sportfishing and Recreational Boating Safety, received during adjournment of the Senate in the Office of the President of the Senate on April 2, 2010; to the Committee on Finance.

EC-5657. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010-0064 - 2010-0068); to the Committee on Foreign Relations.

EC-5658. A communication from the Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting, pursuant to law, the Agency's response to the GAO report entitled "Iraqi Refugee Assistance: Improvements Needed in Measuring Progress, Assessing Needs, Tracking Funds, and Developing an International Strategic Plan"; to the Committee on Foreign Relations.

EC-5659. A communication from the Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting, pursuant to law, the Agency's second fiscal year 2010 quarterly report relative to unobligated and unexpended appropriated funds; to the Committee on Foreign Relations.

EC-5660. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the second quarter for fiscal year 2009 quarterly report of the Department of Justice's Office of Privacy and Civil Liberties; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. AKAKA, from the Committee on Veterans' Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 1237. A bill to amend title 38, United States Code, to expand the grant program for homeless veterans with special needs to include male homeless veterans with minor dependents and to establish a grant program for reintegration of homeless women veterans and homeless veterans with children, and for other purposes (Rept. No. 111-175).

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 657. A bill to provide for media coverage of Federal court proceedings.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. BENNET (for himself, Mr. BAUCUS, and Mr. CRAPO):

S. 3278. A bill to establish the Meth Project Prevention Campaign Grant Program; to the Committee on the Judiciary.

By Mr. WYDEN (for himself, Ms. STABENOW, Mr. MERKLEY, Mr. SPECTER, Mrs. HAGAN, and Mr. HARKIN):

S. 3279. A bill to reauthorize the national small business tree planting program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. LEVIN (by request):

S. 3280. A bill to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes; to the Committee on Armed Services.

By Mr. SPECTER:

S. 3281. A bill to expand student loan forgiveness, to provide loan repayment assistance, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SPECTER:

S. 3282. A bill to amend the Internal Revenue Code of 1986 to extend the work opportunity tax credit for employers of certain veterans; to the Committee on Finance.

By Mrs. BOXER:

S. 3283. A bill to designate Mt. Andrea Lawrence; to the Committee on Energy and Natural Resources.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 3284. A bill to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California; to the Committee on Energy and Natural Resources.

By Mrs. LINCOLN (for herself and Mr. PRYOR):

S. 3285. A bill to help certain communities adversely affected by FEMA's flood mapping modernization program; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SPECTER:

S. 3286. A bill to require the Secretary of Veterans Affairs to carry out a pilot program on the award of grants to State and local government agencies and nonprofit organizations to provide assistance to veterans with their submittal of claims to the Veterans Benefits Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BROWNBACK (for himself, Mr. ROBERTS, and Mr. BEGICH):

S. 3287. A bill to award a Congressional Gold Medal in honor of the recipients of assistance under the Servicemen's Readjustment Act of 1944 (commonly referred to as the "GI Bill of Rights") in recognition of the great contributions such recipients made to the Nation in both their military and civilian service and the contributions of Harry W. Colmery in initiating actions which led to the enactment of that Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LAUTENBERG (for himself and Mr. DURBIN):

S. 3288. A bill to amend the Internal Revenue Code to reduce tobacco smuggling, and for other purposes; to the Committee on Finance.

By Mr. CARDIN:

S. 3289. A bill to amend the American Recovery and Reinvestment Tax Act of 2009 to allow specified energy property grants to real estate investment trusts without regard to the ratable share income limitations; to the Committee on Finance.

By Mr. BAUCUS (for himself and Mr. TESTER):

S. 3290. A bill to modify the purposes and operation of certain facilities of the Bureau of Reclamation to implement the water rights compact among the State of Montana, the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana, and the United States, and for other purposes; to the Committee on Indian Affairs.

By Mr. DODD (for himself and Mr. LIEBERMAN):

S. 3291. A bill to establish Coltsville National Historical Park in the State of Connecticut, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SPECTER (for himself and Mr. CASEY):

S. 3292. A bill to amend the Richard B. Russell National School Lunch to establish a weekend and holiday feeding program to provide nutritious food to at-risk school children on weekends and during extended school holidays during the school year; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HARKIN (for himself, Mr. HATCH, Mr. DODD, Mr. REID, Ms. SNOWE, Ms. MIKULSKI, Ms. COLLINS, Mr. CASEY, Mr. RISCH, Mr. FRANKEN, and Mr. JOHANNS):

S. 3293. A bill to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent and Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. BURR (for himself, Mrs. HAGAN, and Mr. KAUFMAN):

S. Res. 505. A resolution congratulating the Duke University men's basketball team for winning the 2009-2010 NCAA Division I Men's Basketball National Championship; to the Committee on the Judiciary.

By Mr. BROWNBACK (for himself and Mr. CARDIN):

S. Res. 506. A resolution designating May 2010 as "National X and Y Chromosomal Variations Awareness Month"; to the Committee on the Judiciary

By Mr. MENENDEZ (for himself, Mr. HATCH, Mr. REID, Mr. LUGAR, Mr. DURBIN, Mr. BINGAMAN, Mr. LAUTENBERG, Mrs. MURRAY, Mr. CASEY, Mrs. GILLIBRAND, and Mr. AKAKA):

S. Res. 507. A resolution designating April 30, 2010, as "Dia de los Ninos: Celebrating Young Americans"; considered and agreed to.

By Mr. JOHNSON (for himself and Mr. BENNETT):

S. Res. 508. A resolution recognizing June 2010 as National Hereditary Hemorrhagic Telangiecstasia (HHT) month established to increase awareness of HHT, which is a complex genetic blood vessel disorder that affects approximately 70,000 people in the United States; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BURRIS:

S. Res. 509. A resolution designating April 2010 as "National STD Awareness Month"; to the Committee on the Judiciary.

By Mrs. LINCOLN (for herself, Mr. CHAMBLISS, Mrs. MURRAY, Mr. PRYOR, Mr. BAUCUS, Mr. CASEY, Mr. DURBIN, Mr. REID, Mr. KOHL, Mr. HARKIN, Mr. BENNET, Mr. BROWNBACK, Mr. GRASSLEY, Mr. CRAPO, Mr. LEAHY, and Mr. JOHANNS):

S. Con. Res. 62. A concurrent resolution congratulating the outstanding professional public servants, both past and present, of the Natural Resources Conservation Service on the occasion of its 75th anniversary; considered and agreed to.

ADDITIONAL COSPONSORS

S. 306

At the request of Mr. NELSON of Nebraska, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 306, a bill to promote biogas production, and for other purposes.

S. 471

At the request of Ms. SNOWE, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 471, a bill to amend the Education Sciences Reform Act of 2002 to require the Statistics Commissioner to collect information from coeducational secondary schools on such schools' athletic programs, and for other purposes.

S. 653

At the request of Mr. CARDIN, the name of the Senator from Kansas [Mr. BROWNBACK] was added as a cosponsor of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 657

At the request of Mr. LEAHY, the name of the Senator from Delaware [Mr. KAUFMAN] was added as a cosponsor of S. 657, a bill to provide for media coverage of Federal court proceedings.

S. 934

At the request of Mr. HARKIN, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 934, a bill to amend the Child Nutrition Act of 1966 to improve the nutrition and health of schoolchildren and protect the Federal investment in the national school lunch and breakfast programs by updating the national school nutrition standards for foods and beverages sold outside of school meals to conform to current nutrition science.

S. 1025

At the request of Ms. COLLINS, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 1025, a bill to prohibit termination of employment of volunteer firefighters and emergency medical personnel responding to emergencies or major disasters, and for other purposes.

S. 1055

At the request of Mrs. BOXER, the names of the Senator from New Hampshire [Mrs. SHAHEEN] and the Senator from New Jersey [Mr. LAUTENBERG] were added as cosponsors of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1233

At the request of Ms. LANDRIEU, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 1233, a bill to reauthorize and improve the SBIR and STTR programs and for other purposes.

S. 1241

At the request of Mr. INHOFE, the name of the Senator from Idaho [Mr. RISCH] was added as a cosponsor of S. 1241, a bill to amend Public Law 106-206 to direct the Secretary of the Interior and the Secretary of Agriculture to require annual permits and assess annual fees for commercial filming activities on Federal land for film crews of 5 persons or fewer.

S. 1275

At the request of Mr. WARNER, the name of the Senator from Delaware [Mr. CARPER] was added as a cosponsor of S. 1275, a bill to establish a National Foundation on Physical Fitness and Sports to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports.

S. 1683

At the request of Mr. BENNET, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 1683, a bill to apply recaptured taxpayer investments toward reducing the national debt.

S. 2869

At the request of Ms. LANDRIEU, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of

S. 2869, a bill to increase loan limits for small business concerns, to provide for low interest refinancing for small business concerns, and for other purposes.

S. 2881

At the request of Ms. SNOWE, the name of the Senator from Delaware [Mr. KAUFMAN] was added as a cosponsor of S. 2881, a bill to provide greater technical resources to FCC Commissioners.

S. 2989

At the request of Ms. LANDRIEU, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 2989, a bill to improve the Small Business Act, and for other purposes.

S. 3039

At the request of Mr. UDALL of New Mexico, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 3039, a bill to prevent drunk driving injuries and fatalities, and for other purposes.

S. 3164

At the request of Mr. LAUTENBERG, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 3164, a bill to amend the Internal Revenue Code of 1986 to extend financing of the Superfund.

S. 3165

At the request of Ms. LANDRIEU, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 3165, a bill to authorize the Administrator of the Small Business Administration to waive the non-Federal share requirement under certain programs.

S. 3178

At the request of Mr. BROWN of Ohio, the name of the Senator from Montana [Mr. BAUCUS] was added as a cosponsor of S. 3178, a bill to amend the Workforce Investment Act of 1998 to provide for the establishment of Youth Corps programs and provide for wider dissemination of the Youth Corps model.

S. 3181

At the request of Mrs. BOXER, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 3181, a bill to protect the rights of consumers to diagnose, service, maintain, and repair their motor vehicles, and for other purposes.

S. 3184

At the request of Mrs. BOXER, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 3184, a bill to provide United States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes.

S. 3190

At the request of Ms. LANDRIEU, the names of the Senator from Idaho [Mr. CRAPO] and the Senator from Idaho [Mr. RISCH] were added as cosponsors of S. 3190, a bill to reaffirm that the Small Business Reauthorization Act of 1997 does not limit a contracting officer's discretion regarding whether to make a contract available for award pursuant to any of the restricted competition programs authorized by the Small Business Act.

S. 3206

At the request of Mr. HARKIN, the names of the Senator from Maryland [Mr. CARDIN], the Senator from Vermont [Mr. LEAHY] and the Senator from Vermont [Mr. SANDERS] were added as cosponsors of S. 3206, a bill to establish an Education Jobs Fund.

S. 3233

At the request of Mr. BARRASSO, the name of the Senator from Wyoming [Mr. ENZI] was added as a cosponsor of S. 3233, a bill to amend the Atomic Energy Act of 1954 to authorize the Secretary of Energy to barter, transfer, or sell surplus uranium from the inventory of the Department of Energy, and for other purposes.

S. 3234

At the request of Mrs. MURRAY, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 3234, a bill to improve employment, training, and placement services furnished to veterans, especially those serving in Operation Iraqi Freedom and Operation Enduring Freedom, and for other purposes.

S. 3260

At the request of Mr. HARKIN, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 3260, a bill to enhance and further research into the prevention and treatment of eating disorders, to improve access to treatment of eating disorders, and for other purposes.

S. 3265

At the request of Mr. MCCAIN, the names of the Senator from Nebraska [Mr. JOHANNS] and the Senator from South Dakota [Mr. THUNE] were added as cosponsors of S. 3265, a bill to restore Second Amendment rights in the District of Columbia.

S. 3275

At the request of Mr. BAUCUS, the names of the Senator from Massachusetts [Mr. KERRY], the Senator from Kentucky [Mr. BUNNING] and the Senator from Florida [Mr. NELSON] were added as cosponsors of S. 3275, a bill to extend the Caribbean Basin Economic Recovery Act, to provide customs support services to Haiti, and for other purposes.

SENATE CONCURRENT RESOLUTION 61

At the request of Mr. PRYOR, his name was added as a cosponsor of Senate Concurrent Resolution 61, a concurrent resolution expressing the sense of the Congress that general aviation pilots and industry should be recognized for the contributions made in response to Haiti earthquake relief efforts.

SENATE RESOLUTION 345

At the request of Mrs. BOXER, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of Senate Resolution 345, a resolution deploring the rape and assault of women in Guinea and the killing of political protesters on September 28, 2009.

SENATE RESOLUTION 502

At the request of Mr. WYDEN, the names of the Senator from Colorado [Mr. UDALL] and the Senator from Oklahoma [Mr. INHOFE] were added as cosponsors of Senate Resolution 502, a resolution eliminating secret Senate holds.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. WARNER,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on April 29, 2010, at 9:30 a.m.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on April 29, 2010, at 10 a.m., to conduct a hearing entitled "Short-Termism in Financial Markets."

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a business meeting on April 29, 2010.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate to conduct a hearing entitled "Meeting the Needs of Special Populations" on April 29, 2010. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on April 29, 2010, at 2:30 p.m., to hold a hearing entitled "The Historical and Modern Context for U.S.-Russian Arms Control."

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs be authorized to meet during the session of the Senate on April 29, 2010, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on April 29, 2010, at 10 a.m. in SD-226 of the Dirksen Senate Office

Building, to conduct an executive business meeting.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on April 29, 2010, at 2:30 p.m.

SUBCOMMITTEE ON CONSUMER PROTECTION, PRODUCT SAFETY, AND INSURANCE

The Subcommittee on Consumer Protection, Product Safety, and Insurance of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on April 29, 2010, at 10 a.m. in room 253 of the Russell Senate Office Building.

SUBCOMMITTEE ON INTERNATIONAL TRADE, CUSTOMS, AND GLOBAL COMPETITIVENESS

The Subcommittee on International Trade, Customs, and Global Competitiveness of the Committee on Finance be authorized to meet during the session of the Senate on April 29, 2010, at 1 p.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Doubling U.S. Exports: Are U.S. Sea Ports Ready for the Challenge?"

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

The Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on April 29, 2010, at 2:30 p.m. to conduct a hearing entitled "Developing Federal Employees and Supervisors: Mentoring, Internships, and Training in the Federal Government."

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 12:18 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 5147. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the ACTING PRESIDENT pro tempore (Mr. REID).

At 12:19 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3393. An act to amend the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) in order to prevent the loss of billions in taxpayer dollars.

H.R. 5013. An act to amend title 10, United States Code, to provide for performance management of the defense acquisition system, and for other purposes.

H.R. 5148. An act to amend title 39, United States Code, to clarify the instances in which the term "census" may appear on mailable matter.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 264. Concurrent resolution authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service.

ENROLLED BILL SIGNED

The ACTING PRESIDENT pro tempore (Mr. REID) reported that he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

S. 3253. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

HOUSE BILLS REFERRED

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

H.R. 3393. An act to amend the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) in order to prevent the loss of billions in taxpayer dollars; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5013. An act to amend title 10, United States Code, to provide for performance management of the defense acquisition system, and for other purposes; to the Committee on Armed Services.

H.R. 5148. An act to amend title 39, United States Code, to clarify the instances in which the term "census" may appear on mailable matter; to the Committee on Homeland Security and Governmental Affairs.

OBJECTION TO EXECUTIVE SESSION

Mrs. MCCASKILL asked unanimous consent that the Senate proceed to executive session to consider the nomination of Mark R. Rosekind, of California, to be a Member of the National Transportation Safety Board, and the nomination of Earl F. Weener, of Oregon, to be a Member of the National Transportation Safety Board, en bloc; that the nominations be confirmed, en bloc; that motions to reconsider be made and laid on the table, en bloc; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. KYL objected.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. WHITEHOUSE,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. WHITEHOUSE,

The Senate resumed its legislative session.

DANIEL PEARL FREEDOM OF THE PRESS ACT

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That the Committee on Foreign Relations be discharged from the further consideration of the bill (H.R. 3714) to amend the Foreign Assistance Act of 1961 to include in the Annual Country Reports on Human Rights Practices information about freedom of the press in foreign countries, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORIZING THE USE OF THE CAPITOL GROUNDS FOR THE NATIONAL PEACE OFFICERS' MEMORIAL SERVICE

On the request of Mr. WHITEHOUSE,

The PRESIDING OFFICER laid before the Senate the concurrent resolution (H. Con. Res. 264) authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service, received from the House of Representatives for concurrence on today, and at the desk.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXPRESSING THE SENSE OF THE CONGRESS RELATIVE TO RECOGNITION OF CERTAIN CONTRIBUTIONS IN RESPONSE TO HAITI EARTHQUAKE RELIEF EFFORTS

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the concurrent resolution (S. Con. Res. 61) expressing the sense of the Congress that general aviation pilots and industry should be recognized for the contributions made in response to Haiti earthquake relief efforts.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CONGRATULATING PUBLIC SERVANTS OF THE NATURAL RESOURCES CONSERVATION SERVICE

On the request of Mr. WHITEHOUSE,

The PRESIDING OFFICER laid before the Senate the concurrent resolution (S. Con. Res. 62) congratulating the outstanding professional public servants, both past and present, of the Natural Resources Conservation Service on the occasion of its 75th anniversary; submitted today by Mrs. LINCOLN (for herself, Mr. CHAMBLISS, Mrs., MURRAY, Mr. PRYOR, Mr. BAUCUS, Mr. CASEY, Mr. DURBIN, Mr. REID, Mr. KOHL, Mr. HARKIN, Mr. BENNET, Mr. BROWNBACK, Mr. GRASSLEY, Mr. CRAPO, Mr. LEAHY, and Mr. JOHANNS), and at the desk; and

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXPRESSING THE SENSE OF THE SENATE RELATIVE TO RECOGNITION OF PUBLIC SERVANTS

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That the Committee on Homeland Security and Governmental Affairs be discharged from the further consideration of the resolution (S. Res. 481) expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the Nation during Public Service Recognition Week, May 3 through 9, 2010.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING AS "DIA DE LOS NINOS: CELEBRATING YOUNG AMERICANS"

On the request of Mr. WHITEHOUSE,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 507) designating April 30, 2010, as "Dia de los Ninos: Celebrating Young Americans", submitted today by Mr. MENENDEZ (for himself, Mr. HATCH, Mr. REID, Mr. LUGAR, Mr. DURBIN, Mr. BINGAMAN, Mr. LAUTENBERG, Mrs. MURRAY, Mr. CASEY, Mrs. GILLIBRAND, and Mr. AKAKA), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of bill S. 3217.

ADJOURNMENT

By unanimous consent, on the request of Mr. WHITEHOUSE,

At 6:27 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

FRIDAY, APRIL 30, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, April 30, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

RESTORING AMERICAN FINANCIAL STABILITY ACT

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (S. 3217) to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3737, proposed by Mr. REID (for Mrs. BOXER), to amendment No. 3939 (in the nature of a substitute), proposed by Mr. REID for Mr. DODD (for himself and Mrs. LINCOLN), to the bill.

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. DODD,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5661. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Imidacloprid; Pesticide Tolerances" (FRL No. 8818-5), received in the Office of the President of the Senate on April 22, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5662. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Difenoconazole Pesticide Tolerances" (FRL No. 8817-3), received in the Office of the President of the Senate on April 22, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5663. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Cyromazine; Pesticide Tolerances" (FRL No. 8801-6), received in the Office of the President of the Senate on April 22, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5664. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Viruses, Serums, Toxins, and Analogous Products and Patent Term Restoration; Nonsubstantive Amendments" (Docket No. APHIS-2009-0069), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5665. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Raisins Produced From Grapes Grown in California; Final Free and Reserve Percentages for 2009-10 Crop Natural (Sun-Dried) Seedless Raisins" (Docket Nos. AMS-FV-09-0075; FV10-989-1 IFR), received in the Office of the President of the Senate on April 23, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5666. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Cranberries Grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York; Changes to Reporting Dates" (Docket Nos. AMS-FV-09-0073; FV10-929-1 FR), received in the Office of the President of the Senate on April 23, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5667. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General H. Steven Blum, Army National Guard of the United States, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-5668. A communication from the Under Secretary of Defense (Comptroller), Department of Defense, transmitting, pursuant to law, a quarterly report entitled, "Acceptance of Contributions for Defense Programs, Projects, and Activities; Defense Cooperation Account"; to the Committee on Armed Services.

EC-5669. A communication from the Under Secretary of Defense (Personnel and Readiness), Department of Defense, transmitting, pursuant to law, a report relative to the Foreign Language Skill Proficiency Bonus program; to the Committee on Armed Services.

EC-5670. A communication from the Under Secretary of Defense (Personnel and Readiness), Department of Defense, transmitting, pursuant to law, a report relative to the Critical Skills Retention Bonus program; to the Committee on Armed Services.

EC-5671. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency declared in Executive Order 12978 of October 21, 1995, with respect to significant narcotics traffickers centered in Colombia; to the Committee on Banking, Housing, and Urban Affairs.

EC-5672. A communication from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, a report entitled "Annual Report to Congress on Federal Government Energy Management and Conservation Programs, Fiscal Year 2007"; to the Committee on Energy and Natural Resources.

EC-5673. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Revisions to New Mexico Transportation Conformity Regulations" (FRL No. 9141-1), received in the Office of the President of the Senate on April 22, 2010; to the Committee on Environment and Public Works.

EC-5674. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Designation of Areas for Air Quality Planning Purposes; California; San Joaquin Valley, South Coast Air Basin, Coachella Valley, and Sacramento Metro 8-hour Ozone Nonattainment Areas; Reclassification" (FRL No. 9141-8), received in the Office of the President of the Senate on April 22, 2010; to the Committee on Environment and Public Works.

EC-5675. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Japan for the manufacture of F-15 aircraft fuel cells in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-5676. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to France for the manufacture of E-2C and E-2D aircraft empennage assemblies and spare parts in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-5677. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Use of Ozone-Depleting Substances; Removal of Essential-Use Designation (Flunisolide, etc.)" (Docket No. FDA-2006-N-0304), received in the Office of the President of the Senate on April 22, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5678. A communication from the Officer for Civil Rights and Civil Liberties, Department of Homeland Security, transmitting, pursuant to law, a report entitled "No FEAR Act: Fiscal Year 2009 Annual

Report to Congress"; to the Committee on Homeland Security and Governmental Affairs.

EC-5679. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Evidence that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC-5680. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Criminal Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC-5681. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Civil Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC-5682. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Bankruptcy Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC-5683. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Appellate Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC-5684. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Removal of Gear Restriction for the U.S./Canada Management Area" (RIN0648-XU84), received in the Office of the President of the Senate on April 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5685. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S. A. (EMBRAER) Model ERJ 170 and ERJ 190 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2007-28377)), received in the Office of the President of the Senate on April 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5686. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 Airplanes; and Model ERJ 190-100 STD, -100 LR, -100 IGW, -200 STD, -200 LR, and -200 IGW Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2009-1231)), received in the Office of the President of the Senate on April 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5687. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; British Aerospace Regional Aircraft Model HP.137 Jetstream Mk.1, Jetstream Series 200, Jetstream Series 3101, and Jetstream Model 3201 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0056)), received in the Office of the President of the Senate on April 23, 2010; to the Committee on Commerce, Science, and Transportation.

REPORT OF A COMMITTEE

The following report of committee was submitted:

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

Report to accompany S. 3217, An original bill to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes (Rept. No. 111-176).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. CRAPO (for himself and Mr. RISCH):

S. 3294. A bill to establish certain wilderness areas in central Idaho and to authorize various land conveyances involving National Forest System land and Bureau of Land Management land in central Idaho; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER (for himself, Mr. FEINGOLD, Mr. WYDEN, Mr. BAYH, Mr. FRANKEN, Mr. DURBIN, Mrs. MURRAY, Mr. LEAHY, Mr. BENNET, Mr. BROWN of Ohio, Mr. REED, Mr. WHITEHOUSE, Mr. SPECTER, Mr. MERKLEY, Ms. KLOBUCHAR, Mr. KAUFMAN, Mr. UDALL of Colorado, Mr. BINGAMAN, Mrs. GILLIBRAND, Mr. CASEY, Mr. BEGICH, Ms. MIKULSKI, Mr. SANDERS, Mr. HARKIN, Mr. ROCKEFELLER, Mrs. MCCASKILL, Mr. MENENDEZ, Mrs. SHAHEEN, Mr. LAUTENBERG, Mrs. FEINSTEIN, Mr. TESTER, Mr. BAUCUS, Mr. CONRAD, Mrs. BOXER, Mr. AKAKA, Mr. NELSON of Florida, Mr. LEVIN, and Mr. BURRIS):

S. 3295. A bill to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes; to the Committee on Rules and Administration.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Ms. KLOBUCHAR (for herself, Mr. BAYH, Mr. BURRIS, Mr. CASEY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LIEBERMAN, Mr. SCHUMER, Mr. ROCKEFELLER, Mrs. GILLIBRAND, and Ms. SNOWE):

S. Res. 510. A resolution designating April 2010 as "Distracted Driving Awareness Month"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 211

At the request of Mr. GRASSLEY, his name was added as a cosponsor of S. 211, a bill to facilitate nationwide availability of 2-1-1 telephone service for information and referral on human services and volunteer services, and for other purposes.

S. 493

At the request of Mr. CASEY, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 493, a bill to amend the Internal Revenue Code of 1986 to provide for the establishment of ABLE accounts for the care of family members with disabilities, and for other purposes.

S. 1580

At the request of Mr. HARKIN, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 1580, a bill to amend the Occupational Safety and Health Act of 1970 to expand coverage under the Act, to increase protections for whistleblowers, to increase penalties for certain violators, and for other purposes.

S. 3116

At the request of Mr. KERRY, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 3116, a bill to amend the Whale Conservation and Protection Study Act to promote international

whale conservation, protection, and research, and for other purposes.

S. 3134

At the request of Mr. SCHUMER, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 3134, a bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

S. 3136

At the request of Mr. DODD, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 3136, a bill to amend the Internal Revenue Code of 1986 to extend and increase the exclusion for benefits provided to volunteers firefighters and emergency medical responders.

S. 3165

At the request of Ms. LANDRIEU, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3165, a bill to authorize the Administrator of the Small Business Administration to waive the non-Federal share requirement under certain programs.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10:26 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2499. An act to provide for a federally sanctioned self-determination process for the people of Puerto Rico.

At 11:48 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 5146. An act to provide that Members of Congress shall not receive a cost of living adjustment in pay during fiscal year 2011.

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the ACTING PRESIDENT pro tempore (Mr. REID).

HOUSE BILL REFERRED

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

H.R. 2499. An act to provide for a federally sanctioned self-determination process for the people of Puerto Rico; to the Committee on Energy and Natural Resources.

DESIGNATING "DISTRACTED DRIVING AWARENESS MONTH"

On the request of Mr. DODD,

The PRESIDING OFFICER (Mr. FRANKEN in the chair) laid before the Senate the resolution (S. Res. 510) designating April 2010 as "Distracted Driving Awareness Month", submitted today by Ms. KLOBUCHAR (for herself, Mr. BAYH, Mr. BURRIS, Mr. CASEY, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LIEBERMAN, Mr. SCHUMER, Mr. ROCKEFELLER, Mrs. GILLIBRAND, and Ms. SNOWE), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, MAY 3, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DODD,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2 p.m. on Monday, May 3, 2010; that, on Monday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of bill S. 3217.

ADJOURNMENT

By unanimous consent, on the request of Mr. DODD,

At 12:54 p.m.,

The Senate adjourned, under its order of today, until 2 p.m. on Monday, May 3, 2010.

MONDAY, MAY 3, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, May 3, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of Friday, April 30, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Friday, April 30, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

RESTORING AMERICAN FINANCIAL STABILITY ACT

Pursuant to the order of Friday, April 30, 2010,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (S. 3217) to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end “too big to fail,” to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3737, proposed by Mr. REID for Mrs. BOXER (for herself and Mrs. MURRAY), to amendment No. 3739 (in the nature of a substitute), proposed by Mr. REID for Mr. DODD (for himself and Mrs. LINCOLN), to the bill.

Pending debate,

TRANSACTION OF MORNING BUSINESS

The following morning business occurred on today:

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by Mrs. Neiman, one of his secretaries:

CONTINUATION OF THE NATIONAL EMERGENCY DECLARED WITH RESPECT TO THE BLOCKING OF PROPERTY AND EXPORTATION OF CERTAIN GOODS TO SYRIA -- PM 51

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d), provides for the automatic termination of a national emergency, unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the actions of the Government of Syria declared in Executive Order 13338 of May 11, 2004, and relied upon for additional steps taken in Executive Order 13399 of April 25, 2006, and Executive Order 13460 of February 13, 2008, is to continue in effect beyond May 11, 2010.

While the Syrian government has made some progress in suppressing foreign fighter networks infiltrating suicide bombers into Iraq, its actions and polices, including continuing support for terrorist organizations and pursuit of weapons of mass destruction and missile programs, pose a continuing unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue in effect the national emergency declared with respect to this threat and to maintain in force the sanctions to address this national emergency. As we have communicated to the Syrian government directly, Syrian actions will determine whether this national emergency is renewed or terminated in the future.

BARACK OBAMA.

THE WHITE HOUSE, *May 3, 2010.*

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5688. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-243, -341, -342, and -343 Airplanes Equipped with Rolls-Royce Trent 700 Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0391)), received in the Office of the President of the Senate on April 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5689. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 and 440) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1068)), received in the Office of the President of the Senate on April 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5690. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-200, A330-300, and A340-300 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1108)), received in the Office of the President of the Senate on April 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5691. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model 340-500 and -600 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0282)), received in the Office of the President of the Senate on April 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5692. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce plc RB211-Trent 700 Series Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2005-19559)), received in the Office of the President of the Senate on April 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5693. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D Airspace; Hollywood, FL" ((RIN2120-AA66)(Docket No. FAA-2010-0300)), received in the Office of the President of the Senate on April 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5694. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace, Oxnard, CA" ((RIN2120-AA66)(Docket No. FAA-2009-1009)), received in the Office of the President of the Senate on April 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5695. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Dallas - Fort Worth, TX" ((RIN2120-AA66)(Docket No. FAA-2009-0926)), received in the Office of the President of the Senate on April 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5696. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Altus, OK" ((RIN2120-AA66)(Docket No. FAA-2009-0405)), received in the Office of the President of the Senate on April 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5697. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace, Rifle, CO" ((RIN2120-AA66)(Docket No. FAA-2009-1014)), received in the Office of the President of the Senate on April 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5698. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; North Bend, OR" ((RIN2120-AA66)(Docket No. FAA-2009-0831)), received in the Office of the President of the Senate on April 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5699. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Low Altitude Area Navigation Route T-254; Houston, TX" ((RIN2120-AA66)(Docket No. FAA-2010-0015)), received in the Office of the President of the Senate on April 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5700. A communication from the Senior Legal Advisor and Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of the Amateur Service Rules to Facilitate Use of Spread Spectrum Communications Technologies" (FCC 10-38), received in the Office of the President of

the Senate on April 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5701. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards; Roof Crush Resistance" (RIN2127-AG51), received in the Office of the President of the Senate on April 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5702. A communication from the Senior Regulations Analyst, Office of the Secretary of Transportation, Department of Transportation, transmitting, pursuant to law, a rule entitled "Short-Term Lending Program" (RIN2105-AD50), received in the Office of the President of the Senate on April 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5703. A communication from the Attorney-Advisor, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "National Standards for Traffic Control Devices; the Manual on Uniform Traffic Control Devices for Streets and Highways; Revision" (RIN2125-AF22), received in the Office of the President of the Senate on March 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5704. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Television Broadcasting Services; Beaumont, TX" (MB Docket No. 10-49), received in the Office of the President of the Senate on April 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5705. A communication from the Acting Associate Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "High-Cost Universal Service Support, Jurisdictional Separations, and Coalition for Equity in Switching Support Petition for Reconsideration" (FCC10-44), received in the Office of the President of the Senate on April 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5706. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Tax Treatment of Health Care Benefits Provided with Respect to Children Under Age 27" (Notice No. 2010-38), received in the Office of the President of the Senate on April 29, 2010; to the Committee on Finance.

EC-5707. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Tebuconazole; Pesticide Tolerances" (FRL No. 8821-4), received in the Office of the President of the Senate on April 30, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5708. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Cyprodinil; Pesticide Tolerances" (FRL No. 8818-8), received in the Office of the President of the Senate on April 28, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5709. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Phosphate Ester, Tallowmine, Ethoxylated; Exemption from the Requirement of a Tolerance" (FRL No. 8816-4), received in the Office of the President of the Senate on April 28, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5710. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Spirodiclofen; Pesticide Tolerances" (FRL No. 8820-4), received in the Office of the President of the Senate on April 28, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5711. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Milk in the Northeast and Other Marketing Areas; Order Amending the Orders" (Docket No. AMS-DA-09-0007; AO-14-A78, et al.; DA-09-02), received in the Office of the President of the Senate on April 29, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5712. A communication from the Regulatory Analyst, Grain Inspection, Packers and Stockyards Administration, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Swine Contract Library" (RIN0580-AB06), received in the Office of the President of the Senate on May 3, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5713. A communication from the Acting Assistant Secretary of Defense (Health Affairs), Department of Defense, transmitting, pursuant to law, the Department of Defense Evaluation of the TRICARE Program Fiscal Year 2010 Report; to the Committee on Armed Services.

EC-5714. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Board of Directors of Federal Home Loan Bank System Office of Finance" (RIN2590-AA30), received in the Office of the President of the Senate on April 29, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5715. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District" (FRL No. 9137-8), received in the Office of the President of the Senate on April 30, 2010; to the Committee on Environment and Public Works.

EC-5716. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Indiana; Volatile Organic Compound Automobile Refinishing Rules for Indiana" (FRL No. 9136-7), received in the Office of the President of the Senate on April 30, 2010; to the Committee on Environment and Public Works.

EC-5717. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Placer County Air Pollution Control District, Sacramento Metropolitan Air Quality Management District, San Joaquin Valley Unified Air Pollution Control District, and South Coast Air Quality Management District" (FRL No. 9135-3), received in the Office of the President of the Senate on April 30, 2010; to the Committee on Environment and Public Works.

EC-5718. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Protection of Stratospheric Ozone: The 2010 Critical Use Exemption from the Phaseout of Methyl Bromide" (FRL No. 9144-5), received in the Office of the President of the Senate on April 30, 2010; to the Committee on Environment and Public Works.

EC-5719. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the

report of a rule entitled "Approval and Promulgation of Implementation Plans; New Mexico; Interstate Transport of Pollution" (FRL No. 9144-4), received in the Office of the President of the Senate on April 30, 2010; to the Committee on Environment and Public Works.

EC-5720. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Colorado; Revisions to Regulation Number 1" (FRL No. 9114-3), received in the Office of the President of the Senate on April 28, 2010; to the Committee on Environment and Public Works.

EC-5721. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Lead; Amendment to the Opt-out and Recordkeeping Provisions in the Renovation, Repair, and Painting Program" (FRL No. 8823-7), received in the Office of the President of the Senate on April 28, 2010; to the Committee on Environment and Public Works.

EC-5722. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Mandatory Reporting of Greenhouse Gases: Minor Harmonizing Changes to the General Provisions" (FRL No. 9143-5), received in the Office of the President of the Senate on April 28, 2010; to the Committee on Environment and Public Works.

EC-5723. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Ocean Dumping; Designation of Ocean Dredged Material Disposal Sites offshore of the Siuslaw River, Oregon" (FRL No. 9143-2), received in the Office of the President of the Senate on April 28, 2010; to the Committee on Environment and Public Works.

EC-5724. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to West Onslow Beach and New River Inlet (Topsail Beach), North Carolina; to the Committee on Environment and Public Works.

EC-5725. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Center for Devices and Radiological Health; New Address Information" (Docket No. FDA-2010-N-0010), received in the Office of the President of the Senate on May 3, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5726. A communication from the Director, Strategic Human Resources Policy Division, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Changes in the Federal Employees Dental and Vision Insurance Program" (RIN3206-AL78), received in the Office of the President of the Senate on April 29, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5727. A communication from the Auditor of the District of Columbia, transmitting, pursuant to law, a report entitled "Audit of the Fleet Management Administration of the Department of Public Works"; to the Committee on Homeland Security and Governmental Affairs.

EC-5728. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's 48th Annual Report of the activities of the Federal Maritime Commission for fiscal year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-5729. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report relative to Indian Health Service funding for contract support costs of self-determination awards; to the Committee on Indian Affairs.

EC-5730. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, an annual report on applications made by the Government for authority to conduct electronic surveillance and physical searches during calendar year 2009; to the Committee on the Judiciary.

EC-5731. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report on the Department's activities during Calendar Year 2009 relative to the Equal Credit Opportunity Act; to the Committee on the Judiciary.

EC-5732. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report relative to wiretaps; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-98. A concurrent resolution adopted by the Senate of the Legislature of the State of Missouri relative to urging the United States Congress to strongly support the continuation of horse processing in the United States and to offer incentives that help create horse processing plants throughout the United States; to the Committee on Agriculture, Nutrition, and Forestry.

SENATE CONCURRENT RESOLUTION NO. 8

Whereas, horse processing is the most tightly regulated of any animal harvest, and the horse is the only animal that has its transportation to processing regulated. If horse processing plants are forced to close and export options are eliminated, the Horse Welfare Coalition estimates that 90,000 to 100,000 unwanted horses annually would be exposed to potential abandonment and neglect; and

Whereas, the 90,000 to 100,000 additional unwanted horses each year would compete for adoption with the 32,000 wild horses that United States taxpayers are already paying $40 million to shelter and feed; and

Whereas, the nation's inadequate, overburdened, and unregulated horse rescue and adoption facilities cannot handle the influx of the approximately 60,000 or more additional horses each year that would result from a harvesting ban, according to the Congressional Research Service; and

Whereas, many zoo animal diets rely on equine protein because it mimics what the animal would receive in the wild. Veterinarians and animal nutritionists say it is the healthiest diet for big cats and rare birds. If legislation shuts down horse processing facilities, the only source for this meat that is inspected by the U.S. Department of Agriculture (USDA) will be eliminated: Now therefore be it

Resolved, That the members of the Missouri Senate, Ninety-fifth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the United States Congress to strongly support the continuation of horse processing in the United States and to offer incentives that help create horse processing plants throughout the United States, such as state-inspected horse harvest for export; and be it further

Resolved, That the members of the Missouri General Assembly strongly encourage Congress to support new horse processing facilities and the continuation of existing facilities on both the state and national level; and be it further

Resolved, That the members of the Missouri General Assembly urge Congress to oppose any legislation introduced in the 111th Congress that would restrict the transportation and processing of horses in the

United States and internationally; and be it further

Resolved, That the members of the Missouri General Assembly support the location of USDA-approved horse processing facilities on state, tribal, or private lands under mutually-acceptable and market-driven land leases and, if necessary, a mutually-acceptable assignment of revenues that meet the needs of all parties involved with the facility; and be it further

Resolved, That the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States Senate, the Speaker of the United States House of Representatives and the members of the Missouri Congressional delegation.

REPORT OF A COMMITTEE

The following report of committee was submitted:

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

S. 707. A bill to enhance the Federal Telework Program (Rept. No. 111-177).

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. LEAHY:

S. Res. 511. A resolution commemorating and acknowledging the dedication and sacrifices made by the Federal, State, and local law enforcement officers who have been killed or injured in the line of duty; to the Committee on the Judiciary.

By Mr. JOHNSON:

S. Res. 512. A resolution designating June 2010 as "National Aphasia Awareness Month" and supporting efforts to increase awareness of aphasia; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 132

At the request of Mrs. FEINSTEIN, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 132, a bill to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to expand and improve gang prevention programs, and for other purposes.

S. 632

At the request of Mr. BAUCUS, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 632, a bill to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly.

S. 678

At the request of Mr. LEAHY, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 678, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 686

At the request of Ms. MIKULSKI, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 686, a bill to establish the Social Work Reinvestment Commission to advise Congress and the Secretary of Health and Human Services on policy issues associated with the profession of social work, to authorize the Secretary to make grants to support recruitment for, and retention, research, and reinvestment in, the profession, and for other purposes.

S. 729

At the request of Mr. DURBIN, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 729, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

S. 973

At the request of Mr. NELSON of Florida, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 973, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 1492

At the request of Ms. MIKULSKI, the name of the Senator from Iowa [Mr. GRASSLEY] was added as a cosponsor of S. 1492, a bill to amend the Public Health Service Act to fund breakthroughs in Alzheimer's disease research while providing more help to caregivers and increasing public education about prevention.

S. 1668

At the request of Mr. BENNET, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 1668, a bill to amend title 38, United States Code, to provide for the inclusion of certain active duty service in the reserve components as qualifying service for purposes of Post-9/11 Educational Assistance Program, and for other purposes.

S. 1724

At the request of Mr. SCHUMER, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 1724, a bill to establish a competitive grant program in the Department of Justice to be administered by the Bureau of Justice Assistance which shall assist local criminal prosecutor's offices in investigating and prosecuting crimes of real estate fraud.

S. 2801

At the request of Mr. FRANKEN, the names of the Senator from Illinois [Mr. BURRIS] and the Senator from Maryland [Ms. MIKULSKI] were added as cosponsors of S. 2801, a bill to provide children in foster care with school stability and equal access to educational opportunities.

S. 2947

At the request of Mr. CARDIN, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 2947, a bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation.

S. 3102

At the request of Mr. MERKLEY, the names of the Senator from New Mexico [Mr. UDALL] and the Senator from Ohio [Mr. BROWN] were added as cosponsors of S. 3102, a bill to amend the miscellaneous rural development provisions of the Farm Security and Rural Investment Act of 2002 to authorize the Secretary of Agriculture to make loans to certain entities that will use the funds to make loans to consumers to implement energy efficiency measures involving structural improvements and investments in cost-effective, commercial off-the-shelf technologies to reduce home energy use.

S. 3202

At the request of Mr. LUGAR, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 3202, a bill to promote the strengthening of the Haitian private sector.

S. 3206

At the request of Mr. HARKIN, the names of the Senator from South Dakota [Mr. JOHNSON] and the Senator from Oregon [Mr. WYDEN] were added as cosponsors of S. 3206, a bill to establish an Education Jobs Fund.

S. 3219

At the request of Mr. DURBIN, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 3219, a bill to amend title 11, United States Code, with respect to certain exceptions to discharge in bankruptcy.

S. 3234

At the request of Mrs. MURRAY, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 3234, a bill to improve employment, training, and placement services furnished to veterans, especially those serving in Operation Iraqi Freedom and Operation Enduring Freedom, and for other purposes.

S. 3238

At the request of Mr. SCHUMER, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 3238, a bill to provide for a medal of appropriate design to be awarded by the President to the next of kin or other representative of those individuals killed as a result of the terrorist attacks of September 11, 2001, and to the memorials established at the 3 sites that were attacked on that day.

S. 3266

At the request of Mr. BENNET, the names of the Senator from Georgia [Mr. ISAKSON], the Senator from Montana [Mr. TESTER], the Senator from Illinois [Mr. BURRIS], the Senator from Georgia [Mr. CHAMBLISS] and the Senator from Michigan [Mr. LEVIN] were added as cosponsors of S. 3266, a bill to ensure the availability of loan guarantees for rural homeowners.

S. 3272

At the request of Mr. BENNET, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of S. 3272, a bill to provide greater controls and restrictions on revolving door lobbying.

S. 3287

At the request of Mr. BROWNBACK, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 3287, a bill to award a Congressional Gold Medal in honor of the recipients of assistance under the Servicemen's Readjustment Act of 1944 (commonly referred to as the "GI Bill of Rights") in recognition of the great contributions such recipients made to the Nation in both their military and civilian service and the contributions of Harry W. Colmery in initiating actions which led to the enactment of that Act, and for other purposes.

S. 3295

At the request of Mr. SCHUMER, the names of the Senator from Virginia [Mr. WEBB], the Senator from New Mexico [Mr. UDALL] and the Senator from Maryland [Mr. CARDIN] were added as cosponsors of S. 3295, a bill to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes.

SENATE RESOLUTION 411

At the request of Mrs. LINCOLN, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of Senate Resolution 411, a resolution recognizing the importance and sustainability of the United States hardwoods industry and urging that United States hardwoods and the products derived from United States hardwoods be given full consideration in any program to promote construction of environmentally preferable commercial, public, or private buildings.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period of one hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; that the majority control the first half therein, and the minority control the second half therein; and that, following morning business, the Senate resume consideration of bill S. 3217.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 2:15 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mr. DURBIN,

At 6:32 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

TUESDAY, MAY 4, 2010

Mrs. JEANNE SHAHEEN, from the State of New Hampshire, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mrs. SHAHEEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, May 4, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. SHAHEEN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. INHOFE (for himself, Mr. COBURN, Mr. VITTER, Mr. BARRASSO, Mr. CRAPO, Mr. ALEXANDER, Mr. BOND, Mr. HATCH, Mr. DEMINT, Mr. BUNNING, Mr. BROWN of Massachusetts, Mr. CORNYN, Ms. COLLINS, Mr. ENZI, Mrs. HUTCHISON, Mr. GRASSLEY, Mr. RISCH, Mr. BROWNBACK, Mr. COCHRAN, Mr. MCCONNELL, Mr. ISAKSON, Mr. WICKER, Mr. CHAMBLISS, Mr. ROBERTS, and Mr. BURR):

S. 3296. A bill to delay the implementation of certain final rules of the Environmental Protection Agency in States until accreditation classes are held in the States for a period of at least 1 year; to the Committee on Environment and Public Works.

By Mr. FEINGOLD (for himself, Mr. ISAKSON, and Mr. KERRY):

S. 3297. A bill to update United States policy and authorities to help advance a genuine transition to democracy and to promote recovery in Zimbabwe; to the Committee on Foreign Relations.

By Mr. UDALL of Colorado (for himself and Mr. FRANKEN):

S. 3298. A bill to establish a pilot program to reduce the increasing prevalence of overweight/obesity among 0-5 year-olds in child care settings; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself, Mr. KERRY, Mr. CARPER, Ms. CANTWELL, Mr. MERKLEY, and Mrs. GILLIBRAND):

S. 3299. A bill to amend the Help America Vote Act of 2002 to allow all eligible voters to vote by mail in Federal elections; to the Committee on Rules and Administration.

By Mr. WYDEN (for himself, Mr. KERRY, Mr. CARPER, Ms. CANTWELL, Mr. MERKLEY, and Mrs. GILLIBRAND):

S. 3300. A bill to establish a Vote by Mail grant program; to the Committee on Rules and Administration.

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

S. 3301. A bill to establish an Online Voter Registration grant program; to the Committee on Rules and Administration.

By Mr. ROCKEFELLER (for himself, Mr. PRYOR, Mrs. BOXER, Ms. CANTWELL, Mr. LAUTENBERG, Ms. KLOBUCHAR, Mr. BEGICH, and Mr. UDALL of New Mexico):

S. 3302. A bill to amend title 49, United States Code, to establish new automobile safety standards, make better motor vehicle safety information available to the National Highway Traffic Safety Administration and the public, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BENNET (for himself and Mr. UDALL of Colorado):

S. 3303. A bill to establish the Chimney Rock National Monument in the State of Colorado; to the Committee on Energy and Natural Resources.

By Mr. PRYOR (for himself, Mr. KERRY, Mr. CONRAD, and Mr. DORGAN):

S. 3304. A bill to increase the access of persons with disabilities to modern communications, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MENENDEZ (for himself, Mr. NELSON of Florida, Mr. LAUTENBERG, Mr. CARDIN, Mr. SCHUMER, Mr. WHITEHOUSE, and Mr. SANDERS):

S. 3305. A bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MENENDEZ (for himself, Mr. NELSON of Florida, Mr. LAUTENBERG, Mr. CARDIN, Mr. SCHUMER, Mr. WHITEHOUSE, and Mr. SANDERS):

S. 3306. A bill to amend the Internal Revenue Code of 1986 to require polluters to pay the full cost of oil spills, and for other purposes; to the Committee on Finance.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. TESTER (for himself and Mr. BURR):

S. Res. 513. A resolution designating July 9, 2010, as "Collector Car Appreciation Day" and recognizing that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 632

At the request of Mr. BAUCUS, the names of the Senator from Oklahoma [Mr. COBURN] and the Senator from Arizona [Mr. MCCAIN] were added as cosponsors of S. 632, a bill to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly.

S. 1215

At the request of Mr. CASEY, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 1215, a bill to amend the Safe Drinking Water Act to repeal a certain exemption for hydraulic fracturing, and for other purposes.

S. 1228

At the request of Mr. AKAKA, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 1228, a bill to amend chapter 63 of title 5, United States Code, to modify the rate of accrual of annual leave for administrative law judges, contract appeals board members, and immigration judges.

S. 1345

At the request of Mr. REED, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 1345, a bill to aid and support pediatric involvement in reading and education.

S. 1353

At the request of Mr. LEAHY, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 1353, a bill to amend title 1 of the Omnibus Crime Control and Safe Streets Act of 1986 to include nonprofit and volunteer ground and air ambulance crew members and first responders for certain benefits.

S. 1611

At the request of Mr. GREGG, the name of the Senator from Massachusetts [Mr. BROWN] was added as a cosponsor of S. 1611, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 3058

At the request of Mr. DORGAN, the names of the Senator from Arkansas [Mr. PRYOR], the Senator from Connecticut [Mr. LIEBERMAN] and the Senator from Indiana [Mr. BAYH] were added as cosponsors of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3102

At the request of Mr. MERKLEY, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 3102, a bill to amend the miscellaneous rural development provisions of the Farm Security and Rural Investment Act of 2002 to authorize the Secretary of Agriculture to make loans to certain entities that will use the funds to make loans to consumers to implement energy efficiency measures involving structural improvements and investments in cost-effective, commercial off-the-shelf technologies to reduce home energy use.

S. 3116

At the request of Mr. KERRY, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 3116, a bill to amend the Whale Conservation and Protection Study Act to promote international whale conservation, protection, and research, and for other purposes.

S. 3117

At the request of Mr. WYDEN, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 3117, a bill to strengthen the capacity of eligible institutions to provide instruction in nanotechnology.

S. 3151

At the request of Mr. KERRY, the names of the Senator from New Hampshire [Mrs. SHAHEEN], the Senator from Maryland [Mr. CARDIN] and the Senator from New Jersey [Mr. LAUTENBERG] were added as cosponsors of S. 3151, a bill to establish the Office for Global Women's Issues and the Women's Development Advisor to facilitate interagency coordination and the integration of gender considerations into the strategies, programming, and associated outcomes of the Department of State and the United States Agency for International Development, and for other purposes.

S. 3247

At the request of Mr. UDALL of Colorado, the names of the Senator from Missouri [Mr. BOND], the Senator from Mississippi [Mr. COCHRAN] and the Senator from New Jersey [Mr. LAUTENBERG] were added as cosponsors of S. 3247, a bill to amend the Fair Credit Reporting Act with respect to fair and reasonable fees for credit scores.

S. 3275

At the request of Mr. BAUCUS, the names of the Senator from New Jersey [Mr. MENENDEZ] and the Senator from Florida [Mr. LEMIEUX] were added as cosponsors of S. 3275, a bill to extend the Caribbean Basin Economic Recovery Act, to provide customs

support services to Haiti, and for other purposes.

S. 3283

At the request of Mrs. BOXER, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 3283, a bill to designate Mt. Andrea Lawrence.

S. 3295

At the request of Mr. SCHUMER, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 3295, a bill to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes.

SENATE RESOLUTION 507

At the request of Mr. MENENDEZ, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of Senate Resolution 507, a resolution designating April 30, 2010, as "Dia de los Ninos: Celebrating Young Americans".

SENATE RESOLUTION 511

At the request of Mr. LEAHY, the names of the Senator from Alabama [Mr. SESSIONS], the Senator from Illinois [Mr. DURBIN], the Senator from Pennsylvania [Mr. SPECTER], the Senator from Wisconsin [Mr. KOHL], the Senator from Minnesota [Ms. KLOBUCHAR], the Senator from California [Mrs. FEINSTEIN], the Senator from Rhode Island [Mr. WHITEHOUSE] and the Senator from South Carolina [Mr. GRAHAM] were added as cosponsors of Senate Resolution 511, a resolution commemorating and acknowledging the dedication and sacrifices made by the Federal, State, and local law enforcement officers who have been killed or injured in the line of duty.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. DODD,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session on May 4, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "The President's Proposed Fee on Financial Institutions Regarding TARP: Part 2".

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "ESEA Reauthorization: Improving America's Secondary Schools" on Tuesday, May 4, 2010. The hearing will commence at 2 p.m. in room 430 of the Dirksen Senate Office Building.

SUBCOMMITTEE ON CRIME AND DRUGS

The Committee on the Judiciary, Subcommittee on Crime and Drugs, be authorized to meet during the session of the Senate, on May 4, 2010, at 9:30 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Wall Street Fraud and Fiduciary Duties: Can Jail Time Serve as an Adequate Deterrent for Willful Violations?"

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

The Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on May 4, 2010, at 2:30 p.m. to conduct a hearing titled, "Recruiting and Retaining a Robust Federal Workforce."

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 3:27 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3714. An act to amend the Foreign Assistance Act of 1961 to include the Annual Country Reports on Human Rights Practices information about freedom of the press in foreign countries, and for other purposes.

RESTORING AMERICAN FINANCIAL STABILITY ACT

Pursuant to the order of yesterday,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) laid before the Senate its pending business, viz, the bill (S. 3217) to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail," to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3737, proposed by Mr. REID for Mrs. BOXER (for herself, Mrs. MURRAY, and Mrs. SHAHEEN), to amendment No. 3739 (in the nature of a substitute), proposed by Mr. REID for Mr. DODD (for himself and Mrs. LINCOLN), to the bill.

Pending debate,

RECESS

Pursuant to the order of yesterday, as modified,

At 12:27 p.m.,

The PRESIDING OFFICER declared the Senate recessed until 2:15 p.m.

AT 2:15 P.M.

The PRESIDING OFFICER (Mr. BEGICH in the chair) called the Senate to order.

RESTORING AMERICAN FINANCIAL STABILITY ACT

The Senate resumed consideration of bill S. 3217.

The question being on agreeing to amendment No. 3737 to amendment No. 3739 (in the nature of a substitute) to the bill.

Pending debate,

By unanimous consent, on the request of Mr. DODD,

Ordered, That the pending amendment be laid aside; that Ms. SNOWE be recognized to propose amendments Numbered 3755 and 3757; that no amendment be in order to either amendment; that, upon conclusion of debate on the amendments, they be laid aside; and that the question recur on agreeing to amendment No. 3737.

Pursuant to the foregoing order,

The question being on agreeing to amendment No. 3739 (in the nature of a substitute) to the bill.

Pursuant to the order of today,

On motion by Ms. SNOWE to amend the pending amendment (in the nature of a substitute) by striking section 1071 (being amendment No. 3755).

By unanimous consent, on the request of Ms. SNOWE,

Ordered, That Mrs. SHAHEEN be added as cosponsor of the pending amendment.

The question being on agreeing to amendment No. 3755 to amendment No. 3739 (in the nature of a substitute) to the bill.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute) to the bill.

Pursuant to the order of today,

On motion by Ms. SNOWE to amend the pending amendment (in the nature of a substitute) in section 1031, at the end thereof, by adding certain words (being amendment No. 3757).

Pending debate,

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3737 to amendment No. 3739 (in the nature of a substitute) to the bill.

DESIGNATING "COLLECTOR CAR APPRECIATION DAY"

On the request of Mr. REID,

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) laid before the Senate the resolution (S. Res. 513) designating July 9, 2010, as "Collector Car Appreciation Day" and recognizing that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States, submitted today by Mr. TESTER (for himself, and Mr. BURR), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of bill S. 3217.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 7:10 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

WEDNESDAY, MAY 5, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, May 5, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. TOM UDALL took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

RESTORING AMERICAN FINANCIAL STABILITY ACT

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (S. 3217) to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail," to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3737, proposed by Mr. REID for Mrs. BOXER (for herself, Mrs. MURRAY, and Mrs. SHAHEEN), to amendment No. 3739 (in the nature of a substitute), proposed by Mr. REID for Mr. DODD (for himself and Mrs. LINCOLN), to the bill.

Pending debate,

ORDER FOR EXECUTIVE SESSION

By unanimous consent, on the request of Mr. DODD,

As in executive session,

Ordered, That, at 2:45 p.m. on today, the Senate proceed to executive session to vote in "stacked" sequence on confirmation of the nominations of Gloria M. Navarro, of Nevada, to be United States District Judge for the District of Nevada; Nancy D. Freudenthal, of Wyoming, to be United States District Judge for the District of Wyoming; Denzil Price Marshall Jr., of Arkansas, to be United States District Judge for the Eastern District of Arkansas; that there be 2 minutes, equally divided and controlled in the usual form, for debate prior to each vote; that, following the votes, motions to reconsider be considered made and laid on the table; that the President be immediately notified of the Senate's action; and that the Senate resume its legislative session.

ORDER FOR FURTHER CONSIDERATION OF BILL S. 3217 ON TODAY

By unanimous consent, on the request of Mr. DODD,

Ordered, That, following executive session, the Senate resume consideration of bill S. 3217, and amendment No. 3737 thereto; that there be 4 minutes, equally divided and controlled in the usual form, for debate on the amendment; that, upon conclusion of debate, the Senate vote in relation to the amendment; that, following the vote, Mr. SHELBY, or his designee, be recognized to propose an amendment; that there be 4 minutes, equally divided and controlled in the usual form, for debate thereon; that, upon conclusion of debate, the Senate vote in relation to the amendment; and that no amendment be in order to either amendment prior to a vote in relation thereto.

Ordered further, That the question then recur on agreeing to amendments Numbered 3755 and 3757, en bloc; that the Senate vote in relation thereto; and that no amendment be in order to either amendment.

Ordered further, That the following be next recognized to propose amendments in the following order:

The minority leader, or his designee, an amendment, relative to consumer protection;

Mr. TESTER (for himself and Mrs. HUTCHISON), an amendment (Numbered 3749).

EXECUTIVE SESSION

The hour of 2:45 p.m. having arrived,

Pursuant to the order of today,

The Senate proceeded to executive session (and consideration of executive business, involving two rollcall Votes).

LEGISLATIVE SESSION

Pursuant to the order of today,

The Senate resumed its legislative session.

RESTORING AMERICAN FINANCIAL STABILITY ACT

Pursuant to the order of today,

The Senate resumed consideration of bill S. 3217.

The question being on agreeing to amendment No. 3737 to amendment No. 3739 (in the nature of a substitute) to the bill.

After debate,

On motion by Mr. SHELBY,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the affirmative---
yeas... 96, nays... 1

[Rollcall Vote No. 130 Leg.]

YEAS --- 96

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Brownback, Bunning, Burr, Burris, Cantwell, Cardin, Carper, Casey, Chambliss, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dodd, Dorgan, Durbin, Ensign, Enzi, Feingold, Feinstein, Franken, Gillibrand, Graham, Grassley, Gregg, Hagan, Harkin, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kaufman, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lincoln, Lugar, McCain, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Risch, Roberts, Rockefeller, Sanders, Schumer, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Whitehouse, Wicker, Wyden.

NAYS --- 1

Kyl.

So the amendment was agreed to.

On motion by Mr. DODD to reconsider the vote agreeing to the amendment.

On motion by Mr. INOUYE,

The motion to reconsider was laid on the table.

Pursuant to the order of today,

On motion by Mr. SHELBY (for himself and Mr. DODD) to further amend the pending amendment (in the nature of a substitute) on various pages and lines, by striking certain words and inserting other words (being amendment No. 3827).

After debate,

On motion by Mr. DODD,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the affirmative---
yeas... 93, nays... 5

[Rollcall Vote No. 131 Leg.]

YEAS --- 93

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Brownback, Bunning, Burr, Burris, Cantwell, Cardin, Carper, Casey, Chambliss, Cochran, Collins, Conrad, Corker, Crapo, Dodd, Durbin, Ensign, Enzi, Feingold, Feinstein, Franken, Gillibrand, Graham, Grassley, Gregg, Hagan, Harkin, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lincoln, Lugar, McCain, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Risch, Roberts, Rockefeller, Sanders, Schumer, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Whitehouse, Wicker, Wyden.

NAYS --- 5

Coburn, Cornyn, DeMint, Dorgan, Hatch.

So the amendment was agreed to.

On motion by Mr. DODD to reconsider the vote agreeing to the amendment.

On motion by Mr. SHELBY,

The motion to reconsider was laid on the table.

Pursuant to the order of today,

The question recurring on agreeing to amendments numbered 3755, proposed by Ms. SNOWE (for herself and Mrs. SHAHEEN), and 3757, proposed by Ms. SNOWE, en bloc.

The amendments, en bloc, were agreed to.

On motion by Mr. DODD to reconsider the vote agreeing to the amendments, en bloc.

On motion by Mr. SHELBY,

The motion to reconsider was laid on the table.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. SHELBY (for himself, Mr. MCCONNELL, Mr. BENNETT, Mr. CRAPO, Mr. CORKER, Mr. JOHANNS, Mrs. HUTCHISON, Mr. VITTER, Mr. BUNNING, Mr. CHAMBLISS, Mr. CORNYN, Mr. BOND, Mr. ENZI, and Mr. ALEXANDER) to further amend the pending amendment (in the nature of a substitute) by striking title X, and inserting in lieu thereof other words (being amendment No. 3826).

Pending debate,

The pending amendment was laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today,

On motion by Mr. TESTER (for himself, Mr. CONRAD, Mrs. MURRAY, Mr. BURRIS, Mrs. HUTCHISON, Mr. SCOTT BROWN, Mr. HARKIN, Mrs. SHAHEEN, Mr. CORNYN, Mr. JOHANNS, Mr. BILL NELSON, Mr. BEN NELSON, Mrs. MCCASKILL, and Ms. MURKOWSKI) to further amend the pending amendment (in the nature of a substitute) on page 368, striking all beginning on line 3 through line 14 on page 369, and inserting in lieu thereof other words (being amendment No. 3749).

Pending debate,

By unanimous consent, on the request of Mr. DODD,

Ordered, That, on tomorrow, the time until 10 a.m. be equally divided and controlled in the usual form for debate on amendment No. 3749; that, at 10 a.m., the Senate vote in relation to the amendment; that no amendment be in order prior to the vote; and that, upon disposition of amendment No. 3826, Mr. SANDERS be next recognized to propose an amendment (No. 3738).

The question being on agreeing to amendment No. 3749 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. DODD,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by Mrs. Neiman, one of his secretaries:

PROPOSED AGREEMENT FOR COOPERATION BETWEEN THE UNITED STATES OF AMERICA AND AUSTRALIA CONCERNING PEACEFUL USES OF NUCLEAR ENERGY -- PM 52

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

To the Congress of the United States:

I am pleased to transmit to the Congress, pursuant to sections 123b. and 123d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b), (d)) (the "Act"), the text of a proposed Agreement between the Government of the United States of America and the Government of Australia Concerning Peaceful Uses of Nuclear Energy. I am also pleased to transmit my written approval, authorization, and determination concerning the Agreement, and an unclassified Nuclear Proliferation Assessment Statement (NPAS) concerning the Agreement. In accordance with section 123 of the Act, as amended by title XII of the Foreign Affairs Reform and Restructuring Act of 1998 (Public Law 105-277), a classified annex to the NPAS, prepared by the Secretary of State in consultation with the Director of National Intelligence, summarizing relevant classified information, will be submitted to the Congress separately. The joint memorandum submitted to me by the Secretaries of State and Energy and a letter from the Chairman of the Nuclear Regulatory Commission stating the views of the Commission are also enclosed.

The proposed Agreement has been negotiated in accordance with the Act and other applicable law. In my judgment, it meets all applicable statutory requirements

and will advance the nonproliferation and other foreign policy interests of the United States.

The proposed Agreement provides a comprehensive framework for peaceful nuclear cooperation with Australia based on a mutual commitment to nuclear nonproliferation. The Agreement has an initial term of 30 years from the date of its entry into force, and will continue in force thereafter for additional periods of 5 years each, unless terminated by either party on 6 months' advance written notice at the end of the initial 30-year term or at the conclusion of any of the additional 5-year periods. The proposed Agreement permits the transfer of information, material, equipment (including reactors), and components for nuclear research and nuclear power production. It does not permit transfers of Restricted Data, sensitive nuclear technology, sensitive nuclear facilities, or major critical components of such facilities. In the event of termination of the proposed Agreement, key nonproliferation conditions and controls continue with respect to material, equipment, and components subject to the proposed Agreement.

Australia is a non-nuclear weapon state party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Australia has concluded a Safeguards Agreement and Additional Protocol with the International Atomic Energy Agency. Australia is a party to the Convention on the Physical Protection of Nuclear Material, which establishes international standards of physical protection for the use, storage, and transport of nuclear material. It is also a member of the Nuclear Suppliers Group, whose non-legally binding guidelines set forth standards for the responsible export of nuclear commodities for peaceful use. A more detailed discussion of Australia's domestic civil nuclear activities and its nuclear nonproliferation policies and practices, including its nuclear export policies and practices, is provided in the NPAS and the NPAS classified annex submitted to the Congress separately.

I have considered the views and recommendations of the interested agencies in reviewing the proposed Agreement and have determined that its performance will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the Agreement and authorized its execution. I urge the Congress to give it favorable consideration.

This transmission shall constitute a submittal for purposes of both sections 123b. and 123d. of the Act. My Administration is prepared to begin immediately the consultations with the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs as provided in section 123b. Upon completion of the 30 days of continuous session review provided for in section 123b., the 60 days of continuous session review provided for in section 123d. shall commence.

BARACK OBAMA.

THE WHITE HOUSE, *May 5, 2010.*

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5733. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within the Department of the Army and was assigned case number 06-04; to the Committee on Appropriations.

EC-5734. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Noxious Weeds; Old World Climbing Fern and Maidenhair Creeper" (Docket No. APHIS-2008-0097), received in the Office of the President of the Senate on May 4, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5735. A joint communication from the Secretary of the Department of Agriculture and the Secretary of the Department of Transportation, transmitting, pursuant to law, a report entitled "Study of Rural Transportation Issues"; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5736. A communication from the Secretary of the Air Force, transmitting, pursuant to law, a report relative to the Program Acquisition Unit Cost and the Average Procurement Unit Cost for the C-130 AMP program exceeding the Acquisition Program Baseline values by more than 15 percent; to the Committee on Armed Services.

EC-5737. A communication from the Principal Deputy, Office of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, notification of the Department's intent to close the Defense commissary store at Camp Eagle, Korea; to the Committee on Armed Services.

EC-5738. A communication from the General Counsel of the Department of Defense, transmitting a legislative proposal relative to expansion of eligibility for concurrent receipt of military retirement pay and veterans' disability compensation to medically retired service members, received in the Office of the President of the Senate on April 29, 2010; to the Committee on Armed Services.

EC-5739. A communication from the General Counsel of the Department of Commerce, transmitting proposed legislation relative to Public Works and Economic Development improvement; to the Committee on Environment and Public Works.

EC-5740. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Inpatient Psychiatric Facilities Prospective Payment System Payment - Update for Rate Year Beginning July 1, 2010 (RY2011)" (RIN0938-AP83), received in the Office of the President of the Senate on May 3, 2010; to the Committee on Finance.

EC-5741. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and Medicaid Programs; Changes in Provider and Supplier Enrollment, Ordering and Referring, and Documentation Requirements; and Changes in Provider Agreements" (RIN0938-AQ01), received in the Office of the President of the Senate on May 3, 2010; to the Committee on Finance.

EC-5742. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid Programs; State Flexibility for Medicaid Benefit Packages" (RIN0938-AP72), received in the Office of the President of the Senate on May 3, 2010; to the Committee on Finance.

EC-5743. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report entitled "Report of the Proceedings of the Judicial Conference of the United States" for the September 2009 session and the June 2009 special session; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-99. A concurrent resolution adopted by the Senate of the State of Louisiana memorializing Congress to utilize the power of technology to boost American productivity and performance by consulting with state legislatures, education, and computer organizations to ensure that every student has access to a low-cost laptop; to the Committee on Health, Education, Labor, and Pensions.

SENATE CONCURRENT RESOLUTION NO. 19

Whereas, the personal computer is an indispensable twenty-first century learning tool; and

Whereas, the decreasing cost of technology makes it possible to equip every student with a portable, personal computer; and

Whereas, low-cost laptops are "twenty-first century textbooks" due to their capacity to store thousands of books and research materials; and

Whereas, computer technology has been shown to improve academic performance, attendance, and enthusiasm in classrooms; and

Whereas, according to a survey by the November 2007 Pew Internet & American Life Project, one-fourth of Americans do not have computers at home; and

Whereas, the "digital divide" most sharply impacts the poor, racial and ethnic minorities, people with disabilities, and residents of rural areas; and

Whereas, attaining universal access to communication technology is a goal spelled out in the 1996 Telecommunications Act; and

Whereas, a nationwide push among state leaders to equip students with laptops promises to fuel a new generation of math, science, and technology innovators; and

Whereas, computer proficiency is increasingly required by employers and institutions of higher learning; and

Whereas, previous technology-focused efforts, such as the Technology Opportunities Program and E-Rate, resulted in newfound information and communication access for millions of students and thousands of schools; and

Whereas, the provision of low-cost laptops for all students would increase learning in core subjects, improve literacy in technology essential for twenty-first century skills, and stimulate creativity, all necessary in reaching the goal of academic excellence in schools as well as developing a technical proficiency at an early age. Therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to utilize the power of technology to boost American productivity and performance by consulting with state legislatures, education, and computer organizations to ensure that every student has access to a low-cost laptop. Be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. LINCOLN, from the Committee on Agriculture, Nutrition, and Forestry, without amendment:

S. 3307. An original bill to reauthorize child nutrition programs, and for other purposes (Rept. No. 111-178).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 920. A bill to amend section 11317 of title 40, United States Code, to improve the transparency of the status of information technology investments, to require greater accountability for cost overruns on Federal information technology investment projects, to improve the processes agencies implement to manage information technology investments, to reward excellence in information technology acquisition, and for other purposes (Rept. No. 111-179).

By Mrs. BOXER, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 373. A bill to amend title 18, United States Code, to include constrictor snakes of the species Python genera as an injurious animal (Rept. No. 111-180).

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. 1421. A bill to amend section 42 of title 18, United States Code, to prohibit the importation and shipment of certain species of carp (Rept. No. 111-181).

S. 1519. A bill to provide for the eradication and control of nutria in Maryland, Louisiana, and other coastal States (Rept. No. 111-182).

S. 1965. A bill to authorize the Secretary of the Interior to provide financial assistance to the State of Louisiana for a pilot program to develop measures to eradicate or control feral swine and to assess and restore wetlands damaged by feral swine (Rept. No. 111-183).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mrs. LINCOLN:

S. 3307. An original bill to reauthorize child nutrition programs, and for other purposes; from the Committee on Agriculture, Nutrition, and Forestry; placed on the calendar.

By Mr. NELSON of Florida (for himself, Mr. SANDERS, Mr. REED, Mrs. FEINSTEIN, and Mrs. BOXER):

S. 3308. A bill to suspend certain activities in the outer Continental Shelf until the date on which the joint investigation into the Deepwater Horizon incident in the Gulf of Mexico has been completed, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI:

S. 3309. A bill to amend the Internal Revenue Code of 1986 to modify the rate of tax for the Oil Spill Liability Trust Fund; to the Committee on Finance.

By Mr. JOHNSON:

S. 3310. A bill to designate certain wilderness areas in the National Forest System in the State of South Dakota; to the Committee on Energy and Natural Resources.

By Mr. KERRY:

S. 3311. A bill to improve and enhance the capabilities of the Department of Defense to prevent and respond to sexual assault in the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mrs. GILLIBRAND:

S. 3312. A bill to amend the Homeland Security Act of 2002 to authorize the Securing the Cities Initiative of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. REID:

S. 3313. A bill to withdraw certain land located in Clark County, Nevada from location, entry, and patent under the mining laws and disposition under all laws pertaining to mineral and geothermal leasing or mineral materials, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BROWN of Ohio:

S. 3314. A bill to require the Secretary of Veterans Affairs and the Appalachian Regional Commission to carry out a program of outreach for veterans who reside in Appalachia, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. COLLINS (for herself and Mr. FEINGOLD):

S. 3315. A bill to amend title XVIII of the Social Security Act to protect Medicare beneficiaries' access to home health services under the Medicare program; to the Committee on Finance.

By Ms. COLLINS (for herself and Ms. SNOWE):

S. 3316. A bill to provide for flexibility and improvements in elementary and secondary education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KERRY (for himself, Mr. CORKER, Mr. CARDIN, and Mr. DURBIN):

S. 3317. A bill to authorize appropriations for fiscal years 2010 through 2014 to promote long-term, sustainable rebuilding and development in Haiti, and for other purposes; to the Committee on Foreign Relations.

By Mrs. GILLIBRAND:

S. 3318. A bill to amend title XVIII of the Social Security Act to eliminate contributing factors to disparities in breast cancer treatment through the development of a uniform set of consensus-based breast cancer treatment performance measures for a 6-year quality reporting system and value-based purchasing system under the Medicare Program; to the Committee on Finance.

By Ms. COLLINS (for herself and Mr. DODD):

S. 3319. A bill to amend the Internal Revenue Code of 1986 to provide recruitment and retention incentives for volunteer emergency service workers; to the Committee on Finance.

By Mr. McCONNELL (for himself, Mrs. FEINSTEIN, Mr. MCCAIN, Mr. DURBIN, Mr. GREGG, Mr. LIEBERMAN, and Mr. DODD):

S.J. Res. 29. A joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003; to the Committee on Foreign Relations.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Ms. LANDRIEU (for herself, Mr. ALEXANDER, Mr. BAYH, Mr. BURR, Mr. CARPER, Mr. DURBIN, Mrs. FEINSTEIN, Mr. GREGG, Mr. LIEBERMAN, and Mr. VITTER):

S. Res. 514. A resolution congratulating the students, parents, teachers, and administrators of charter schools across the United States for ongoing contributions to education and supporting the ideals and goals of the 11th annual National Charter Schools Week, to be held May 2 through May 8, 2010; considered and agreed to.

ADDITIONAL COSPONSORS

S. 632

At the request of Mr. BAUCUS, the name of the Senator from Oklahoma [Mr. INHOFE] was added as a cosponsor of S. 632, a bill to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly.

S. 718

At the request of Mr. HARKIN, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 718, a bill to amend the Legal Services Corporation Act to meet special needs of eligible clients, provide for technology grants, improve corporate practices of the Legal Services Corporation, and for other purposes.

S. 1158

At the request of Ms. STABENOW, the names of the Senator from Virginia [Mr. WEBB] and the Senator from New York [Mr. SCHUMER] were added as cosponsors of S. 1158, a bill to authorize the Secretary of Health and Human Services to conduct activities to rapidly advance treatments for spinal muscular atrophy, neuromuscular disease, and other pediatric diseases, and for other purposes.

S. 3035

At the request of Mr. BAUCUS, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 3035, a bill to require a report on the establishment of a Polytrauma Rehabilitation Center or Polytrauma Network Site of the Department of Veterans Affairs in the northern Rockies or Dakotas, and for other purposes.

S. 3062

At the request of Mr. CARPER, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 3062, a bill to extend credits related to the production of electricity from offshore wind, and for other purposes.

S. 3073

At the request of Mr. LEVIN, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 3073, a bill to amend the Federal Water Pollution Control Act to protect and restore the Great Lakes.

S. 3078

At the request of Mrs. FEINSTEIN, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 3078, a bill to provide for the establishment of a Health Insurance Rate Authority to establish limits on premium rating, and for other purposes.

S. 3146

At the request of Mr. CRAPO, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3146, a bill to amend the Internal Revenue Code to provide a tax credit to individuals who enter into agreements to protect the habitats of endangered and threatened species, and for other purposes.

S. 3199

At the request of Ms. SNOWE, the names of the Senator from Arkansas [Mrs. LINCOLN] and the Senator from Utah [Mr. BENNETT] were added as cosponsors of S. 3199, a bill to amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss.

S. 3201

At the request of Mr. UDALL of Colorado, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 3201, a bill to amend title 10, United States Code, to extend TRICARE coverage to certain dependents under the age of 26.

S. 3206

At the request of Mr. HARKIN, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 3206, a bill to establish an Education Jobs Fund.

S. 3213

At the request of Mr. LEVIN, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 3213, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 3265

At the request of Mr. MCCAIN, the name of the Senator from Alaska [Ms. MURKOWSKI] was added as a cosponsor of S. 3265, a bill to restore Second Amendment rights in the District of Columbia.

S. 3275

At the request of Mr. BAUCUS, the names of the Senator from Indiana [Mr. LUGAR] and the Senator from Louisiana [Ms. LANDRIEU] were added as cosponsors of S. 3275, a bill to extend the Caribbean Basin Economic Recovery Act, to provide customs support services to Haiti, and for other purposes.

S. 3295

At the request of Mr. SCHUMER, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3295, a bill to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes.

S. 3296

At the request of Mr. INHOFE, the names of the Senator from Utah [Mr. BENNETT] and the Senator from New Hampshire [Mr. GREGG] were added as cosponsors of S. 3296, a bill to delay the implementation of certain final rules of the Environmental Protection Agency in States until accreditation classes are held in the States for a period of at least 1 year.

S. 3305

At the request of Mr. MENENDEZ, the names of the Senator from Ohio [Mr. BROWN] and the Senator from New York [Mrs. GILLIBRAND] were added as cosponsors of S. 3305, a bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 3306

At the request of Mr. MENENDEZ, the names of the Senator from Ohio [Mr. BROWN] and the Senator from New York [Mrs. GILLIBRAND] were added as cosponsors of S. 3306, a bill to amend the Internal Revenue Code of 1986 to require polluters to pay the full cost of oil spills, and for other purposes.

SENATE RESOLUTION 278

At the request of Mrs. GILLIBRAND, the name of the Senator from Vermont [Mr.

SANDERS] was added as a cosponsor of Senate Resolution 278, a resolution honoring the Hudson River School painters for their contributions to the United States Senate.

SENATE RESOLUTION 411

At the request of Mrs. LINCOLN, the names of the Senator from Oregon [Mr. WYDEN] and the Senator from New Hampshire [Mrs. SHAHEEN] were added as cosponsors of Senate Resolution 411, a resolution recognizing the importance and sustainability of the United States hardwoods industry and urging that United States hardwoods and the products derived from United States hardwoods be given full consideration in any program to promote construction of environmentally preferable commercial, public, or private buildings.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 5, 2010, at 10 a.m., to conduct a hearing entitled "Terrorists and Guns: The Nature of the Threat and Proposed Reforms."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on May 5, 2010, at 10 a.m. in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "The Increased Importance of the Violence Against Women Act in a Time of Economic Crisis."

COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration be authorized to meet during the session of the Senate on May 5, 2010, at 10 a.m., to conduct a hearing entitled "Voting By Mail: An Examination of State and Local Experiences."

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs be authorized to meet during the session of the Senate on May 5, 2010, to conduct a hearing entitled "TBI: Progress in Treating the Signature Wounds of the Current Conflicts." The Committee will meet in room 418 of the Russell Senate Office Building beginning at 9:30 a.m.

SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR SAFETY

The Subcommittee on Clean Air and Nuclear Safety of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on May 5, 2010, at 10 a.m. in room 406 of the Dirksen Office Building.

SUBCOMMITTEE ON NATIONAL PARKS

The Subcommittee on National Parks be authorized to meet during the session of the Senate on May 5, 2010, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10:25 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 24. An act to redesignate the Department of the Navy as the Department of the Navy and Marine Corps.

At 1:13 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that pursuant to Executive Order No. 12131, and the order of the House of January 6, 2009, the Speaker appoints the following Members of the House of Representatives to the President's Export Council: Ms. Linda T. Sanchez, of California; Mr. Wu, of Oregon; and Mr. Schauer, of Michigan.

At 2:01 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5160. An act to extend the Caribbean Basin Economic Recovery Act, to provide customs support services to Haiti, and for other purposes.

HOUSE BILL REFERRED

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

H.R. 24. An act to redesignate the Department of the Navy as the Department of the Navy and Marine Corps; to the Committee on Armed Services.

ENROLLED BILL SIGNED

The PRESIDENT pro tempore announced that he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 3714. An act to amend the Foreign Assistance Act of 1961 to include the Annual Country Reports on Human Rights Practices information about freedom of the press in foreign countries, and for other purposes.

FASTER FOIA ACT

By unanimous consent, on the request of Mr. DODD,

The Senate proceeded to consider the bill (S. 3111) to establish the Commission on Freedom of Information Act Processing Delays.

The question being on agreeing to the reported amendments.

The reported amendments were agreed to.

The question being on passage of the bill, as amended.

On motion by Mr. DODD for Mr. LEAHY (for himself, and Mr. CORNYN) to further amend the bill on various pages and lines, by striking certain words and inserting other words (being amendment No. 3847).

The amendment was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CLAIRFYING WHEN THE TERM "CENSUS" MAY APPEAR ON MAILABLE MATTER

By unanimous consent, on the request of Mr. DODD,

Ordered, That the Committee on the Homeland Security and Governmental Affairs be discharged from the further consideration of the bill (H.R. 5148) to amend title 39, United States Code, to clarify the instances in which the term "census" may appear on mailable matter.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CONGRATULATING CHARTER SCHOOLS AND SUPPORTING THE IDEALS AND GOALS OF NATIONAL CHARTER SCHOOLS WEEK

On the request of Mr. DODD,

The PRESIDING OFFICER (Mr. BEGICH in the chair) laid before the Senate the resolution (S. Res. 514) congratulating the students, parents, teachers, and administrators of charter schools across the United States for ongoing contributions to education and supporting the ideals and goals of the 11th annual National Charter Schools Week, to be held May 2 through May 8, 2010, submitted today by Ms. LANDRIEU (for herself, Mr. ALEXANDER, Mr. BAYH, Mr. BURR, Mr. CARPER, Mr. DURBIN, Mrs. FEINSTEIN, Mr.

GREGG, Mr. LIEBERMAN, and Mr. VITTER), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DODD,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of bill S. 3217, as pursuant to the order of today.

AUTHORITY FOR ADJOURNMENT ON TODAY

By unanimous consent, on the request of Mr. DODD,

Ordered, That the Senate adjourn, following remarks by Mr. MARK UDALL.

Pending debate,

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. MARK UDALL,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. MARK UDALL,

The Senate resumed its legislative session.

ADJOURNMENT

Under the authority of the order of today, as modified,

At 6:46 p.m.,

The PRESIDING OFFICER declared the Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

THURSDAY, MAY 6, 2010

Mr. PATRICK J. LEAHY, from the State of Vermont, called the Senate to order at 9:30 a.m., the Father Claude Pomerleau, from the University of Portland, Portland, Oregon, offered a prayer, and Mr. LEAHY led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, May 6, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable PATRICK J. LEAHY, a Senator from the State of Vermont, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. GILLIBRAND took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

RESTORING AMERICAN FINANCIAL STABILITY ACT

Pursuant to the order of yesterday,

The PRESIDING OFFICER laid before the Senate its pending business, viz, the bill (S. 3217) to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3749, proposed by Mr. TESTER (for himself, Mr. CONRAD, Mrs. MURRAY, Mr. BURRIS, Mrs. HUTCHISON, Mr. SCOTT BROWN, Mr. HARKIN, Mrs. SHAHEEN, Mr. CORNYN, Mr. JOHANNS, Mr. BEN NELSON, Mr. BILL NELSON, Mrs. MCCASKILL, Ms. MURKOWSKI, and Mr. BEGICH), to amendment No. 3739 (in the nature of a substitute), as amended, proposed by Mr. REID for Mr. DODD (for himself and Mrs. LINCOLN), to the bill.

After debate,

On motion by Mr. TESTER,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The hour of 10 a.m. having arrived,

Pursuant to the order of yesterday,

The question being taken.

It was determined in the affirmative--- yeas... 98, nays... 0

[Rollcall Vote No. 132 Leg.]

YEAS --- 98

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Brownback, Bunning, Burr, Burris, Cantwell, Cardin, Carper, Casey, Chambliss, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dodd, Dorgan, Durbin, Ensign, Enzi, Feingold, Feinstein, Franken, Gillibrand, Graham, Grassley, Gregg, Hagan, Harkin, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lincoln, Lugar, McCain, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Risch, Roberts, Rockefeller, Sanders, Schumer, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Whitehouse, Wicker, Wyden.

So the amendment was agreed to.

On motion by Mr. DORGAN to reconsider the vote agreeing to the amendment.

On motion by Mr. DORGAN,

The motion to reconsider was laid on the table.

The question recurring on agreeing to amendment No. 3826, proposed by Mr. SHELBY (for himself, Mr. MCCONNELL, Mr. BENNETT, Mr. CRAPO, Mr. CORKER, Mr. JOHANNS, Mrs. HUTCHISON, Mr. VITTER, Mr. BUNNING, Mr. CHAMBLISS, Mr. CORNYN, Mr. BOND, Mr. ENZI, and Mr. ALEXANDER), to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. DODD,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. DODD,

The Senate resumed its legislative session.

RESTORING AMERICAN FINANCIAL STABILITY ACT

The Senate resumed consideration of bill S. 3217.

The question being on agreeing to amendment No. 3826 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

On motion by Mr. DODD,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being on agreeing to amendment No. 3826 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. DODD,

Ordered, That the Senate immediately vote in relation to the pending amendment; that no amendment be in order to the amendment prior to the vote; that, upon disposition of the pending amendment, it be in order for Mr. SANDERS to propose an amendment (No. 3738), as pursuant to the order of yesterday; that Mr. MCCAIN then be recognized to propose an amendment; and that the question then recur on agreeing to the amendment to be proposed by Mr. SANDERS.

The question being on agreeing to amendment No. 3826 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

After debate,

The question being taken.

It was determined in the negative---
yeas... 38, nays... 61

[Rollcall Vote No. 133 Leg.]

YEAS --- 38

Alexander, Barrasso, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Thune, Vitter, Voinovich, Wicker.

NAYS --- 61

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Grassley, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the amendment was not agreed to.

On motion by Mr. DODD to reconsider the vote disagreeing to the amendment.

On motion by Mr. SHELBY,

The motion to reconsider was laid on the table.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of yesterday,

On motion by Mr. SANDERS (for himself, Mr. FEINGOLD, Mr. DEMINT, Mr. LEAHY, Mr. MCCAIN, Mr. WYDEN, Mr. GRASSLEY, Mr. DORGAN, Mr. VITTER, Mrs. BOXER, Mr. BROWNBACK, Mr. RISCH, Mr. WICKER, Mr. GRAHAM, Mr. HATCH, Mr. CRAPO, Mr. BENNETT, Mr. BUNNING, Mrs. SHAHEEN, Ms. CANTWELL, Mr. BEGICH, Ms. MURKOWSKI, Mr. DODD, Mr. MERKLEY, Mr. SCOTT BROWN, Mr. KERRY, Mrs. MURRAY, Mr. BINGAMAN, and Mr. BURRIS) to further amend the pending amendment (in the nature of a substitute), on page 1525, by striking all beginning on line 20 through line 3 on page 1528, and inserting in lieu thereof other words (being amendment No. 3738).

Pending debate,

Mr. SANDERS modified his pending amendment.

The question then being on agreeing to amendment No. 3738, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

Mr. DODD asked for the yeas and nays on the question of agreeing to the pending amendment.

There was not a sufficient second.

The question being on agreeing to amendment No. 3738, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Mr. REID raised a question as to the presence of a quorum.

Whereupon,

The PRESIDING OFFICER (Mr. BURRIS in the chair) directed the roll to be called to ascertain the presence of a quorum.

Pending the ascertainment of a quorum,

When

Eighteen Senators answered to their names, as follows:

[Quorum No. 3]

Alexander, Bennett (CO), Brown (OH), Burris, Dodd, Durbin, Gregg, Hagan, Isakson, McCain, Murray, Reid (NV), Sanders, Schumer, Shelby, Udall (CO), Warner, Whitehouse.

The PRESIDING OFFICER announced that a quorum was not present.

On motion by Mr. REID to instruct the Sergeant at Arms to request the presence of absent Senators.

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to instruct.

The question being taken.

It was determined in the affirmative---
yeas... 61, nays... 33

[Rollcall Vote No. 134 Leg.]

YEAS --- 61

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (MA), Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Graham, Hagan, Harkin, Hatch, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 33

Alexander, Barrasso, Bond, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, Ensign, Enzi, Grassley, Gregg, Hutchison, Inhofe, Isakson, Johanns, LeMieux, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Wicker.

So the motion was agreed to; and, as indicated by the foregoing rollcall, a quorum being present.

The question being on agreeing to amendment No. 3738, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

By unanimous consent, on the request of Mr. REID,

Ordered, That the following be the next amendments in order to the bill:

An amendment (No. 3786), intended to be proposed by Ms. CANTWELL;

An amendment (No. 3733), intended to be proposed by Mr. SHERROD BROWN;

An amendment (No. 3898) to amendment No. 3733, intended to be proposed by Mr. ENSIGN;

An amendment (No. 3840), intended to be proposed by Mr. CARDIN.

Ordered further, That it be in order for Ms. CANTWELL to modify her amendment; that Mr. SHERROD BROWN, Mr. ENSIGN, and Mr. DODD each be recognized to speak for 5 minutes on amendment No. 3733, and amendment No. 3869 thereto.

Ordered further, That it be in order for the majority leader, or his designee, to propose a "side-by-side" amendment to an amendment intended to be proposed by Mr. MCCAIN, relative to GSE.

Ordered further, That there be 10 minutes, equally divided and controlled, for debate on amendment No. 3786; that, upon conclusion of debate, the amendment be agreed to; and that no other amendment be in order to the amendments.

The question being on agreeing to amendment No. 3738, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

The pending amendment was laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today,

On motion by Ms. CANTWELL (for herself, Mr. WHITEHOUSE, Mr. SANDERS, Mr. MERKLEY, Mr. SHERROD BROWN, Mrs. SHAHEEN, and Mr. DODD) to further amend the pending amendment (in the nature of a substitute), on page 762, after line 5, by inserting certain words (being amendment No. 3786).

Pursuant to the order of today,

Ms. CANTWELL modified her pending amendment.

The question then being on agreeing to amendment No. 3786, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

After debate,

The amendment, as modified, was agreed to.

On motion by Mr. DODD to reconsider the vote agreeing to the amendment, as modified.

On motion by Mr. DODD,

The motion to reconsider was laid on the table.

The question recurring on agreeing to amendment No. 3738, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

The pending amendment was laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today,

On motion by Mr. CARDIN (for himself and Mr. GRASSLEY) to further amend the pending amendment (in the nature of a substitute), on page 994, after line 2, by inserting certain words (being amendment No. 3840).

After debate,

The amendment was agreed to.

On motion by Mr. DODD to reconsider the vote agreeing to the amendment.

On motion by Mr. DODD,

The motion to reconsider was laid on the table.

The question recurring on agreeing to amendment No. 3738, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

The pending amendment was laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today,

On motion by Mr. SHERROD BROWN (for himself, Mr. KAUFMAN, Mr. CASEY, Mr. WHITEHOUSE, Mr. MERKLEY, Mr. HARKIN, Mr. SANDERS, Mr. BURRIS, Mr. FRANKEN, Mr. DURBIN, Mr. FEINGOLD, Mr. PRYOR, and Mr. WEBB) to further amend the pending amendment (in the nature of a substitute), on page 92, by striking all beginning on line 8 through line 12, and inserting in lieu thereof other words (being amendment No. 3733).

Pending debate,

Pursuant to the order of today,

On motion by Mr. ENSIGN to amend the pending amendment on page 2, by striking lines 11 through 15, and inserting in lieu thereof other words (being amendment No. 3898).

Pending debate,

On motion by Mr. ENSIGN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being on agreeing to amendment No. 3898 to amendment No. 3733 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That it be in order to request the yeas and nays on the question of agreeing to amendment No. 3733, notwithstanding the amendment not presently being before the Senate.

Under the authority of the foregoing order,

On motion by Mr. SHERROD BROWN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to amendment No. 3733.

The question being on agreeing to amendment No. 3898 to amendment No. 3733 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

After debate,

The question being taken.

It was determined in the negative---
yeas... 35, nays... 59

[Rollcall Vote No. 135 Leg.]

YEAS --- 35

Barrasso, Bingaman, Bond, Brownback, Burr, Cantwell, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, Ensign, Enzi, Feingold, Grassley, Hatch, Hutchison, Inhofe, Kohl, Kyl, Lincoln, McCain, McConnell, Merkley, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Wicker, Wyden.

NAYS --- 59

Akaka, Alexander, Baucus, Bayh, Begich, Bennet, Boxer, Brown (MA), Brown (OH), Burris, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Graham, Gregg, Hagan, Harkin, Inouye, Isakson, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, McCaskill, Menendez, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse.

So the amendment was not agreed to.

On motion by Mr. DODD to reconsider the vote disagreeing to the amendment.

On motion by Mr. DODD,

The motion to reconsider was laid on the table.

The question being on agreeing to amendment No. 3733 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

After debate,

The question being taken.

It was determined in the negative---
yeas... 33, nays... 61

[Rollcall Vote No. 136 Leg.]

YEAS --- 33

Begich, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Casey, Coburn, Dorgan, Durbin, Ensign, Feingold, Franken, Harkin, Kaufman, Leahy, Levin, Lincoln, Merkley, Mikulski, Murray, Pryor, Reid, Rockefeller, Sanders, Shelby, Specter, Stabenow, Udall (NM), Webb, Whitehouse, Wyden.

NAYS --- 61

Akaka, Alexander, Barrasso, Baucus, Bayh, Bennet, Bond, Brown (MA), Brownback, Burr, Carper, Chambliss, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, Dodd, Enzi, Feinstein, Gillibrand, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, LeMieux, Lieberman, McCain, McCaskill, McConnell, Menendez, Murkowski, Nelson (NE), Nelson (FL), Reed, Risch, Roberts, Schumer, Sessions, Shaheen, Snowe, Tester, Thune, Udall (CO), Voinovich, Warner, Wicker.

So the amendment was not agreed to.

On motion by Mr. DODD to reconsider the vote disagreeing to the amendment.

On motion by Mr. DODD,

The motion to reconsider was laid on the table.

The question recurring on agreeing to amendment No. 3738, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. SCHUMER,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5744. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, notification of the Department's intent to

close the Defense commissary store at Mineo, Italy; to the Committee on Armed Services.

EC-5745. A communication from the Deputy to the Chairman for External Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Amendment of the Temporary Liquidity Guarantee Program to Extend the Transaction Account Guarantee Program with Opportunity to Opt Out" (RIN3064-AD37), received in the Office of the President of the Senate on May 5, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5746. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Amendment 31" (RIN0648-AX67), received in the Office of the President of the Senate on May 5, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5747. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Yolo-Solano Air Quality Management District" (FRL No. 9138-6), received in the Office of the President of the Senate on May 5, 2010; to the Committee on Environment and Public Works.

EC-5748. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Regulation of Fuels and Fuel Additives: Alternative Affirmative Defense Requirements for Ultra-low Sulfur Diesel and Gasoline Benzene Technical Amendment" (FRL No. 9147-4), received in the Office of the President of the Senate on May 5, 2010; to the Committee on Environment and Public Works.

EC-5749. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Regulation of Fuels and Fuel Additives: Modifications to Renewable Fuel Standard Program" (FRL No. 9147-6), received in the Office of the President of the Senate on May 5, 2010; to the Committee on Environment and Public Works.

EC-5750. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Protection of Stratospheric Ozone: Allocation of Essential Use Allowances for Calendar Year 2010" (FRL No. 9147-8), received in the Office of the President of the Senate on May 5, 2010; to the Committee on Environment and Public Works.

EC-5751. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Disapproval of State Implementation Plan Revisions, South Coast Air Quality Management District" (FRL No. 9146-5), received in the Office of the President of the Senate on May 5, 2010; to the Committee on Environment and Public Works.

EC-5752. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Indiana; Redesignation of Lake and Porter Counties to Attainment for Ozone" (FRL No. 9147-2), received in the Office of the President of the Senate on May 5, 2010; to the Committee on Environment and Public Works

EC-5753. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans, State of California, San Joaquin Valley Unified Air Pollution Control District, New Source River" (FRL No. 9141-3), received in the Office of the President of the Senate on May 5, 2010; to the Committee on Environment and Public Works.

EC-5754. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Ohio; Indiana; Redesignation of the Ohio and Indiana Portions of the Cincinnati-Hamilton Area to Attainment for Ozone" (FRL No. 9147-3), received in the Office of the President of the Senate on May 5, 2010; to the Committee on Environment and Public Works.

EC-5755. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Ohio; General Provisions" (FRL No. 9142-7), received in the Office of the President of the Senate on May 5, 2010; to the Committee on Environment and Public Works.

EC-5756. A communication from the Chief, Branch of Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Final Revised Critical Habitat for Hine's Emerald Dragonfly (Somatochlora hineana)" (RIN1018-AW47), received in the Office of the President of the Senate on May 4, 2010; to the Committee on Environment and Public Works.

EC-5757. A communication from the Director of the Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, a report relative to endangered and threatened species expenditures; to the Committee on Environment and Public Works.

EC-5758. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "December 2009 Revision of Form 3115" (Announcement No. 2010-32), received in the Office of the President of the Senate on May 4, 2010; to the Committee on Finance.

EC-5759. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to extending the "Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of El Salvador Concerning the Imposition of Import Restrictions on Certain Categories of Archaeological Material from the Pre-Hispanic Cultures of the Republic of El Salvador"; to the Committee on Finance.

EC-5760. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the establishment of a Danger Pay Allowance for Ciudad Juarez, Matamoros, Monterrey, Nogales, Nuevo Laredo, and Tijuana, Mexico; to the Committee on Foreign Relations.

EC-5761. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the transfer of technical data, and defense services to the United Arab Emirates for modification, test, and certification of Cessna Model 208B Grand Caravans in the amount

of $50,000,000 or more; to the Committee on Foreign Relations.

EC-5762. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, an annual report relative to programs and projects of the International Atomic Energy Agency (IAEA); to the Committee on Foreign Relations.

EC-5763. A communication from the Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, a report relative to certifications granted in relation to the incidental capture of sea turtles in commercial shrimping operations; to the Committee on Foreign Relations.

EC-5764. A communication from the Assistant General Counsel, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, the report of a proposed rule entitled "Employee Contribution Elections and Contribution Allocations; Methods of Withdrawing Funds from the Thrift Savings Plan" (5 CFR Parts 1600 and 1650), received in the Office of the President of the Senate on May 5, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5765. A communication from the Program Manager, Substance Abuse and Mental Health Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Mandatory Guidelines for Federal Workplace Drug Testing Programs" (RIN0930-ZA04), received in the Office of the President of the Senate on May 3, 2010; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, without amendment and with a preamble:

S. Res. 511. A resolution commemorating and acknowledging the dedication and sacrifices made by the Federal, State, and local law enforcement officers who have been killed or injured in the line of duty.

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 714. A bill to establish the National Criminal Justice Commission.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. WHITEHOUSE:

S. 3320. A bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER:

S. 3321. A bill to establish an advisory committee to issue nonbinding governmentwide guidelines on making public information available on the Internet, to require publicly available Government information held by the executive branch to be made available on the Internet, to express the sense of Congress that publicly available information held by the legislative and judicial branches should be available on the Internet, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. VOINOVICH (for himself, Ms. MURKOWSKI, and Mr. ALEXANDER):

S. 3322. A bill to amend the Atomic Energy Act of 1954 to establish a United States Nuclear Fuel Management Corporation, and for other purposes; to the Committee on Environment and Public Works.

By Mr. FEINGOLD (for himself and Mr. COBURN):

S. 3323. A bill to improve the management and oversight of Federal contracts, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BROWN of Ohio (for himself, Mr. SCHUMER, Mr. MERKLEY, Mr. CASEY, and Mrs. HAGAN):

S. 3324. A bill to amend the Internal Revenue Code of 1986 to extend the qualifying advanced energy project credit; to the Committee on Finance

By Mr. BEGICH (for himself and Mr. GRASSLEY):

S. 3325. A bill to amend title 38, United States Code, to authorize the waiver of the collection of copayments for telehealth and telemedicine visits of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. CANTWELL (for herself, Mr. KERRY, and Mrs. BOXER):

S. 3326. A bill to provide grants to States for low-income housing projects in lieu of low-income housing credits, and to amend the Internal Revenue Code of 1986 to allow a 5-year carryback of the low-income housing credit, and for other purposes; to the Committee on Finance.

By Mr. LIEBERMAN (for himself and Mr. BROWN of Massachusetts):

S. 3327. A bill to add joining a foreign terrorist organization or engaging in or supporting hostilities against the United States or its allies to the list of acts for which United States nationals would lose their nationality; to the Committee on the Judiciary.

By Mrs. LINCOLN (for herself and Ms. LANDRIEU):

S. 3328. A bill to examine and improve the child welfare workforce, and for other purposes; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 182

At the request of Mr. DODD, the name of the Senator from Missouri [Mrs. MCCASKILL] was added as a cosponsor of S. 182, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 565

At the request of Mr. DURBIN, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 565, a bill to amend title XVIII of the Social Security Act to provide continued entitlement to coverage for immunosuppressive drugs furnished to beneficiaries under the Medicare Program that have received a kidney transplant and whose entitlement to coverage would otherwise expire, and for other purposes.

S. 688

At the request of Ms. SNOWE, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 688, a bill to require that health plans provide coverage for a minimum hospital stay for mastectomies, lumpectomies, and lymph node dissection for the treatment of breast cancer and coverage for secondary consultations.

S. 752

At the request of Mr. DURBIN, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 752, a bill to reform the financing of Senate elections, and for other purposes.

S. 1011

At the request of Mr. AKAKA, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 1011, a bill to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity.

S. 1066

At the request of Mr. SCHUMER, the name of the Senator from South Carolina [Mr. GRAHAM] was added as a cosponsor of S. 1066, a bill to amend title XVIII of the Social Security Act to preserve access to ambulance services under the Medicare program.

S. 1113

At the request of Mr. PRYOR, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 1113, a bill to amend title 49, United States Code, to direct the Secretary of Transportation to establish and maintain a national clearinghouse for

records related to alcohol and controlled substances testing of commercial motor vehicle operators, and for other purposes.

S. 1151

At the request of Mr. ROCKEFELLER, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 1151, a bill to amend part A of title IV of the Social Security Act to require the Secretary of Health and Human Services to conduct research on indicators of child well-being.

S. 1158

At the request of Ms. STABENOW, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 1158, a bill to authorize the Secretary of Health and Human Services to conduct activities to rapidly advance treatments for spinal muscular atrophy, neuromuscular disease, and other pediatric diseases, and for other purposes.

S. 1425

At the request of Mr. DURBIN, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 1425, a bill to increase the United States financial and programmatic contributions to promote economic opportunities for women in developing countries.

S. 1553

At the request of Mr. GRASSLEY, the names of the Senator from Nebraska [Mr. NELSON] and the Senator from Oklahoma [Mr. INHOFE] were added as cosponsors of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1802

At the request of Mr. BURRIS, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 1802, a bill to require a study of the feasibility of establishing the United States Civil Rights Trail System, and for other purposes.

S. 1938

At the request of Mr. ROCKEFELLER, the name of the Senator from New Mexico [Mr. UDALL] was added as a cosponsor of S. 1938, a bill to establish a program to reduce injuries and deaths caused by cellphone use and texting while driving.

S. 2765

At the request of Mr. KERRY, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 2765, a bill to amend the Small Business Act to authorize loan guarantees for health information technology.

S. 2881

At the request of Ms. SNOWE, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 2881, a bill to provide greater technical resources to FCC Commissioners.

S. 3036

At the request of Mr. BAYH, the name of the Senator from New Hampshire [Mr. GREGG] was added as a cosponsor of S. 3036, a bill to establish the Office of the National Alzheimer's Project.

S. 3039

At the request of Mr. UDALL of New Mexico, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 3039, a bill to prevent drunk driving injuries and fatalities, and for other purposes.

S. 3058

At the request of Mr. DORGAN, the names of the Senator from New Jersey [Mr. LAUTENBERG] and the Senator from Maryland [Mr. CARDIN] were added as cosponsors of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3059

At the request of Mr. BINGAMAN, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 3059, a bill to improve energy efficiency of appliances, lighting, and buildings, and for other purposes.

S. 3079

At the request of Mr. MERKLEY, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 3079, a bill to assist in the creation of new jobs by providing financial incentives for owners of commercial buildings and multifamily residential buildings to retrofit their buildings with energy efficient building equipment and materials and for other purposes.

S. 3102

At the request of Mr. MERKLEY, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 3102, a bill to amend the miscellaneous rural development provisions of the Farm Security and Rural Investment Act of 2002 to authorize the Secretary of Agriculture to make loans to certain entities that will use the funds to make loans to consumers to implement energy efficiency measures involving structural improvements and investments in cost-effective, commercial off-the-shelf technologies to reduce home energy use.

S. 3211

At the request of Mrs. SHAHEEN, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 3211, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by designating certain certified diabetes educators as certified providers for purposes of outpatient diabetes self-management training services under part B of the Medicare Prorgram.

S. 3265

At the request of Mr. MCCAIN, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of S. 3265, a bill to restore Second Amendment rights in the District of Columbia.

S. 3266

At the request of Mr. BENNET, the names of the Senator from Arkansas [Mrs. LINCOLN] and the Senator from Nebraska [Mr. JOHANNS] were added as cosponsors of S. 3266, a bill to ensure the availability of loan guarantees for rural homeowners.

S. 3299

At the request of Mr. WYDEN, the name of the Senator from New Mexico [Mr. UDALL] was added as a cosponsor of S. 3299, a bill to amend the Help America Vote Act of 2002 to allow all eligible voters to vote by mail in Federal elections.

S. 3300

At the request of Mr. WYDEN, the name of the Senator from New Mexico [Mr. UDALL] was added as a cosponsor of S. 3300, a bill to establish a Vote by Mail grant program.

S. 3305

At the request of Mr. MENENDEZ, the names of the Senator from Delaware [Mr. KAUFMAN] and the Senator from Washington [Mrs. MURRAY] were added as cosponsors of S. 3305, a bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 3306

At the request of Mr. MENENDEZ, the names of the Senator from Delaware [Mr. KAUFMAN] and the Senator from Washington [Mrs. MURRAY] were added as cosponsors of S. 3306, a bill to amend the Internal Revenue Code of 1986 to require polluters to pay the full cost of oil spills, and for other purposes.

S. 3309

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 3309, a bill to amend the Internal Revenue Code of 1986 to modify the rate of tax for the Oil Spill Liability Trust Fund.

S. 3313

At the request of Mr. ENSIGN, his name was added as a cosponsor of S. 3313, a bill to withdraw certain land located in Clark County, Nevada from location, entry, and patent under the mining laws and disposition under all laws pertaining to mineral and geothermal leasing or mineral materials, and for other purposes.

SENATE JOINT RESOLUTION 29

At the request of Mr. MCCONNELL, the name of the Senator from Nevada [Mr. ENSIGN] was added as a cosponsor of Senate Joint Resolution 29, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

SENATE RESOLUTION 316

At the request of Mr. MENENDEZ, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of Senate Resolution 316, a resolution calling upon the President to ensure that the foreign policy of

the United States reflects appropriate understanding and sensitivity concerning issues related to human rights, ethnic cleansing, and genocide documented in the United States record relating to the Armenian Genocide, and for other purposes.

SENATE RESOLUTION 503

At the request of Mr. WHITEHOUSE, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of Senate Resolution 503, a resolution designating May 21, 2010, as "Endangered Species Day".

SENATE RESOLUTION 511

At the request of Mr. LEAHY, the names of the Senator from Iowa [Mr. GRASSLEY] and the Senator from Wisconsin [Mr. FEINGOLD] were added as cosponsors of Senate Resolution 511, a resolution commemorating and acknowledging the dedication and sacrifices made by the Federal, State, and local law enforcement officers who have been killed or injured in the line of duty.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. DODD,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 6, 2010, at 10 a.m., in room 253 of the Russell Senate Office Building.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 6, 2010, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works be authorized to meet during the session of the Senate on May 6, 2010, at 9:30 a.m., in room 406 of the Dirksen Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on May 6, 2010, at 9:30 a.m., to hold a hearing entitled "The Meaning of Marjah."

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate to conduct a hearing entitled "Ensuring Fairness for Older Workers" on May 6, 2010. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on May 6, 2010, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

SUBCOMMITTEE ON SEAPOWER

The Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on May 6, 2010, at 2:30 p.m.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on May 6, 2010, at 2:30 p.m.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 10:11 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2421. An act to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Mother's Day.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 247. A concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

H. Con. Res. 263. A concurrent resolution authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

HOUSE BILL REFERRED

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

H.R. 2421. An act to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Mother's Day; to the Committee on Banking, Housing, and Urban Affairs.

HAITI ECONOMIC LIFT PROGRAM ACT

On the request of Mr. SCHUMER,

The PRESIDING OFFICER (Mr. CASEY in the chair) laid before the Senate the bill (H.R. 5160) to extend the Caribbean Basin Economic Recovery Act, to provide customs support services to Haiti, and for other purposes, received from the House of Representatives for concurrence on yesterday, and remaining undisposed of; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. SCHUMER,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of bill S. 3217.

ADJOURNMENT

By unanimous consent, on the request of Mr. SCHUMER,

At 9:17 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

FRIDAY, MAY 7, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, May 7, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

RESTORING AMERICAN FINANCIAL STABILITY ACT

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (S. 3217) to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3738, as modified, proposed by Mr. SANDERS (for himself, Mr. FEINGOLD, Mr. DEMINT, Mr. LEAHY, Mr. MCCAIN, Mr. WYDEN, Mr. GRASSLEY, Mr. DORGAN, Mr. VITTER, Mrs. BOXER, Mr. BROWNBACK, Mr. RISCH, Mr. WICKER, Mr. GRAHAM, Mr. HATCH, Mr. CRAPO, Mr. BENNETT, Mr. BUNNING, Mrs. SHAHEEN, Ms. CANTWELL, Mr. BEGICH, Ms. MURKOWSKI, Mr. DODD, and Mr. MERKLEY), to amendment No. 3739 (in the nature of a substitute), as amended, proposed by Mr. REID for Mr. DODD (for himself and Mrs. LINCOLN), to the bill.

Pending debate,

CONSIDERATION OF CERTAIN RESOLUTIONS ON CALENDAR EN BLOC

By unanimous consent, on the request of Mr. REID,

Ordered, That the Senate proceed to consider, en bloc, the following resolutions on the calendar:

S. Res. 297. A resolution to recognize the Dyke Marsh Wildlife Preserve as a unique and precious ecosystem.

S. Res. 275. A resolution honoring the Minute Man National Historical Park on the occasion of its 50th anniversary.

By unanimous consent, on the request of Mr. REID,

Ordered, That the resolutions and accompanying preambles be agreed to, en bloc; and that motions to reconsider be deemed made and laid on the table.

CONSIDERATION OF CERTAIN BILLS ON CALENDAR EN BLOC

By unanimous consent, on the request of Mr. REID,

Ordered, That the Senate to proceed to consider, en bloc, the following bills on the calendar:

S. 1053. A bill to amend the National Law Enforcement Museum Act to extend the termination date, without amendment;

S. 1405. A bill to redesignate the Longfellow National Historic Site, Massachusetts, as the "Longfellow House-Washington's Headquarters National Historic Site", without amendment;

H.R. 689. A bill to interchange the administrative jurisdiction of certain Federal lands between the Forest Service and the Bureau of Land Management, and for other purposes, with an amendment (in the nature of a substitute);

H.R. 1121. A bill to authorize a land exchange to acquire lands for the Blue Ridge Parkway from the Town of Blowing Rock, North Carolina, and for other purposes, without amendment;

H.R. 1442. A bill to provide for the sale of the Federal Government's reversionary interest in approximately 60 acres of land in Salt Lake City, Utah, originally conveyed to the Mount Olivet Cemetery Association under the Act of January 23, 1909, without amendment;

H.R. 2802. A bill to provide for an extension of the legislative authority of the Adams Memorial Foundation to establish a commemorative work in honor of former President John Adams and his legacy, and for other purposes, without amendment.

The reported amendment (in the nature of a substitute) to bill H.R. 689 was agreed to.

The bills, as amended, were read the third time, en bloc.

Resolved, That the bills, as amended, en bloc, do pass.

A motion to reconsider, en bloc, was considered made and laid on the table, by unanimous consent.

OBJECTION TO CONSIDERATION OF BILL H.R. 4899

Mr. REID asked unanimous consent that the chair lay before the Senate the bill (H.R. 4899) making supplemental appropriations for the fiscal year ending September 30, 2010, and for other purposes, received on Thursday, March 25, 2010, and remaining undisposed of; that the bill be read twice and considered; that an amendment be considered proposed by him, and agreed to; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be considered made and laid on the table.

Mr. COBURN objected.

OBJECTIONS TO EXECUTIVE SESSION

Mr. TOM UDALL asked unanimous consent that the Senate proceed to executive session, to consider the nomination of Jacqueline A. Berrien, of New York, to be a Member of the Equal Employment Opportunity Commission; the nomination of Chai Rachel Feldblum, of Maryland, to be a Member of the Equal Employment Opportunity Commission; the nomination of Victoria A. Lipnic, of Virginia, to be a Member of the Equal Employment Opportunity Commission; and the nomination of Victoria A. Lipnic, of Virginia, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2015; that the nominations be confirmed; that the motions to reconsider be made and laid upon the table; that no further motions be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Mr. TOM UDALL asked unanimous consent that the Senate proceed to executive session, to consider the nomination of Marilyn A. Brown, of Georgia, to be a Member of the Board of the Tennessee Valley Authority; the nomination of William B. Sansom, of Tennessee, to be a Member of the Board of the Tennessee Valley Authority; the nomination of Neil G. McBride, of Tennessee, to be a Member of the Board of the Tennessee Valley Authority; the nomination of Barbara Short Haskew, of Tennessee, to be a Member of the Board of the Tennessee Valley Authority; that the nominations be confirmed, en bloc; that the motion to reconsider be made and laid upon the table, en bloc; that no further motions be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Mr. TOM UDALL asked unanimous consent that the Senate proceed to executive session, to consider the nomination of Eric L. Hirschhorn, of Maryland, to be Under Secretary of Commerce for Export Administration; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Mr. TOM UDALL asked unanimous consent that the Senate proceed to executive session, to consider the nomination of Jim R. Esquea, of New York, to be an Assistant Secretary of Health and Human Services; that the nomination be confirmed; that the motion to

reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Mr. TOM UDALL asked unanimous consent that the Senate proceed to executive session, to consider the nomination of Michael F. Mundaca, of New York, to be an Assistant Secretary of the Treasury; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Mr. TOM UDALL asked unanimous consent that the Senate proceed to executive session, to consider the nomination of Judith Ann Stewart Stock, of Virginia, to be an Assistant Secretary of State (Educational and Cultural Affairs); that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Mr. TOM UDALL asked unanimous consent that the Senate proceed to executive session, to consider the nomination of Patricia A. Hoffman, of Virginia, to be an Assistant Secretary of Energy (Electricity Delivery and Energy Reliability); that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Ms. KLOBUCHAR asked unanimous consent that the Senate proceed to executive session, to consider the nomination of Mark R. Rosekind, of California, to be a Member of the National Transportation Safety Board; Earl F. Weener, of Oregon, to be a Member of the National Transportation Safety Board; that the nominations be confirmed, en bloc; that the motion to reconsider be made and laid upon the table, en bloc; that no further motions be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Ms. KLOBUCHAR asked unanimous consent that the Senate proceed to executive session to consider the following nominations, en bloc: Michael F. Tillman to be a Member of the Marine Mammal Commission; Daryl J. Boness to be a Member of the Marine Mammal Commission; that the nominations be confirmed, en bloc; that the motions to reconsider be made and laid upon the table, en bloc; that no further motion be in order; and that the President be immediately notified of the Senate's action:

Mr. COBURN objected.

Ms. KLOBUCHAR asked unanimous consent that the Senate proceed to executive session to consider the nomination of Warren F. Miller, Jr., of New Mexico, to be Director of the Office of Civilian Radioactive Waste Management, Department of Energy; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Ms. KLOBUCHAR asked unanimous consent that the Senate proceed to executive session to consider the nomination of Winslow Lorenzo Sargeant, of Wisconsin, to be Chief Counsel for Advocacy, Small Business Administration; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Ms. KLOBUCHAR asked unanimous consent that the Senate proceed to executive session to consider the nomination of Benjamin B. Tucker, of New York, to be Deputy Director for State, Local, and Tribal Affairs, Office of National Drug Control Policy; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Ms. KLOBUCHAR asked unanimous consent that the Senate proceed to executive session to consider the nomination of John H. Laub, of the District of Columbia, to be Director of the Natioonal Institute of Justice; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Ms. KLOBUCHAR asked unanimous consent that the Senate proceed to executive session to consider the nomination of P. David Lopez, of Arizona, to be General Counsel of the Equal Employment Opportunity Commission; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Ms. KLOBUCHAR asked unanimous consent that the Senate proceed to executive session to consider the nomination of Jill Long Thompson, of Indiana, to be a Member of the Farm Credit Administration Board, Farm Credit Administration; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Ms. KLOBUCHAR asked unanimous consent that the Senate proceed to executive session to consider the nomination of James P. Lynch, of the District of Columbia, to be Director of the Bureau of Justice; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Ms. KLOBUCHAR asked unanimous consent that the Senate proceed to executive session to consider the nomination of Michael Peter Huerta, of the District of Columbia, to be Deputy Administrator of the Federal Aviation Administration; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Ms. KLOBUCHAR asked unanimous consent that the Senate proceed to executive session to consider the nomination of David T. Matsuda, of the District of Columbia, to be Administrator of the Maritime Administration; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Ms. KLOBUCHAR asked unanimous consent that the Senate proceed to executive session to consider the nomination of Arthur Allen Elkins, Jr., of Maryland, to be Inspector General, Environmental Protection Agency; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Mr. WARNER asked unanimous consent that the Senate proceed to executive session to consider the following nominations, en bloc: Anthony R. Coscia to be a Director of the Amtrak Board of Directors; Albert DiClemente to be a Director of the Amtrak Board of Directors; Jeffrey R. Moreland to be a Director of the Amtrak Board of Directors: that the nominations be confirmed, en bloc; that the motions to reconsider be made and laid upon the table, en bloc; that no further motion be in order; and that the President be immediately notified of the Senate's action:

Mr. COBURN objected.

Mr. WARNER asked unanimous consent that the Senate proceed to executive session to consider the following nominations, en bloc: Julie A. Reiskin to be Member of the Board of Directors of the Legal Services Corporation; Gloria Valencia-Weber to be a Member of the Board of Directors of the Legal Services Corporation; that the nominations be confirmed, en bloc; that the motions to reconsider be made and laid upon the table, en bloc; that no further motion be in

order; and that the President be immediately notified of the Senate's action:

Mr. COBURN objected.

Mrs. MCCASKILL asked unanimous consent that the Senate proceed to executive session to consider the nomination of Michael W. Punke, of Montana, to be a Deputy United States Trade Representative, with the rank of Ambassador; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Mrs. MCCASKILL asked unanimous consent that the Senate proceed to executive session to consider the nomination of Islam A. Siddiqui, of Virginia, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, with the rank of Ambassador; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Mrs. MCCASKILL asked unanimous consent that the Senate proceed to executive session to consider the nomination of Carolyn Hessler Radelet, of the District of Columbia, to be Deputy Director of the Peace Corps; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Mrs. MCCASKILL asked unanimous consent that the Senate proceed to executive session to consider the nomination of Elizabeth L. Littlefield, of the District of Columbia, to be President of the Overseas Private Investment Corporation; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Mrs. MCCASKILL asked unanimous consent that the Senate proceed to executive session to consider the nomination of Lana Pollack, of Michigan, to be a Commissioner on the part of the United States on the International Joint Commission, United States and Canada; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Mrs. MCCASKILL asked unanimous consent that the Senate proceed to executive session to consider the nomination of Bisa Williams, of New Jersey, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Niger; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Mrs. MCCASKILL asked unanimous consent that the Senate proceed to executive session to consider the nomination of Raul Yzaguirre, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Dominican Republic; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Mrs. MCCASKILL asked unanimous consent that the Senate proceed to executive session to consider the nomination of Theodore Sedgwick, of Virginia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Slovak Republic; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Mrs. MCCASKILL asked unanimous consent that the Senate proceed to executive session to consider the nomination of Robert Stephen Ford, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Syrian Arab Republic; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Mrs. MCCASKILL asked unanimous consent that the Senate proceed to executive session to consider the nomination of Dana Katherine Bilyeu, of Nevada, to be a Member of the Federal Retirement Thrift Investment Board; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Mrs. MCCASKILL asked unanimous consent that the Senate proceed to executive session to consider the nomination of Michael D. Kennedy, of Georgia, to be a Member of Federal Returement Thrift Investment Board; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Mrs. MCCASKILL asked unanimous consent that the Senate proceed to executive session to consider the nomination of Dennis P. Walsh, of Maryland, to be Chairman of the Special Panel on Appeals; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Mrs. MCCASKILL asked unanimous consent that the Senate proceed to executive session to consider the nomination of Todd E. Edelman, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Mrs. MCCASKILL asked unanimous consent that the Senate proceed to executive session to consider the nomination of Judith Anne Smith, of the District of Columbia, an Associate Judge of the Superior Court of the District of Columbia; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Mrs. MCCASKILL asked unanimous consent that the Senate proceed to executive session to consider the nomination of Jane Branstetter Stranch, of Tennessee, to be United States Circuit Judge for the Sixth Circuit; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Mrs. MCCASKILL asked unanimous consent that the Senate proceed to executive session to consider the nomination of Philip E. Coyle, III, of California, to be an Associate Director of the Office of Science and Technology Policy; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Mrs. MCCASKILL asked unanimous consent that the Senate proceed to executive session to consider the nomination of Benita Y. Pearson, of Ohio, to be United States District Judge for the Northern District of Ohio; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

Mrs. MCCASKILL asked unanimous consent that the Senate proceed to executive session to consider the nomination of Ari Ne'eman, of Maryland, to be a Member of the National Council on Disability; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. COBURN objected.

RESTORING AMERICAN FINANCIAL STABILITY ACT

The Senate resumed consideration of bill S. 3217.

The question being on agreeing to amendment No. 3738, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. LAUTENBERG (for himself, Mrs. GILLIBRAND, and Mr. BROWN of Ohio):

S. 3329. A bill to provide triple credits for renewable energy on brownfields, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASEY (for himself and Mr. SPECTER):

S. 3330. A bill to amend title 38, United States Code, to make certain improvements in the administration of medical facilities of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. INOUYE (for himself, Mr. BEGICH, and Ms. MURKOWSKI):

S. 3331. A bill to establish a Native American Economic Advisory Council, and for other purposes; to the Committee on Indian Affairs.

By Mr. McCAIN (for himself and Mr. KYL):

S. 3332. A bill to implement a comprehensive border security plan to combat illegal immigration, drug and alien smuggling, and violent activity along the southwest border of the United States; to the Committee on Homeland Security and Governmental Affairs.

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

S. 3333. A bill to extend the statutory license for secondary transmissions under title 17, United States Code, and for other purposes; considered and passed.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Ms. KLOBUCHAR (for herself and Mr. THUNE):

S. Res. 515. A resolution designating the week beginning May 2, 2010, as "National Physical Education and Sport Week"; considered and agreed to.

By Mrs. SHAHEEN (for herself and Mr. DODD):

S. Res. 516. A resolution recognizing the contributions of AmeriCorps members to the lives of the people of the United States; considered and agreed to.

By Mr. LAUTENBERG (for himself, Mr. ROCKEFELLER, Mrs. HUTCHISON, Mr. LIEBERMAN, Mr. SCHUMER, Mr. DURBIN, Mrs. BOXER, Mr. CARPER, Mr. DORGAN, Mr. WYDEN, Mr. BURRIS, Mr. BAYH, and Mr. UDALL of New Mexico):

S. Res. 517. A resolution in support and recognition of National Train Day, May 8, 2010; considered and agreed to.

By Mr. THUNE (for himself, Mr. CASEY, Mr. JOHNSON, and Mr. FEINGOLD):

S. Res. 518. A resolution designating the week beginning May 9, 2010, as "National Nursing Home Week"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 1012

At the request of Mr. ROCKEFELLER, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 1012, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Mother's Day.

S. 1275

At the request of Mr. WARNER, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 1275, a bill to establish a National Foundation on Physical Fitness and Sports to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports.

S. 1317

At the request of Mr. LAUTENBERG, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 1317, a bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists.

S. 3141

At the request of Mr. BINGAMAN, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 3141, a bill to amend the Internal Revenue Code of 1986 to provide special rules for treatment of low-income housing credits, and for other purposes.

S. 3288

At the request of Mr. LAUTENBERG, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 3288, a bill to amend the Internal Revenue Code to reduce tobacco smuggling, and for other purposes.

S. 3302

At the request of Mr. ROCKEFELLER, the name of the Senator from Missouri [Mrs. MCCASKILL] was added as a cosponsor of S. 3302, a bill to amend title 49, United States Code, to establish new automobile safety standards, make better motor vehicle safety information available to the National Highway Traffic Safety Administration and the public, and for other purposes.

S. 3305

At the request of Mr. MENENDEZ, the name of the Senator from Rhode Island [Mr. REED] was added as a cosponsor of S. 3305, a bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 3306

At the request of Mr. MENENDEZ, the name of the Senator from Rhode Island [Mr. REED] was added as a cosponsor of S. 3306, a bill to amend the Internal Revenue Code of 1986 to require polluters to pay the full cost of oil spills, and for other purposes.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 10:18 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5019. An act to provide for the establishment of the Home Star Retrofit Rebate Program, and for other purposes.

HOUSE BILLS REFERRED

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

H.R. 4899. An act making supplemental appropriations for the fiscal year ending

September 30, 2010, and for other purposes; to the Committee on Appropriations.

H.R. 5019. An act to provide for the establishment of the Home Star Retrofit Rebate Program, and for other purposes; to the Committee on Finance.

COAST GUARD AUTHORIZATION ACT

By unanimous consent, on the request of Mr. WHITEHOUSE,

The Senate proceeded to consider the bill (H.R. 3619) to authorize appropriations for the Coast Guard for fiscal year 2010, and for other purposes.

The question being on the passage of the bill.

On motion by Mr. WHITEHOUSE (for Ms. CANTWELL) to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 3912, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CONDEMNING THE CONTINUED DETENTION OF BURMESE DEMOCRACY LEADER DAW AUNG SAN SUU KYI

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That the Committee on Foreign Relations be discharged from the further consideration of the resolution (S. Res. 480) condemning the continued detention of Burmese democracy leader Daw Aung San Suu Kyi and calling on the military regime in Burma to permit a credible and fair election process and the transition to civilian, democratic rule.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

On motion by Mr. WHITEHOUSE (for Mr. GREGG) to amend the resolution on various pages and lines, by striking certain words and inserting other words (being amendment No. 3913).

The amendment was agreed to.

The question being on agreeing to the resolution, as amended.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORIZING THE USE OF THE CAPITOL GROUNDS FOR THE GREATER WASHINGTON SOAP BOX DERBY

On the request of Mr. WHITEHOUSE,

The PRESIDING OFFICER (Mr. FRANKEN in the chair) laid before the Senate the concurrent resolution (H. Con. Res. 247) authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby, received from the House of Representatives for concurrence on yesterday, and remaining undisposed of.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORIZING THE USE OF THE CAPITOL GROUNDS FOR THE DISTRICT OF COLUMBIA SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN

On the request of Mr. WHITEHOUSE,

The PRESIDING OFFICER laid before the Senate the concurrent resolution (H. Con. Res. 263) authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run, received from the House of Representatives for concurrence on yesterday, and remaining undisposed of.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "ENDANGERED SPECIES DAY"

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 503) designating May 21, 2010, as "Endangered Species Day".

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL PHYSICAL EDUCATION AND SPORT WEEK"

On the request of Mr. WHITEHOUSE,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 515) designating the week beginning May 2, 2010, as "National Physical Education and Sport Week", submitted today by Ms. KLOBUCHAR (for herself and Mr. THUNE), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE CONTRIBUTIONS OF AMERICORPS MEMBERS TO THE LIVES OF THE PEOPLE OF THE UNITED STATES

On the request of Mr. WHITEHOUSE,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 516) recognizing the contributions of AmeriCorps members to the lives of the people of the United States, submitted today by Mrs. SHAHEEN (for herself and Mr. DODD), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

SUPPORTING AND RECOGNIZING NATIONAL TRAIN DAY

On the request of Mr. WHITEHOUSE,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 517) in support and recognition of National Train Day, May 8, 2010, submitted today by Mr. LAUTENBERG (for himself, Mr. ROCKEFELLER, Mrs. HUTCHISON, Mr. LIEBERMAN, Mr. SCHUMER, Mr. DURBIN, Mrs. BOXER, Mr. CARPER, Mr. DORGAN, Mr. WYDEN, Mr. BURRIS, Mr. BAYH, and Mr. TOM UDALL), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL NURSING HOME WEEK"

On the request of Mr. WHITEHOUSE,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 518) designating the week beginning May 9, 2010, as "National Nursing Home Week", submitted today by Mr. THUNE (for himself, Mr. CASEY, Mr. FEINGOLD, and Mr. JOHNSON), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

SATELLITE TELEVISION EXTENSION AND LOCALISM ACT

On the request of Mr. WHITEHOUSE,

The PRESIDING OFFICER laid before the Senate the bill (S. 3333) to extend the statutory license for secondary transmissions under title 17, United States Code, and for other purposes, introduced on today by Mr. LEAHY (for himself and Mr. ROCKEFELLER), and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. WHITEHOUSE,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. WHITEHOUSE,

The Senate resumed its legislative session.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, MAY 10, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2 p.m. on Monday, May 10, 2010; that, on Monday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 3 p.m., with Senators permitted to speak for 10 minutes each therein; and that, following morning business, the Senate resume consideration of bill S. 3217.

ADJOURNMENT

By unanimous consent, on the request of Mr. WHITEHOUSE,

At 1:04 p.m.,

The Senate adjourned, under its order of today, until 2 p.m. on Monday, May 10, 2010.

MONDAY, MAY 10, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, May 10, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of Friday, May 7, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Friday, May 7, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Friday, May 7, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by Mrs. Neiman, one of his secretaries:

PROPOSED AGREEMENT FOR COOPERATION BETWEEN THE UNITED STATES OF AMERICA AND THE RUSSIAN FEDERATION CONCERNING PEACEFUL USES OF NUCLEAR ENERGY—PM 53

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

To the Congress of the United States:

I am pleased to transmit to the Congress, pursuant to sections 123 b. and 123 d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b), (d)) (the "Act"), the text of a proposed Agreement Between the Government of the United States of America and the Government of the Russian Federation for Cooperation in the Field of Peaceful Uses of Nuclear Energy (the "Agreement"). I am also pleased to transmit my written approval of the proposed Agreement and determination that the proposed Agreement will promote, and will not constitute an unreasonable risk to, the common defense and security, together with a copy of an unclassified Nuclear Proliferation Assessment Statement (NPAS) concerning the Agreement. In accordance with section 123 of the Act, as amended by title XII of the Foreign Affairs Reform and Restructuring Act of 1998 (Public Law 105-277), classified annexes to the NPAS, prepared by the Secretary of State in consultation with the Director of National Intelligence, summarizing relevant classified information, will be submitted to the Congress separately.

The proposed Agreement was signed in Moscow on May 6, 2008. Former President George W. Bush approved the Agreement and authorized its execution, and he made the determinations required by section 123 b. of the Act. (Presidential Determination 2008-19 of May 5, 2008, 73 FR 27719 (May 14, 2008)).

On May 13, 2008, President Bush transmitted the Agreement, together with his Presidential Determination, an unclassified NPAS, and classified annex, to the Congress for review (see House Doc. 110-112, May 13, 2008). On September 8, 2008, prior to the

completion of the 90-day continuous session review period, he sent a message informing the Congress that "in view of recent actions by the Government of the Russian Federation incompatible with peaceful relations with its sovereign and democratic neighbor, Georgia," he had determined that his earlier determination (concerning performance of the proposed Agreement promoting, and not constituting an unreasonable risk to, the common defense and security) was no longer effective. He further stated that if circumstances should permit future reconsideration by the Congress, a new determination would be made and the proposed Agreement resubmitted.

After review of the situation and of the NPAS and classified annex, I have concluded: (1) that the situation in Georgia need no longer be considered an obstacle to proceeding with the proposed Agreement; and (2) that the level and scope of U.S.-Russia cooperation on Iran are sufficient to justify resubmitting the proposed Agreement to the Congress for the statutory review period of 90 days of continuous session and, absent enactment of legislation to disapprove it, taking the remaining steps to bring it into force.

The Secretary of State, the Secretary of Energy, and the members of the Nuclear Regulatory Commission (NRC) have recommended that I resubmit the proposed Agreement to the Congress for review. The joint memorandum submitted to me by the Secretaries of State and Energy and a letter from the Chairman of the NRC stating the views of the Commission are enclosed.

I have considered the views and recommendations of the interested departments and agencies in reviewing the proposed Agreement, and have determined that performance of the proposed Agreement will promote, and will not constitute an unreasonable risk to, the common defense and security. Accordingly, I have approved the proposed Agreement and urge the Congress to give the proposed Agreement favorable consideration.

My reasons for resubmitting the proposed Agreement to the Congress for its review at this time are as follows:

The United States and Russia have significantly increased cooperation on nuclear nonproliferation and civil nuclear energy in the last 12 months, starting with the establishment of the Bilateral Presidential Commission Working Group on Nuclear Energy and Security. In our July 2009 Joint Statement on Nuclear Cooperation, Russian President Medvedev and I acknowledged the shared vision between the United States and Russia of the growth of clean, safe, and secure nuclear energy for peaceful purposes and committed to work together to bring into force the agreement for nuclear cooperation to achieve this end. The Russian government has indicated its support for a new United Nations Security Council Resolution on Iran and has begun to engage on specific resolution elements with P5 members in New York. On April 8, 2010, the United States and Russia signed a historic New START Treaty significantly reducing the number of strategic nuclear weapons both countries may deploy. On April 13, both sides signed the Protocol to amend the 2000 U.S.-Russian Plutonium Management and Disposition Agreement, which is an essential step toward fulfilling each country's commitment to effectively and transparently dispose of at least 34 metric tons of excess weapon-grade plutonium, enough for about 17,000 nuclear weapons, with more envisioned to be disposed of in the future. Russia recently established an international nuclear fuel reserve in Angarsk to provide an incentive to other nations not to acquire sensitive uranium enrichment technologies. Joint U.S. and Russian leadership continue to successfully guide the Global Initiative to Combat Nuclear Terrorism as it becomes a durable international institution. The United States believes these events demonstrate significant progress in the U.S.-Russia nuclear nonproliferation relationship and that it is now appropriate to move forward with this Agreement for cooperation in the peaceful uses of nuclear energy.

The proposed Agreement has been negotiated in accordance with the Act and other applicable laws. In my judgment, it meets all applicable statutory requirements and will advance the nonproliferation and other foreign policy interests of the United States.

The proposed Agreement provides a comprehensive framework for peaceful nuclear cooperation with Russia based on a mutual commitment to nuclear nonproliferation. It has a term of 30 years, and permits the transfer, subject to subsequent U.S. licensing decisions, of technology, material, equipment (including reactors), and components for nuclear research and nuclear power production. It does not permit transfers of Restricted Data. Transfers of sensitive nuclear technology, sensitive nuclear facilities, and major critical components of such facilities may only occur if the Agreement is amended to cover such transfers. In the event of termination, key nonproliferation conditions and controls continue with respect to material, equipment, and components subject to the Agreement.

The Russian Federation is a nuclear weapon state party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). Like the United States, it has a "voluntary offer" safeguards agreement with the International Atomic Energy Agency (IAEA). That agreement gives the IAEA the right to apply safeguards on all source or special fissionable material at peaceful-use nuclear facilities on a list provided by Russia. The Russian Federation is also a party to the Convention on the Physical Protection of Nuclear Material, which establishes international standards of physical protection for the use, storage, and transport of nuclear material. It is also a member of the Nuclear Suppliers Group, whose non-legally binding guidelines set forth standards for the responsible export of nuclear commodities for peaceful use. A more detailed discussion of Russia's domestic civil nuclear program and its nuclear nonproliferation policies and practices, including its nuclear export policies and practices, is provided in the NPAS and in the classified annexes to the NPAS submitted to the Congress separately.

This transmittal shall constitute a submittal for purposes of both sections 123 b. and 123 d. of the Act. My Administration is prepared to immediately begin the consultations with the Senate Committee on Foreign Relations and House Committee on Foreign Affairs as provided in section 123 b. Upon completion of the 30-day continuous session period provided for in section 123 b., the 60-day continuous session period provided for in section 123 d. shall commence.

BARACK OBAMA.

THE WHITE HOUSE, *May 10, 2010.*

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5766. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Restrictions on the Use of Mandatory Arbitration Agreements" (DFARS Case 2010-D004), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Armed Services.

EC-5767. A communication from the Under Secretary of Defense (Personnel and Readiness), Department of Defense, transmitting, pursuant to law, a report relative to the Foreign Language Skill Proficiency Bonus program; to the Committee on Armed Services.

EC-5768. A communication from the Principal Deputy (Defense Research and Engineering), Department of Defense, transmitting, pursuant to law, a report entitled "Defense Production Act Annual Fund Report for Fiscal Year 2009"; to the Committee on Armed Services.

EC-5769. A communication from the Chief Counsel of the Fiscal Service, Bureau of Public Debt, Department of the Treasury, transmitting, pursuant to law, the report of a

rule entitled "Securities Held in TreasuryDirect" (31 CFR Part 363), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5770. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to the United Arab Emirates; to the Committee on Banking, Housing, and Urban Affairs.

EC-5771. A communication from the Secretary, Federal Trade Commission, transmitting, pursuant to law, a report entitled "Report on Emergency Technology for Use with ATMs"; to the Committee on Commerce, Science, and Transportation.

EC-5772. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid Program; State Allotment for Payment of Medicare Part B Premiums for Qualifying Individuals: Federal Fiscal Year 2009 and Federal Fiscal Year 2010" (RIN0938-AP90), received in the Office of the President of the Senate on May 5, 2010; to the Committee on Finance.

EC-5773. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to the United Kingdom for the manufacture of X300 Transmissions, Parts, Components and Accessories to be used in military vehicles in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-5774. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including, technical data, and defense services to South Korea, Qatar, United Arab Emirates, United Kingdom, the Netherlands, Thailand, Chile and Malaysia for the manufacture and sale of the Goalkeeper Gun Mount in the amount of $1,000,000 or more; to the Committee on Foreign Relations.

EC-5775. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, including, technical data, and defense services to Afghanistan to support the Global Maintenance and Supply Services, (GMASS), the M777A2 Sustainment, and the Mine Resistant Ambush Protected Vehicle Programs in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-5776. A communication from the Regulations Coordinator, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Health Care Reform Insurance Web Portal Requirements" (RIN0991-AB63), received in the Office of the President of the Senate on May 3, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5777. A communication from the Office Manager, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Early Retiree Reinsurance Program" (RIN0991-AB64), received in the Office of the President of the Senate on May 4, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5778. A communication from the Executive Analyst, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, (34) reports relative to vacancies in the Department of Health and Human Services; to the Committee on Health, Education, Labor, and Pensions.

EC-5779. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report on the Food and Drug Administration Advisory Committee Vacancies and Public Disclosures for FY 2009; to the Committee on Health, Education, Labor, and Pensions.

EC-5780. A communication from the Secretary of the Department of Health and Human Services, transmitting, pursuant to law, a report relative to the Comprehensive Tuberculosis Elimination Act of 2008; to the Committee on Health, Education, Labor, and Pensions.

EC-5781. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Further Consolidation of CBP Drawback Centers" ((CBP Dec. 10-05)-(RIN1651-AA79)), received in the Office of the President of the Senate on May 5, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5782. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2010-0668); to the Committee on the Judiciary.

EC-5783. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2010-0666); to the Committee on the Judiciary.

EC-5784. A communication from the Chief of the Strategic Support Section, Federal Bureau of Investigation, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "FBI Criminal Justice Information Services Division User Fees" (RIN1110-AA26), received in the Office of the President of the Senate on May 5, 2010; to the Committee on the Judiciary.

EC-5785. A communication from the Rules Administrator, Office of General Counsel, Federal Bureau of Prisons, transmitting, pursuant to law, the report of a rule entitled "Inmate Communication with News Media: Removal of Byline Regulations" (RIN1120-AB49), received in the Office of the President of the Senate on May 4, 2010; to the Committee on the Judiciary.

EC-5786. A communication from the Chair, U.S. Sentencing Commission, transmitting, pursuant to law, the amendments to the federal sentencing guidelines that were proposed by the Commission during the 2009 - 2010 amendment cycle; to the Committee on the Judiciary.

EC-5787. A communication from the Chairman of the Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled "Participation by Federal Candidates and Officeholders at Non-Federal Fundraising Events" (Notice No. 2010-11), received in the Office of the President of the Senate on May 6, 2010; to the Committee on Rules and Administration.

REPORT OF A COMMITTEE

The following report of committee was submitted:

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

H.R. 3237. A bill to enact certain laws relating to national and commercial space programs as title 51, United States Code, "National and Commercial Space Programs".

INTRODUCTION OF A BILL

The following bill was introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. BURR:

S. 3334. A bill to amend the Internal Revenue Code of 1986 to exempt survivor benefit annuity plan payments from the individual alternative minimum tax; to the Committee on Finance.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. DEMINT:

S. Res. 519. A resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and children is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent; to the Committee on Foreign Relations.

By Mr. BAUCUS (for himself and Mr. TESTER):

S. Res. 520. A resolution honoring the 100th anniversary of the establishment of Glacier National Park; considered and agreed to.

ADDITIONAL COSPONSORS

S. 405

At the request of Mr. LEAHY, the name of the Senator from Florida [Mr. NELSON] was added as a cosponsor of S. 405, a bill to amend the Internal Revenue Code of 1986 to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor.

S. 428

At the request of Mr. DORGAN, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 428, a bill to allow travel between the United States and Cuba.

S. 669

At the request of Mr. BURR, the name of the Senator from Alabama [Mr. SESSIONS] was added as a cosponsor of S. 669, a bill to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain purposes.

S. 777

At the request of Mr. BROWN of Ohio, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 777, a bill to promote industry growth and competitiveness and to improve worker training, retention, and advancement, and for other purposes.

S. 783

At the request of Mr. MENENDEZ, the name of the Senator from Delaware [Mr. KAUFMAN] was added as a cosponsor of S. 783, a bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf in the Mid-Atlantic and North Atlantic planning areas.

S. 891

At the request of Mr. BROWNBACK, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 891, a bill to require annual disclosure to the Securities and Exchange Commission of activities involving columbite-tantalite, cassiterite, and wolframite from the Democratic Republic of Congo, and for other purposes.

S. 941

At the request of Mr. CRAPO, the name of the Senator from Kansas [Mr. ROBERTS] was added as a cosponsor of S. 941, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearm laws and regulations, protect the community from criminals, and for other purposes.

S. 981

At the request of Mr. REID, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 981, a bill to support research and public awareness activities with respect to inflammatory bowel disease, and for other purposes.

S. 1214

At the request of Mr. LIEBERMAN, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 1214, a bill to conserve fish and aquatic communities in the United States through partnerships that foster fish habitat conservation, to improve the quality of life for the people of the United States, and for other purposes.

S. 1233

At the request of Ms. LANDRIEU, the name of the Senator from New Mexico [Mr. UDALL] was added as a cosponsor of S. 1233, a bill to reauthorize and improve the SBIR and STTR programs and for other purposes.

S. 1589

At the request of Ms. CANTWELL, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 1589, a bill to amend the Internal Revenue Code of 1986 to modify the incentives for the production of biodiesel.

S. 1611

At the request of Mr. GREGG, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 1611, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 2747

At the request of Mr. BINGAMAN, the names of the Senator from Michigan [Ms. STABENOW] and the Senator from New York [Mrs. GILLIBRAND] were added as cosponsors of S. 2747, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 2869

At the request of Ms. LANDRIEU, the name of the Senator from New Mexico [Mr. UDALL] was added as a cosponsor of S. 2869, a bill to increase loan limits for small business concerns, to provide for low interest refinancing for small business concerns, and for other purposes.

S. 2885

At the request of Ms. LANDRIEU, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 2885, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide adequate benefits for public safety officers injured or killed in the line of duty, and for other purposes.

S. 3036

At the request of Mr. BAYH, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 3036, a bill to establish the Office of the National Alzheimer's Project.

S. 3058

At the request of Mr. DORGAN, the names of the Senator from Connecticut [Mr. DODD] and the Senator from Oklahoma [Mr. INHOFE] were added as cosponsors of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3072

At the request of Mr. ROCKEFELLER, the names of the Senator from North Dakota [Mr. CONRAD], the Senator from Missouri [Mrs. MCCASKILL], the Senator from South Dakota [Mr. JOHNSON] and the Senator from North Dakota [Mr. DORGAN] were added as cosponsors of S. 3072, a bill to suspend, during the 2-year period beginning on the date of enactment of this Act, any Environmental Protection Agency action under the Clean Air Act with respect to carbon dioxide or methane pursuant to certain proceedings, other than with respect to motor vehicle emissions, and for other purposes.

S. 3165

At the request of Ms. LANDRIEU, the names of the Senator from New Mexico [Mr. UDALL], the Senator from Wisconsin [Mr. FEINGOLD] and the Senator from Vermont [Mr. LEAHY] were added as cosponsors of S. 3165, a bill to authorize the Administrator of the Small Business Administration to waive the non-Federal share requirement under certain programs.

S. 3202

At the request of Mr. LUGAR, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of S. 3202, a bill to promote the strengthening of the Haitian private sector.

S. 3213

At the request of Mr. LEVIN, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 3213, a bill to ensure that amounts credited

to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 3265

At the request of Mr. MCCAIN, the name of the Senator from Alabama [Mr. SHELBY] was added as a cosponsor of S. 3265, a bill to restore Second Amendment rights in the District of Columbia.

S. 3266

At the request of Mr. BENNET, the names of the Senator from Iowa [Mr. HARKIN] and the Senator from Oregon [Mr. MERKLEY] were added as cosponsors of S. 3266, a bill to ensure the availability of loan guarantees for rural homeowners.

S. 3305

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 3305, a bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes.

SENATE JOINT RESOLUTION 29

At the request of Mr. MCCONNELL, the name of the Senator from Utah [Mr. BENNETT] was added as a cosponsor of Senate Joint Resolution 29, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

At the request of Mrs. FEINSTEIN, the names of the Senator from Maryland [Mr. CARDIN], the Senator from New Jersey [Mr. LAUTENBERG] and the Senator from Rhode Island [Mr. WHITEHOUSE] were added as cosponsors of Senate Joint Resolution 29, supra.

SENATE RESOLUTION 511

At the request of Mr. LEAHY, the names of the Senator from New York [Mr. SCHUMER], the Senator from Utah [Mr. HATCH] and the Senator from California [Mrs. BOXER] were added as cosponsors of Senate Resolution 511, a resolution commemorating and acknowledging the dedication and sacrifices made by the Federal, State, and local law enforcement officers who have been killed or injured in the line of duty.

RESTORING AMERICAN FINANCIAL STABILITY ACT

Pursuant to the order of Friday, May 7, 2010, as modified,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (S. 3217) to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3738, as modified, proposed by Mr. SANDERS (for himself, Mr. FEINGOLD, Mr. DEMINT, Mr. LEAHY, Mr. MCCAIN, Mr. WYDEN, Mr. GRASSLEY, Mr. DORGAN, Mr. VITTER, Mrs. BOXER, Mr. BROWNBACK, Mr. RISCH, Mr. WICKER, Mr. GRAHAM, Mr. HATCH, Mr. CRAPO, Mr. BENNETT, Mr. BUNNING, Mrs. SHAHEEN, Ms. CANTWELL, Mr. BEGICH, Ms. MURKOWSKI, Mr. DODD, and Mr. MERKLEY), to amendment No. 3739 (in the nature of a substitute), as amended, proposed by Mr. REID for Mr. DODD (for himself and Mrs. LINCOLN), to the bill.

Pending debate,

By unanimous consent, on the request of Mr. DODD,

Ordered, That, after leader time on tomorrow, the Senate resume consideration of bill S. 3217; that there be a period of 80 minutes, equally divided and controlled, for concurrent debate between Mr. SANDERS, Mr. VITTER, Mr. SHELBY, and Mr. DODD, or their designees, on amendments Numbered 3738, as modified, and 3760; that, upon conclusion of debate, the Senate vote in "stacked" sequence in relation to amendment No. 3738, as modified, and amendment No. 3760; and that no amendment be in order to either amendment.

HONORING THE 100TH ANNIVERSARY OF THE ESTABLISHMENT OF GLACIER NATIONAL PARK

On the request of Mr. DODD,

The PRESIDING OFFICER (Mrs. SHAHEEN in the chair) laid before the Senate the resolution (S. Res. 520) honoring the 100th anniversary of the establishment of Glacier National Park, submitted today by Mr. BAUCUS (for himself and Mr. TESTER), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

COMMITTEE DISCHARGED; JOINT RESOLUTION REFERRED

By unanimous consent, on the request of Mr. DODD,

Ordered, That the Committee on Foreign Relations be discharged from the further consideration of joint resolution (S.J. Res. 29) approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003; and that the joint resolution be referred to the Committee on Finance.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

LIBRARY OF CONGRESS AMERICAN FOLKLIFE CENTER

The PRESIDING OFFICER announced that the PRESIDENT pro tempore, pursuant to Public Law 94-201, as amended by Public Law 105-275, had appointed the following individuals as members of the Board of Trustees of the American Folklife Center for the Library of Congress: Jean M. Dorton, of Kentucky, and Margaret Z. Robson, of New Mexico.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DODD,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of bill S. 3217, as pursuant to the order of today.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 2:15 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mr. DODD,

At 6:04 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

TUESDAY, MAY 11, 2010

Mrs. JEANNE SHAHEEN, from the State of New Hampshire, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mrs. SHAHEEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, May 11, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. SHAHEEN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

RESTORING AMERICAN FINANCIAL STABILITY ACT

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (S. 3217) to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail," to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3738, as modified, proposed by Mr. SANDERS (for himself, Mr. FEINGOLD, Mr. DEMINT, Mr. LEAHY, Mr. MCCAIN, Mr. WYDEN, Mr. GRASSLEY, Mr. DORGAN, Mr. VITTER, Mrs. BOXER, Mr. BROWNBACK, Mr. RISCH, Mr. WICKER, Mr. GRAHAM, Mr. HATCH, Mr. CRAPO, Mr. BENNETT, Mr. BUNNING, Mrs. SHAHEEN, Ms. CANTWELL, Mr. BEGICH, Ms. MURKOWSKI, Mr. DODD, Mr. MERKLEY, Mr. SCOTT BROWN, Mr. KERRY, Mrs. MURRAY, and Mr. BINGAMAN), to amendment No. 3739 (in the nature of a substitute), as amended, proposed by Mr. REID for Mr. DODD (for himself and Mrs. LINCOLN), to the bill.

Pending debate,

The pending amendment, as modified, was laid aside.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of yesterday,

On motion by Mr. VITTER (for himself, Mr. DEMINT, Mr. GRASSLEY, Mr. HATCH, Mr. MCCAIN, Mr. BUNNING, Mr. CRAPO, and Mr. RISCH) to further amend the pending amendment (in the nature of a substitute) in title XI, at the end thereof, by adding certain words (being amendment No. 3760).

Pending debate,

By unanimous consent, on the request of Mr. SHELBY,

Ordered, That, upon disposition of an amendment intended to be proposed by Mr. MCCAIN, a majority party amendment be in order to be proposed, followed by an amendment intended to be proposed by Mr. CORKER.

The question being on agreeing to amendment No. 3760 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

Pursuant to the order of yesterday,

The question recurring on agreeing to amendment No. 3738, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. DODD,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment, as modified.

Pursuant to the order of yesterday,

The question being taken.

It was determined in the affirmative---
yeas... 96, nays... 0

[Rollcall Vote No. 137 Leg.]

YEAS --- 96

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bennett, Bond, Boxer, Brown (MA), Brown (OH), Brownback, Bunning, Burr, Burris, Cantwell, Cardin, Carper, Casey, Chambliss, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dodd, Dorgan, Durbin, Ensign, Enzi, Feingold, Feinstein, Franken, Gillibrand, Graham, Grassley, Gregg, Hagan, Harkin, Hatch, Hutchison, Inouye, Isakson, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lincoln, Lugar, McCain, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Risch, Roberts, Rockefeller, Sanders, Schumer, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Whitehouse, Wicker, Wyden.

So the amendment, as modified, was agreed to.

Pursuant to the order of yesterday,

The question recurring on agreeing to amendment No. 3760 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

After debate,

On motion by Mr. SHELBY,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

Pursuant to the order of yesterday,

The question being taken.

It was determined in the negative---
yeas... 37, nays... 62

[Rollcall Vote No. 138 Leg.]

YEAS --- 37

Barrasso, Brownback, Bunning, Burr, Cantwell, Chambliss, Coburn, Cochran, Collins, Cornyn, Crapo, DeMint, Dorgan, Ensign, Enzi, Feingold, Graham, Grassley, Hatch, Hutchison, Inhofe, Isakson, LeMieux, Lincoln, McCain, Murkowski, Risch, Roberts, Sanders, Sessions, Shelby, Snowe, Thune, Vitter, Webb, Wicker, Wyden.

NAYS --- 62

Akaka, Alexander, Baucus, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Burris, Cardin, Carper, Casey, Conrad, Corker, Dodd, Durbin, Feinstein, Franken, Gillibrand, Gregg, Hagan, Harkin, Inouye, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lugar, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Whitehouse.

So the amendment was not agreed to.

On motion by Mr. DODD to reconsider the vote disagreeing to the amendment.

On motion by Mr. DODD,

The motion to reconsider was laid on the table.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

RECESS

Pursuant to the order of yesterday, as modified,

At 12:33 p.m.,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) declared the Senate recessed until 2:15 p.m.

AT 2:15 P.M.

The PRESIDING OFFICER (Mr. BEGICH in the chair) called the Senate to order.

RESTORING AMERICAN FINANCIAL STABILITY ACT

The Senate resumed consideration of bill S. 3217.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. MCCAIN (for himself, Mr. SHELBY, Mr. GREGG, Mr. BENNETT, Mr. CRAPO, Mr. CORKER, and Ms. COLLINS) to further amend the pending amendment (in the nature of a substitute) at the end thereof, by adding certain words (being amendment No. 3839).

By unanimous consent, on the request of Mr. MCCAIN,

Ordered, That Mr. BURR, Mrs. HUTCHISON, and Mr. ROBERTS be added as cosponsors of the pending amendment.

The question being on agreeing to amendment No. 3839 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

The pending amendment was laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. DODD to further amend the pending amendment (in the nature of a substitute) on page 1455, after line 25, by adding certain words (being amendment No. 3938).

Pending debate,

By unanimous consent, on the request of Mr. DODD,

Ordered, That there be a limitation of 20 minutes, equally divided and controlled, for debate between Mr. DODD and Mr. MCCAIN on pending amendments Numbered 3938 and 3839; that, upon conclusion of debate, the Senate vote in relation to amendment No. 3938; that, following the vote, the Senate vote in relation to amendment No. 3839; and that no amendment be in order to either amendment prior to a vote.

The question being on agreeing to amendment No. 3938 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

ORDER FOR EXECUTIVE SESSION

By unanimous consent, on the request of Mr. DODD,

As in executive session,

Ordered, That, upon disposition of the aforementioned amendments, the Senate proceed to executive session to consider the nominations of Timothy S. Black, of Ohio, to be United States District Judge for the Southern District of Ohio, and Jon E. DiGuilio, of Indiana, to be United States District Judge for the Northern District of Indiana; that the Senate immediately vote on confirmation of the nominations; that each vote following the first be 10 minutes in duration; that, following the votes, a motion to reconsider be considered made and laid on the table; that the President be immediately notified of the Senate's action; and that the Senate then resume its legislative session.

RESTORING AMERICAN FINANCIAL STABILITY ACT

The Senate resumed consideration of bill S. 3217.

The question being on agreeing to amendment No. 3938 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

After debate,

On motion by Mr. DODD,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the affirmative---
yeas... 63, nays... 36

[Rollcall Vote No. 139 Leg.]

YEAS --- 63

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (MA), Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS --- 36

Alexander, Barrasso, Bennett, Bond, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Kyl, LeMieux, Lugar, McCain, McConnell, Risch, Roberts, Sessions, Shelby, Thune, Vitter, Wicker.

So the amendment was agreed to.

On motion by Mr. INOUYE to reconsider the vote agreeing to the amendment.

On motion by Mr. INOUYE,

The motion to reconsider was laid on the table.

The question recurring on agreeing to amendment No. 3839 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. MCCAIN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the negative---
yeas... 43, nays... 56

[Rollcall Vote No. 140 Leg.]

YEAS --- 43

Alexander, Barrasso, Bayh, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

NAYS --- 56

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the amendment was not agreed to.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

EXECUTIVE SESSION

Pursuant to the order of today,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

Pursuant to the order of today,

The Senate resumed its legislative session.

RESTORING AMERICAN FINANCIAL STABILITY ACT

The Senate resumed consideration of bill S. 3217.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. DODD,

Ordered, That the following Senators be recognized to propose the following amendments in the following order: Mr. BENNET, amendment No. 3928; Mr. CORKER, amendment No. 3955; and Mr. MERKLEY, amendment No. 3962.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today,

On motion by Mr. BENNET (for himself, Mr. TESTER, Mr. ISAKSON, Ms. KLOBUCHAR, Mr. BEGICH, Mr. MARK UDALL, Mr. LEMIEUX, Mr. SHERROD BROWN, and Mr. SCOTT BROWN) to further amend the pending amendment (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 3928).

After debate,

The amendment was agreed to.

On motion by Mr. DODD to reconsider the vote agreeing to the amendment.

On motion by Mr. DODD,

The motion to reconsider was laid on the table.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today,

On motion by Mr. CORKER (for himself, Mr. GREGG, Mr. LEMIEUX, Mr. COBURN, and Mr. SCOTT BROWN) to further amend the pending amendment (in the nature of a substitute) on page 1045, striking all beginning on line 12 through "SEC. 942" on

line 3, page 1052, and inserting in lieu thereof other words (being amendment No. 3955).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today,

On motion by Mr. MERKLEY (for himself, Ms. KLOBUCHAR, Mr. SCHUMER, Ms. SNOWE, Mr. SCOTT BROWN, Mr. BEGICH, Mrs. BOXER, and Mr. DODD) to further amend the pending amendment (in the nature of a substitute) on various pages and lines, by striking certain words and inserting other words (being amendment No. 3962).

By unanimous consent, on the request of Mr. MERKLEY,

Ordered, That Mr. KERRY, Mr. FRANKEN, and Mr. LEVIN be added as cosponsors of the pending amendment.

The question being on agreeing to amendment No. 3962 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That Mr. COCHRAN be added as cosponsor of amendment No. 3746.

The question being on agreeing to amendment No. 3962 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mrs. HUTCHISON (for herself, Ms. KLOBUCHAR, Mr. JOHANNS, Mr. CORKER, Mr. VITTER, Mr. BOND, Mr. SHELBY, Mr. CRAPO, Mr. SCOTT BROWN, Mr. BENNETT, Mr. GREGG, Mr. BROWNBACK, Mr. ROBERTS, Mr. BEN NELSON, Mrs. MURRAY, Mr. ALEXANDER, Mrs. MCCASKILL, Mrs. SHAHEEN, Mrs. HAGAN, Mr. BURR, Mr. ENSIGN, Ms. LANDRIEU, Mr. BARRASSO, Mr. ENZI, Mr. LUGAR, Mr. CHAMBLISS, Mr. COBURN, Mr. ISAKSON, and Ms. CANTWELL) to further amend the pending amendment (in the nature of a substitute) on page 299, striking all beginning on line 3 through line 19 on page 367, and inserting in lieu thereof other words (being amendment No. 3759).

Mrs. HUTCHISON modified her pending amendment.

The question then being on agreeing to amendment No. 3759, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

By unanimous consent, on the request of Mr. DODD,

Ordered, That, following the times for the recognition of the two leaders on tomorrow, the Senate resume consideration of bill S. 3217; that time until 10 a.m. be equally divided and controlled for debate between the two leaders, or their designees, on amendments Numbered 3962, 3955, and 3759, as modified; that, at 10 a.m., the Senate vote in "stacked" sequence in relation to the amendments in the aforementioned order; that there be 2 minutes for debate prior to each vote; that each vote following the first be 10 minutes in duration; and that no amendment be in order to an amendment prior to a vote.

Ordered further, That the next amendments in order be an amendment, intended to be proposed by Ms. LANDRIEU (for herself and Mr. ISAKSON), relative to risk retention, and an amendment (Numbered 3918), intended to be proposed by Ms. SNOWE (for herself and Ms. LANDRIEU).

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. DODD,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by Mrs. Neiman, one of his secretaries:

2010 NATIONAL DRUG CONTROL STRATEGY -- PM 54

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

To the Congress of the United States:

I am pleased to transmit the 2010 National Drug Control Strategy, a blueprint for reducing illicit drug use and its harmful consequences in America. I am committed to restoring balance in our efforts to combat the drug problems that plague our communities. While I remain steadfast in my commitment to continue our strong enforcement efforts, especially along the southwest border, I directed the Office of National Drug Control Policy to reengage in efforts to prevent drug use and addiction and to make treatment available for those who seek recovery. This new, balanced approach will expand efforts for the three critical ways that we can address the drug problem: prevention, treatment, and law enforcement.

Drug use endangers the health and safety of every American, depletes financial and human resources, and deadens the spirit of many of our communities. Whether struggling with an addiction, worrying about a loved one's substance abuse, or being a victim of drug-related crime, millions of people in this country live with the devastating impact of illicit drug use every day. This stark reality demands a new direction in drug policy—one based on common sense, sound science, and practical experience. That is why my new Strategy includes efforts to educate young people who are the most at-risk about the dangers of substance abuse, allocates unprecedented funding for treatment efforts in federally qualified health centers, reinvigorates drug courts and other criminal justice innovations, and strengthens our enforcement efforts to rid our streets of the drug dealers who infect our communities.

I am confident that if we take these needed steps, we will make our country stronger, our people healthier, and our streets safer. If we boost community-based prevention efforts, expand treatment opportunities, strengthen law enforcement capabilities, and work collaboratively with our global partners, we will reduce drug use and its resulting damage.

While I am proud of the new direction described here, a well-crafted strategy is only as successful as its implementation. To succeed, we will need to rely on the hard work, dedication, and perseverance of every concerned American. I look forward to working with the Congress, Federal, State, and local officials, tribal leaders, and citizens across the country as we implement this Strategy and make our communities better places to live, work, and raise our families.

BARACK OBAMA.

THE WHITE HOUSE, *May 11, 2010.*

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. COBURN (for himself, Mr. MCCAIN, Mr. FEINGOLD, Mrs. GILLIBRAND, Mr. BENNET, Mr. ENSIGN, Mr. CORKER, and Mr. UDALL of Colorado):

S. 3335. A bill to require Congress to establish a unified and searchable database on a public website for congressional earmarks as called for by the President in his 2010 State of the Union Address to Congress; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. FEINSTEIN (for herself and Mr. BROWN of Ohio):

S. 3336. A bill to amend the Internal Revenue Code of 1986 to provide for the treatment of bonds issued to finance renewable energy resources facilities,

conservation and efficiency facilities, and other specified greenhouse gas emission technologies; to the Committee on Finance.

By Ms. LANDRIEU:

S. 3337. A bill to amend the Public Works and Economic Development Administration Act of 1965 to establish a program to provide technical assistance grants for use by organizations in assisting individuals and businesses affected by the Deepwater Horizon oil spill in the Gulf of Mexico; to the Committee on Environment and Public Works.

By Mr. NELSON of Florida:

S. 3338. A bill to amend the Internal Revenue Code of 1986 to provide an investment tax credit for advanced biofuel production property; to the Committee on Finance.

By Mr. KERRY (for himself, Mr. CRAPO, Mr. WYDEN, and Ms. SNOWE):

S. 3339. A bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers; to the Committee on Finance.

By Mr. UDALL of New Mexico:

S. 3340. A bill to create jobs, increase energy efficiency, and promote technology transfer, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CARDIN (for himself, Ms. COLLINS, Mr. AKAKA, Mr. ROCKEFELLER, Ms. MIKULSKI, Mr. BINGAMAN, Mr. JOHNSON, Mr. KAUFMAN, Mr. KERRY, Ms. LANDRIEU, Ms. STABENOW, and Mr. WARNER):

S. 3341. A bill to amend title 5, United States Code, to extend eligibility for coverage under the Federal Employees Health Benefits Program with respect to certain adult dependents of Federal employees and annuitants, in conformance with amendments made by the Patient Protection and Affordable Care Act; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DURBIN:

S. 3342. A bill to amend the Richard B. Russell National School Lunch Act to establish a demonstration project to promote collaborations to improve school nutrition; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LAUTENBERG:

S. 3343. A bill to direct the Secretary of the Interior to establish an annual fee on Federal offshore areas that are subject to a lease for production of oil or natural gas and to establish a fund to reduce pollution and the dependence of the United States on oil; to the Committee on Energy and Natural Resources.

By Mr. WHITEHOUSE (for himself, Mr. MENENDEZ, and Mrs. BOXER):

S. 3344. A bill to establish an independent, nonpartisan commission to investigate the causes and impact of, and evaluate and improve the response to, the explosion, fire, and loss of life on and sinking of the Mobile Drilling Unit Deepwater Horizon and the resulting uncontrolled release of crude oil into the Gulf of Mexico, and to ensure that a similar disaster is not repeated; to the Committee on Energy and Natural Resources

By Mr. WHITEHOUSE (for himself, Mr. MENENDEZ, and Mr. LEAHY):

S. 3345. A bill to amend title 46, United States Code, to remove the cap on punitive damages established by the Supreme Court in Exxon Shipping Company v. Baker; to the Committee on Commerce, Science, and Transportation.

By Mr. WHITEHOUSE (for himself and Mr. MENENDEZ):

S. 3346. A bill to increase the limits on liability under the Outer Continental Shelf Lands Act; to the Committee on Energy and Natural Resources.

By Mr. VITTER:

S. 3347. A bill to extend the National Flood Insurance Program through December 31, 2010; read the first time.

By Mr. ISAKSON (for himself, Mr. ALEXANDER, Mr. BARRASSO, Mr. COBURN, Mr. DEMINT, Mr. GREGG, Mr. BURR, Mr. ROBERTS, Mr. WICKER, Mr. JOHANNS, Mr. GRASSLEY, Mr. LEMIEUX, Mr. CHAMBLISS, Ms. COLLINS, Mr. HATCH, Mr. VOINOVICH, Mr. CRAPO, Mr. ENZI, Mr. BROWNBACK, Mr. BUNNING, Ms. MURKOWSKI, Mr. CORKER, Mr. SESSIONS, Mr. LUGAR, Mr. THUNE, and Mr. BENNETT):

S.J. Res. 30. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Mediation Board relating to representation election procedures; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 678

At the request of Mr. LEAHY, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 678, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 695

At the request of Ms. SNOWE, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 695, a bill to authorize the Secretary of Commerce to reduce the matching requirement for participants in the Hollings Manufacturing Partnership Program.

S. 941

At the request of Mr. CRAPO, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 941, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearm laws and regulations, protect the community from criminals, and for other purposes.

S. 1072

At the request of Mrs. LINCOLN, the name of the Senator from Indiana [Mr. BAYH] was added as a cosponsor of S. 1072, a bill to amend chapter 1606 of title 10, United States Code, to modify the basis utilized for annual adjustments in amounts of educational assistance for members of the Selected Reserve.

S. 1317

At the request of Mr. LAUTENBERG, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 1317, a bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists.

S. 1645

At the request of Mr. SPECTER, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 1645, a bill to amend the Agricultural Adjustment Act to require the Secretary of Agriculture to determine the price of all milk used for manufactured purposes, which shall be classified as Class II milk, by using the national average cost of production, and for other purposes.

S. 1709

At the request of Ms. STABENOW, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 1709, a bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to establish a grant program to promote efforts to develop, implement, and sustain veterinary services, and for other purposes.

S. 1982

At the request of Mr. BROWN of Ohio, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 1982, a bill to renew and extend the provisions relating to the identification of trade enforcement priorities, and for other purposes.

S. 2924

At the request of Mr. LEAHY, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 2924, a bill to reauthorize the Boys & Girls Clubs of America, in the wake of its Centennial, and its programs and activities.

S. 3055

At the request of Mr. CASEY, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 3055, a bill to require the Secretary of Commerce to award

grants to municipalities to carry out community greening initiatives, and for other purposes.

S. 3102

At the request of Mr. MERKLEY, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 3102, a bill to amend the miscellaneous rural development provisions of the Farm Security and Rural Investment Act of 2002 to authorize the Secretary of Agriculture to make loans to certain entities that will use the funds to make loans to consumers to implement energy efficiency measures involving structural improvements and investments in cost-effective, commercial off-the-shelf technologies to reduce home energy use.

S. 3201

At the request of Mr. UDALL of Colorado, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 3201, a bill to amend title 10, United States Code, to extend TRICARE coverage to certain dependents under the age of 26.

S. 3211

At the request of Mrs. SHAHEEN, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 3211, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by designating certain certified diabetes educators as certified providers for purposes of outpatient diabetes self-management training services under part B of the Medicare Prorgram.

S. 3255

At the request of Mrs. LINCOLN, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 3255, a bill to amend title XVIII of the Social Security Act to provide coverage for custom fabricated breast prostheses following a mastectomy.

S. 3295

At the request of Mr. SCHUMER, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 3295, a bill to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes.

S. 3297

At the request of Mr. FEINGOLD, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 3297, a bill to update United States policy and authorities to help advance a genuine transition to democracy and to promote recovery in Zimbabwe.

S. 3308

At the request of Mr. NELSON of Florida, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 3308, a bill to suspend certain activities in the outer Continental Shelf until the date on which the joint investigation into the Deepwater Horizon incident in the Gulf of Mexico has been completed, and for other purposes.

S. 3315

At the request of Ms. COLLINS, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 3315, a bill to amend title XVIII of the Social Security Act to protect Medicare beneficiaries' access to home health services under the Medicare program.

S. 3324

At the request of Mr. BROWN of Ohio, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3324, a bill to amend the Internal Revenue Code of 1986 to extend the qualifying advanced energy project credit.

S. 3326

At the request of Ms. CANTWELL, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 3326, a bill to provide grants to States for low-income housing projects in lieu of low-income housing credits, and to amend the Internal Revenue Code of 1986 to allow a 5-year carryback of the low-income housing credit, and for other purposes.

S. 3329

At the request of Mr. LAUTENBERG, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 3329, a bill to provide triple credits for renewable energy on brownfields, and for other purposes.

SENATE RESOLUTION 410

At the request of Mr. BAYH, the names of the Senator from Oregon [Mr. MERKLEY], the Senator from New York [Mr. SCHUMER], the Senator from Ohio [Mr. VOINOVICH] and the Senator from Oregon [Mr. WYDEN] were added as cosponsors of Senate Resolution 410, a resolution supporting and recognizing the goals and ideals of "RV Centennial Celebration Month" to commemorate 100 years of enjoyment of recreation vehicles in the United States.

SENATE RESOLUTION 511

At the request of Mr. LEAHY, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of Senate Resolution 511, a resolution commemorating and acknowledging the dedication and sacrifices made by the Federal, State, and local law enforcement officers who have been killed or injured in the line of duty.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. DODD,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on May 11, 2010, at 10 a.m., in room SR-325 of the Russell Senate Office Building.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works be authorized to meet during the session of the Senate on Tuesday, May 11, 2010, at 2:30 p.m. in room 406 of the Dirksen Office Building.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on May 11, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "The President's Proposed Fee on Financial Institutions Regarding TARP: Part 3".

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate to conduct a hearing entitled "Safe Patient Handling & Lifting Standards for a Safer American Workforce" on May 11, 2010. The hearing will commence at 2:30 p.m. in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on May 11, 2010, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Oversight of U.S. Citizenship and Immigration Services."

SUBCOMMITTEE ON OVERSIGHT AND SUBCOMMITTEE ON WATER AND WILDLIFE

The Subcommittee on Oversight and the Subcommittee on Water and Wildlife be authorized to meet during the session of the Senate on May 11, 2010, at 10 a.m., in room 406 of the Dirksen Office Building.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on May 11, 2010, at 2:30 p.m.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 2:15 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 2802. An act to provide for an extension of the legislative authority of the

Adams Memorial Foundation to establish a commemorative work in honor of former President John Adams and his legacy, and for other purposes.

H.R. 5148. An act to amend title 39, United States Code, to clarify the instances in which the term "census" may appear on mailable matter.

H.R. 5160. An act to extend the Caribbean Basin Economic Recovery Act, to provide customs support services to Haiti, and for other purposes.

COMMEMORATING THE DEDICATION AND SACRIFICES MADE BY LAW ENFORCEMENT OFFICERS KILLED OR INJURED IN THE LINE OF DUTY

By unanimous consent, on the request of Mr. DODD,

The Senate proceeded to consider the resolution (S. Res. 511) commemorating and acknowledging the dedication and sacrifices made by the Federal, State, and local law enforcement officers who have been killed or injured in the line of duty.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

BILL READ THE FIRST TIME

On the request of Mr. DODD,

The PRESIDING OFFICER (Mr. MERKLEY in the chair) laid before the Senate the bill (S. 3347) to extend the National Flood Insurance Program through December 31, 2010, introduced today by Mr. VITTER, and at the desk; which was read the first time.

Mr. DODD asked unanimous consent that the bill be read the second time.

Mr. DODD objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DODD,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of bill S. 3217, as pursuant to the order of today.

ADJOURNMENT

By unanimous consent, on the request of Mr. DODD,

At 7:01 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

WEDNESDAY, MAY 12, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, May 12, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. TOM UDALL took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3347) to extend the National Flood Insurance Program through December 31, 2010, introduced on yesterday by Mr. VITTER, and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

RESTORING AMERICAN FINANCIAL STABILITY ACT

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (S. 3217) to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail," to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3759, as modified, proposed by Mrs. HUTCHISON (for herself, Ms. KLOBUCHAR, Mr. JOHANNS, Mr. CORKER, Mr. VITTER, Mr. BOND, Mr. SHELBY, Mr. CRAPO, Mr. SCOTT BROWN, Mr. BENNETT, Mr. GREGG, Mr. BROWNBACK, Mr. ROBERTS, Mr. BEN NELSON, Mrs. MURRAY, Mr. ALEXANDER, Mrs. MCCASKILL, Mrs. SHAHEEN, Mrs. HAGAN, Mr. BURR, Mr. ENSIGN, Ms. LANDRIEU, Mr. BARRASSO, Mr. ENZI, Mr. LUGAR, Mr. CHAMBLISS, Mr. COBURN, Mr. ISAKSON, and Ms. CANTWELL), to amendment No. 3739 (in the nature of a substitute), as amended, proposed by Mr. REID for Mr. DODD (for himself and Mrs. LINCOLN), to the bill.

Pending debate,

The hour of 10 a.m. having passed,

Pursuant to the order of yesterday, as modified,

The question recurring on agreeing to amendment No. 3962, proposed by Mr. MERKLEY (for himself, Ms. KLOBUCHAR, Mr. SCHUMER, Ms. SNOWE, Mr. SCOTT BROWN, Mr. BEGICH, Mrs. BOXER, and Mr. DODD), to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

After debate,

On motion by Mr. MERKLEY,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the affirmative---

yeas... 63, nays... 36

[Rollcall Vote No. 141 Leg.]

YEAS --- 63

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (MA), Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Grassley, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, Lugar, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 36

Alexander, Barrasso, Bennett, Bond, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Thune, Vitter, Voinovich, Wicker.

So the amendment was agreed to.

Pursuant to the order of yesterday,

The question recurring on agreeing to amendment No. 3955, proposed by Mr. CORKER (for himself, Mr. GREGG, Mr. LEMIEUX, Mr. COBURN, and Mr. SCOTT BROWN), to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

After debate,

On motion by Mr. CORKER,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the negative---
yeas... 42, nays... 57

[Rollcall Vote No. 142 Leg.]

YEAS --- 42

Alexander, Barrasso, Bayh, Bennett, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Warner, Wicker.

NAYS --- 57

Akaka, Baucus, Begich, Bennet, Bingaman, Bond, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Grassley, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Webb, Whitehouse, Wyden.

So the amendment was not agreed to.

On motion by Mr. DODD to reconsider the vote agreeing to the amendment.

On motion by Mr. DODD,

The motion to reconsider was laid on the table.

Pursuant to the order of yesterday,

The question recurring on agreeing to amendment No. 3759, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

After debate,

On motion by Mr. DODD,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment, as modified.

The question being taken.

It was determined in the affirmative---
yeas... 90, nays... 9

[Rollcall Vote No. 143 Leg.]

YEAS --- 90

Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown (MA), Brownback, Bunning, Burr, Burris, Cantwell, Cardin, Carper, Casey, Chambliss, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dorgan, Durbin, Ensign, Enzi, Feingold, Feinstein, Franken, Gillibrand, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Isakson, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, LeMieux, Lieberman, Lincoln, Lugar, McCain, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reid, Risch, Roberts, Rockefeller, Schumer, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Wicker, Wyden.

NAYS --- 9

Akaka, Brown (OH), Dodd, Harkin, Inouye, Levin, Reed, Sanders, Whitehouse.

So the amendment, as modified, was agreed to.

On motion by Mr. DODD to reconsider the vote agreeing to the amendment, as modified.

On motion by Mr. DODD,

The motion to reconsider was laid on the table.

Subsequently,

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That, on rollcall Vote No. 143, his vote be changed from "nay" to "yea", thus changing the result to yeas 91, nays 8.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to order of yesterday,

On motion by Ms. LANDRIEU (for herself, Mr. ISAKSON, Mrs. HAGAN, Mr. WARNER, Mr. MENENDEZ, Mr. TESTER, Mrs. LINCOLN, Mr. LEVIN, Mr. BURR, and Mrs. HUTCHISON) to further amend the pending amendment (in the nature of a substitute) on various pages and lines, by striking certain words and inserting other words (being amendment No. 3956).

Pending debate,

By unanimous consent, on the request of Mr. ISAKSON,

Ordered, That Mr. GRASSLEY be added as cosponsor of the pending amendment.

The question being on agreeing to amendment No. 3956 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

By unanimous consent, on the request of Mr. DODD,

Ordered, That the pending amendment be laid aside.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of yesterday,

On motion by Ms. SNOWE (for herself, Ms. LANDRIEU, Mrs. SHAHEEN, and Mr. THUNE) to further amend the pending amendment (in the nature of a substitute) on various pages and lines, by striking certain words and inserting other words (being amendment No. 3918).

Pending debate,

By unanimous consent, on the request of Ms. LANDRIEU,

Ordered, That Mr. BURRIS be added as cosponsor of amendment No. 3956.

The question being on agreeing to amendment No. 3918 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

Mr. CRAPO called for the regular order with respect to amendment No. 3956.

Whereupon,

The question being on agreeing to amendment No. 3956 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. CRAPO to amend the pending amendment on page 1, striking all beginning on line 3 through line 7 on page 3, and inserting in lieu thereof other words (being amendment No. 3992).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question recurring on agreeing to amendment No. 3918 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

The amendment was agreed to.

On motion by Mr. DODD to reconsider the vote agreeing to the amendment.

On motion by Mr. DODD,

The motion to reconsider was laid on the table.

The question recurring on agreeing to amendment No. 3992 to amendment No. 3956 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. CHAMBLISS (for himself, Mr. SHELBY, Mr. MCCONNELL, Mr. GREGG, Mr. CRAPO, Mr. JOHANNS, Mr. COCHRAN, Mrs. HUTCHISON, Mr. CORNYN, Mr. ROBERTS, Mr. BENNETT, Mr. VITTER, Mr. THUNE, and Mr. BOND) to further amend the pending amendment (in the nature of a substitute) by striking title VII and inserting other words (being amendment No. 3816).

Pending debate,

On motion by Mr. CHAMBLISS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being on agreeing to amendment No. 3816 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mrs. LINCOLN,

Ordered, That time until 5:30 p.m. be equally divided and controlled in the usual form for debate; that, at 5:30 p.m., the Senate vote in relation to the pending amendment; that no amendment be in order to the amendment prior to the vote; and that, following the vote, the following be the next amendments in order to be proposed in the following order:

An amendment (Numbered 3943), intended to be proposed by Mr. REED; and

An amendment (Numbered 3832), intended to be proposed by Mr. SESSIONS.

Pursuant to the foregoing order,

The question being taken on agreeing to amendment No. 3816.

It was determined in the negative---
yeas... 39, nays... 59

[Rollcall Vote No. 144 Leg.]

YEAS --- 39

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Thune, Vitter, Voinovich, Wicker.

NAYS --- 59

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Grassley, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the amendment was not agreed to.

The question recurring on agreeing to amendment No. 3992 to amendment No. 3956 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. REED (for himself and Mr. SCOTT BROWN) to further amend the pending amendment (in the nature of a substitute) on page 1219, line 25, at the end thereof, by adding certain words (being amendment No. 3943).

On motion by Mr. REED,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

After debate,

The question being taken.

It was determined in the affirmative---
yeas... 98, nays... 1

[Rollcall Vote No. 145 Leg.]

YEAS --- 98

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Brownback, Bunning, Burr, Burris, Cantwell, Cardin, Carper, Casey, Chambliss, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dodd, Dorgan, Durbin, Ensign, Enzi, Feingold, Feinstein, Franken, Gillibrand, Graham, Grassley, Gregg, Hagan, Harkin, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lincoln, Lugar, McCain, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Risch, Roberts, Rockefeller, Sanders, Schumer, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Whitehouse, Wicker, Wyden.

NAYS --- 1

Coburn.

So the amendment was agreed to.

The question recurring on agreeing to amendment No. 3992 to amendment No. 3956 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Ms. COLLINS (for herself, Mrs. SHAHEEN, and Mr. BROWNBACK) to further amend the pending amendment (in the nature of a substitute) in title I, at the appropriate place, by inserting certain words (being amendment No. 3879).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. BROWNBACK (for himself, Mr. BOND, and Mr. INHOFE) to further amend the pending amendment (in the nature of a substitute) in title X, subtitle B, at the end thereof, by adding certain words (being amendment No. 3789).

Mr. BROWNBACK modified his pending amendment.

The question then being on agreeing to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. BROWNBACK for Ms. SNOWE (for herself and Mr. PRYOR) to further amend the pending amendment (in the nature of a substitute), at the appropriate place, by inserting certain words (being amendment No. 3883).

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. SPECTER (for himself, Mr. REED, Mr. KAUFMAN, Mr. DURBIN, Mr. HARKIN, Mr. LEAHY, Mr. LEVIN, Mr. MENENDEZ, Mr. WHITEHOUSE, Mr. FRANKEN, Mr. FEINGOLD, and Mr. MERKLEY) to further amend the pending amendment (in the nature of a substitute) on page 1004, line 11, at the end thereof, by adding certain words (being amendment No. 3776).

Mr. SPECTER modified his pending amendment.

The question then being on agreeing to amendment No. 3776, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Mr. DODD proposed the following amendments on various pages and lines on behalf of the Senators indicated: Mr. LEAHY (for himself, Mr. DURBIN, Mr. ROCKEFELLER, Mr. SCHUMER, Mrs. FEINSTEIN, Mr. SPECTER, Mr. WHITEHOUSE, Ms. CANTWELL, Mr. KAUFMAN, Mrs. GILLIBRAND, Mr. WYDEN, Mr. SHERROD BROWN, Mr. LIEBERMAN, Mr. BURRIS, Mrs. MCCASKILL, Mr. FRANKEN, Mr. BENNET, Mr. FEINGOLD, Mr. LAUTENBERG, Mr. WEBB, Mrs. BOXER, Ms. LANDRIEU, and Mrs. MURRAY), amendment

No. 3823; Mr. DURBIN (for himself, Mr. SANDERS, Mr. CARDIN and Mr. SPECTER), amendment No. 3932; and Mr. FRANKEN (for himself, Mr. SCHUMER, Mr. BILL NELSON, Mr. WHITEHOUSE, Mr. SHERROD BROWN, Mrs. MURRAY, Mr. MERKLEY, Mr. BINGAMAN, Mr. LAUTENBERG, Mrs. SHAHEEN, Mr. CASEY, Mr. WICKER, Mr. SANDERS, Mr. JOHNSON, Mr. KAUFMAN, Mr. GRASSLEY, and Mr. DURBIN), amendment No. 3808.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today, as modified,

On motion by Mr. SESSIONS (for himself, Mr. BUNNING, Mr. DEMINT, Mr. ENSIGN, Mr. SCOTT BROWN, Mr. CORNYN, Mr. THUNE, and Mr. VITTER) to further amend the pending amendment (in the nature of a substitute) by striking title II and inserting other words (being amendment No. 3832).

Pending debate,

By unanimous consent, on the request of Mr. DODD,

Ordered, That amendment No. 3932 and amendment No. 3808 be withdrawn.

The question being on agreeing to amendment No. 3832 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. DODD (for Mr. DURBIN) to further amend the pending amendment (in the nature of a substitute) in title X, subtitle G, at the end thereof, by adding certain words (being amendment No. 3989).

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. DODD for Mr. FRANKEN (for himself, Mr. SCHUMER, Mr. BILL NELSON, Mr. WHITEHOUSE, Mr. SHERROD BROWN, Mrs. MURRAY, Mr. MERKLEY, Mr. BINGAMAN, Mr. LAUTENBERG, Mrs. SHAHEEN, Mr. CASEY, Mr. WICKER, Mr. SANDERS, Mr. JOHNSON, Mr. KAUFMAN, Mr. GRASSLEY, Mr. DURBIN, Mr. HARKIN, and Ms. KLOBUCHAR) to further amend the pending amendment (in the nature of a substitute) on page 1044, line 2, at the end thereof, by adding certain words (being amendment No. 3991).

By unanimous consent, on the request of Mr. DODD,

Ordered, That amendment No. 3992 be the pending question.

Pursuant to the foregoing order,

The question recurring on agreeing to amendment No. 3992 to amendment No. 3956 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. DODD,

Ordered, That the pending amendment be modified, and agreed to; that amendment No. 3956, as thus amended, be agreed to; and that motions to reconsider be made and laid on the table.

The question being on agreeing to amendment No. 3991 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. DODD,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by Mr. Pate, one of his secretaries:

CONTINUATION OF THE NATIONAL EMERGENCY DECLARED WITH RESPECT TO STABILIZATION OF IRAQ -- PM 55

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication, continuing the national emergency with respect to the stabilization of Iraq. This notice states that the national emergency with respect to the stabilization of Iraq declared in Executive Order 13303 of May 22, 2003, as modified in scope and relied upon for additional steps taken in Executive Order 13315 of August 28, 2003, Executive Order 13350 of July 29, 2004, Executive Order 13364 of November 29, 2004, and Executive Order 13438 of July 17, 2007, is to continue in effect beyond May 22, 2010.

Obstacles to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in the country, and the development of political, administrative, and economic institutions in Iraq continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Accordingly, I have determined that it is necessary to continue the national emergency with respect to this threat and maintain in force the measures taken to deal with that national emergency.

The Iraqi government continues to take steps to resolve debts and settle claims arising from the actions of the previous regime. Before the end of the year, my Administration will review the Iraqi government's progress on resolving these outstanding debts and claims, as well as other relevant circumstances, in order to determine whether the prohibitions contained in Executive Order 13303 of May 22, 2003, as amended by Executive Order 13364 of November 29, 2004, on any attachment, judgment, decree, lien, execution, garnishment, or other judicial process with respect to the Development Fund for Iraq, the accounts, assets, and property held by the Central Bank of Iraq, and Iraqi petroleum-related products, should continue in effect beyond December 31, 2010, which are in addition to the sovereign immunity ordinarily provided to Iraq as a sovereign nation under otherwise applicable law.

BARACK OBAMA.

THE WHITE HOUSE, *May 12, 2010.*

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5788. A communication from the Administrator of Cotton and Tobacco Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Cotton Research and Promotion Program: Designation of Cotton-Producing States" ((Docket No. AMS-CN-10-0027)(CN-08-003)), received in the Office of the President of the Senate on May 10, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5789. A communication from the Under Secretary of Defense (Personnel and Readiness), Department of Defense, transmitting, pursuant to law, a report relative to the disposition of remains; to the Committee on Armed Services.

EC-5790. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3, 1997; to the

Committee on Banking, Housing, and Urban Affairs.

EC-5791. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Aggregation" (FRL No. 9150-5), received in the Office of the President of the Senate on May 11, 2010; to the Committee on Environment and Public Works.

EC-5792. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice No. 2010-40), received in the Office of the President of the Senate on May 11, 2010; to the Committee on Finance.

EC-5793. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010-0069 - 2010-0075); to the Committee on Foreign Relations.

EC-5794. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a Determination and Certification under Section 40A of the Arms Export Control Act relative to countries not cooperating fully with United States antiterrorism efforts; to the Committee on Foreign Relations.

EC-5795. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Germany for the manufacture, assembly, and test of parts and components for Turbine Engines and Auxiliary Power Units related to various military aircraft, helicopters, and tanks; to the Committee on Foreign Relations.

EC-5796. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including, technical data, and defense services for the manufacture of military aircraft engine hot section components specifically, combustion chambers and liners; to the Committee on Foreign Relations.

EC-5797. A communication from the Chairman, National Mediation Board, transmitting, pursuant to law, the report of a rule entitled "Representation Election Procedure" (RIN3140-AZ00), received in the Office of the President of the Senate on May 11, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5798. A communication from the Director, Office of Workers' Compensation Programs, Department of Labor, transmitting, pursuant to law, a report relative to the operations of the Office of Workers' Compensation Programs for fiscal year 2008; to the Committee on Health, Education, Labor, and Pensions.

EC-5799. A communication from the Director, Office of Workers' Compensation Programs, Department of Labor, transmitting, pursuant to law, a report relative to the annual audit of the District of Columbia Workmen's Compensation Act Special Fund; to the Committee on Health, Education, Labor, and Pensions.

EC-5800. A communication from the Director, Office of Workers' Compensation Programs, Department of Labor, transmitting, pursuant to law, a report relative to the annual audit of the Longshore and Harbor Workers' Compensation Act Special Fund; to the Committee on Health, Education, Labor, and Pensions.

EC-5801. A communication from the Chairman, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the Inspector General's Semiannual Report for the six-month period ending March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5802. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Television Broadcasting Services; Seaford, DE" (MB Docket No. 09-230), received in the Office of the President of the Senate on May 11, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5803. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Closure of the Eastern U.S./Canada Management Area" (RIN0648-XW04), received in the Office of the President of the Senate on May 11, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5804. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Scup Fishery; Reduction of Winter I Commercial Possession Limit" (RIN0648-XV77), received in the Office of the President of the Senate on May 11, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5805. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Relief for U.S. Military and Civilian Personnel Who Are Assigned Outside the United States in Support of U.S. Armed Forces Operations" ((RIN2120-AJ54)(Docket No. FAA-2009-0923)), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5806. A communication from the Assistant Chief Counsel for Legislation and Regulations, Maritime Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Administrative Waivers of the Coastwise Trade Laws: New Definition for Eligible Vessel" (RIN2133-AB76), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5807. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Jet Routes J-37 and J-55; Northeast United States" ((RIN2120-AA66)(Docket No. FAA-2010-0003)), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5808. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Jackson, AL" ((RIN2120-AA66)(Docket No. FAA-2009-0937)), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5809. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Fort A.P. Hill, VA" ((RIN2120-AA66)(Docket No. FAA-2009-0739)), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5810. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Mountain City, TN" ((RIN2120-AA66)(Docket No. FAA-2009-0061)), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5811. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Bonners Ferry, ID" ((RIN2120-AA66)(Docket No. FAA-2009-1002)), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5812. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (68); Amdt. No. 3366" (RIN2120-AA65), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5813. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (46); Amdt. No. 3367" (RIN2120-AA65), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5814. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (56); Amdt. No. 3371" (RIN2120-AA65), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5815. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (120); Amdt. No. 3370" (RIN2120-AA65), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5816. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (92); Amdt. No. 3368" (RIN2120-AA65), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

REPORT OF A COMMITTEE

The following report of committee was submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 736. A bill to provide for improvements in the Federal hiring process and for other purposes (Rept. No. 111-184).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. AKAKA:

S. 3348. A bill to amend title 38, United States Code, to provide for the treatment of documents that express disagreement with decisions of the Board of Veterans' Appeals and that are misfiled with the Board within 120 days of such decisions as motions for reconsideration of such decisions, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BROWN of Ohio (for himself and Mr. SCHUMER):

S. 3349. A bill to amend the Internal Revenue Code of 1986 to extend the nonbusiness energy property credit to include insulated siding; to the Committee on Finance.

By Mr. BINGAMAN (for himself and Mr. CRAPO):

S. 3350. A bill to amend the Internal Revenue Code of 1986 to permanently modify the limitations on deduction of interest by financial institutions which hold tax-exempt bonds, and for other purposes; to the Committee on Finance.

By Mr. LEVIN:

S. 3351. A bill for the relief of Marco Antonio Sanchez; to the Committee on the Judiciary.

By Mr. TESTER:

S. 3352. A bill to amend title 38, United States Code, to exempt reimbursements of expenses related to accident, theft, loss, or casualty loss from determinations of annual income with respect to pensions for veterans and surviving spouses and children of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LAUTENBERG (for himself, Mrs. GILLIBRAND, Mr. MENENDEZ, and Mr. BURRIS):

S. 3353. A bill to provide grants for juvenile mentoring; to the Committee on the Judiciary.

By Mr. COCHRAN:

S. 3354. A bill to redesignate the North Mississippi National Wildlife Refuges Complex as the Sam D. Hamilton North Mississippi National Wildlife Refuges Complex; to the Committee on Environment and Public Works.

By Ms. KLOBUCHAR (for herself, Mr. JOHANNS, and Mrs. MURRAY):

S. 3355. A bill to provide for an Internet website for information on benefits, resource, services, and opportunities for veterans and their families and caregivers, and for other purposes; to the Committee on Veterans' Affairs.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. Res. 521. A resolution commemorating and celebrating the lives of Deputy Sheriff Stephen Michael Gallagher, Jr., Officer Timothy Q. Brenton, Officer Tina G. Griswold, Officer Ronald Wilbur Owens II, Sergeant Mark Joseph Renninger, Officer Gregory James Richards, and Deputy Sheriff Walter Kent Mundell, Jr. who gave their lives in the service of the people of Washington State in 2009; to the Committee on the Judiciary.

By Mr. BURRIS (for himself, Ms. SNOWE, Ms. MIKULSKI, Mr. MERKLEY, Mr. DURBIN, and Mr. JOHANNS):

S. Res. 522. A resolution recognizing National Nurses Week; considered and agreed to.

By Ms. LANDRIEU (for herself, Mr. WICKER, Mr. SHELBY, Mr. VITTER, Mrs. HUTCHISON, Mr. COCHRAN, Mr. CORNYN, Mr. SESSIONS, Mr. BINGAMAN, Ms. MURKOWSKI, and Mr. NELSON of Florida):

S. Res. 523. A resolution honoring the crew members who perished aboard the off-shore oil rig, Deepwater Horizon, and extending the condolences of the Senate to the families and loved ones of the deceased crew members; considered and agreed to.

ADDITIONAL COSPONSORS

S. 565

At the request of Mr. DURBIN, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 565, a bill to amend title XVIII of the Social Security Act to provide continued entitlement to coverage for immunosuppressive drugs furnished to

beneficiaries under the Medicare Program that have received a kidney transplant and whose entitlement to coverage would otherwise expire, and for other purposes.

S. 584

At the request of Mr. HARKIN, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 584, a bill to ensure that all users of the transportation system, including pedestrians, bicyclists, transit users, children, older individuals, and individuals with disabilities, are able to travel safely and conveniently on and across federally funded streets and highways.

S. 616

At the request of Mr. HARKIN, the name of the Senator from Virginia [Mr. WARNER] was added as a cosponsor of S. 616, a bill to amend the Public Health Service Act to authorize medical simulation enhancement programs, and for other purposes.

S. 987

At the request of Mr. DURBIN, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 987, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 1019

At the request of Mr. HARKIN, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 1019, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of hearing aids.

S. 1157

At the request of Mr. CONRAD, the name of the Senator from Nebraska [Mr. NELSON] was added as a cosponsor of S. 1157, a bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, and for other purposes.

S. 1233

At the request of Ms. LANDRIEU, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 1233, a bill to reauthorize and improve the SBIR and STTR programs and for other purposes.

S. 1334

At the request of Mrs. GILLIBRAND, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 1334, a bill to amend the Public Health Service Act to extend and improve protections and services to individuals directly impacted by the terrorist attack in New York City on September 11, 2001, and for other purposes.

S. 1551

At the request of Mr. SPECTER, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 1551, a bill to amend section 20 of the Securities Exchange Act of 1934 to allow for a private civil action against a person that provides substantial assistance in violation of such Act.

S. 2736

At the request of Mr. FRANKEN, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 2736, a bill to reduce the rape kit backlog and for other purposes.

S. 2847

At the request of Mr. WHITEHOUSE, the name of the Senator from West Virginia [Mr. ROCKEFELLER] was added as a cosponsor of S. 2847, a bill to regulate the volume of audio on commercials.

S. 2920

At the request of Mr. LAUTENBERG, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 2920, a bill to amend chapter 1 of title 23, United States Code, to condition the receipt of certain highway funding by States on the enactment and enforcement by States of certain laws to prevent repeat intoxicated driving.

S. 2989

At the request of Ms. LANDRIEU, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 2989, a bill to improve the Small Business Act, and for other purposes.

S. 3036

At the request of Mr. BAYH, the name of the Senator from Virginia [Mr. WARNER] was added as a cosponsor of S. 3036, a bill to establish the Office of the National Alzheimer's Project.

S. 3058

At the request of Mr. DORGAN, the name of the Senator from Colorado [Mr. UDALL] was added as a cosponsor of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3073

At the request of Mr. LEVIN, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 3073, a bill to amend the Federal Water Pollution Control Act to protect and restore the Great Lakes.

S. 3086

At the request of Mr. DODD, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 3086, a bill to support high-achieving, educationally disadvantaged elementary school students in high-need local educational agencies, and for other purposes.

S. 3102

At the request of Mr. MERKLEY, the names of the Senator from Iowa [Mr. HARKIN] and the Senator from New Mexico [Mr. BINGAMAN] were added as cosponsors of S. 3102, a bill to amend the miscellaneous rural development provisions of the Farm Security and Rural Investment Act of 2002 to authorize the Secretary of Agriculture to make loans to certain entities that will use the funds to make loans to consumers to implement energy efficiency measures involving structural improvements and investments in cost-effective, commercial off-the-shelf technologies to reduce home energy use.

S. 3109

At the request of Mr. BAUCUS, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 3109, a bill to require the Secretary of the Army to conduct levee system evaluations and certifications on receipt of requests from non-Federal interests.

S. 3165

At the request of Ms. LANDRIEU, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 3165, a bill to authorize the Administrator of the Small Business Administration to waive the non-Federal share requirement under certain programs.

S. 3231

At the request of Mr. GRASSLEY, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3231, a bill to amend the Internal Revenue Code of 1986 to extend certain tax incentives for alcohol used as fuel and to amend the Harmonized Tariff Schedule of the United States to extend additional duties on ethanol.

S. 3305

At the request of Mr. MENENDEZ, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 3305, a bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 3306

At the request of Mr. MENENDEZ, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 3306, a bill to amend the Internal Revenue Code of 1986 to require polluters to pay the full cost of oil spills, and for other purposes.

S. 3335

At the request of Mr. COBURN, the names of the Senator from Missouri [Mrs. MCCASKILL], the Senator from Georgia [Mr. ISAKSON], the Senator from California [Mrs. BOXER], the Senator from Texas [Mr. CORNYN], the Senator from Georgia [Mr. CHAMBLISS] and the Senator from South Carolina [Mr. DEMINT] were added as cosponsors of S. 3335, a bill to require Congress to establish a unified and searchable database on a public website for congressional earmarks as called for by the President in his 2010 State of the Union Address to Congress.

S. 3344

At the request of Mr. WHITEHOUSE, the name of the Senator from Florida [Mr. NELSON] was added as a cosponsor of S. 3344, a bill to establish an independent, nonpartisan commission to investigate the causes and impact of, and evaluate and improve the response to, the explosion, fire, and loss of life on and sinking of the Mobile Drilling Unit Deepwater Horizon and the

resulting uncontrolled release of crude oil into the Gulf of Mexico, and to ensure that a similar disaster is not repeated.

S. 3345

At the request of Mr. WHITEHOUSE, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 3345, a bill to amend title 46, United States Code, to remove the cap on punitive damages established by the Supreme Court in Exxon Shipping Company v. Baker.

S. 3346

At the request of Mr. WHITEHOUSE, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 3346, a bill to increase the limits on liability under the Outer Continental Shelf Lands Act.

SENATE JOINT RESOLUTION 30

At the request of Mr. ISAKSON, the names of the Senator from Louisiana [Mr. VITTER] and the Senator from Kentucky [Mr. MCCONNELL] were added as cosponsors of Senate Joint Resolution 30, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Mediation Board relating to representation election procedures.

SENATE RESOLUTION 411

At the request of Mrs. LINCOLN, the names of the Senator from Mississippi [Mr. WICKER] and the Senator from Tennessee [Mr. ALEXANDER] were added as cosponsors of Senate Resolution 411, a resolution recognizing the importance and sustainability of the United States hardwoods industry and urging that United States hardwoods and the products derived from United States hardwoods be given full consideration in any program to promote construction of environmentally preferable commercial, public, or private buildings.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 12, 2010, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on May 12, 2010, at 10:30 a.m., to hold a hearing entitled, "Sudan: A Critical Moment for the CPA, Darfur and the Region."

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 12, 2010, at 10 a.m. to conduct a hearing entitled, "Iran Sanctions: Why Does the U.S. Government Do Business With Companies Doing Business in Iran?"

AD HOC SUBCOMMITTEE ON DISASTER RECOVERY

The Ad Hoc Subcommittee on Disaster Recovery of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 12, 2010, at 2:30 p.m. to conduct a hearing entitled, "Stafford Act Reform: Sharper Tools for a Smarter Recovery."

SUBCOMMITTEE ON PERSONNEL

The Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on May 12, 2010, at 10 a.m.

SUBCOMMITTEE ON TERRORISM AND HOMELAND SECURITY

The Committee of the Judiciary, Subcommittee on Terrorism and Homeland Security, be authorized to meet during the session of the Senate on May 12, 2010, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled, "The Espionage Statutes: A Look Back and A Look Forward."

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 11:53 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5051. An act to designate the facility of the United States Postal Service located at 23 Genesee Street in Hornell, New York, as the "Zachary Smith Post Office Building".

The message also announced that the House has agreed to the following concurrent resolution; without amendment:

S. Con. Res. 62. A concurrent resolution congratulating the outstanding professional public servants, both past and present, of the Natural Resources Conservation Service on the occasion of its 75th anniversary.

HOUSE BILL REFERRED

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

H.R. 5051. An act to designate the facility of the United States Postal Service located at 23 Genesee Street in Hornell, New York, as the "Zachary Smith Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

ENROLLED BILLS SIGNED

The PRESIDENT pro tempore announced that he had signed the following enrolled bills, which were previously signed by the Speaker of the House:

H.R. 2802. An act to provide for an extension of the legislative authority of the Adams Memorial Foundation to establish a commemorative work in honor of former President John Adams and his legacy, and for other purposes.

H.R. 5148. An act to amend title 39, United States Code, to clarify the instances in which the term "census" may appear on mailable matter.

H.R. 5160. An act to extend the Caribbean Basin Economic Recovery Act, to provide customs support services to Haiti, and for other purposes.

At 2:53 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 1121. An act to authorize a land exchange to acquire lands for the Blue Ridge Parkway from the Town of Blowing Rock, North Carolina, and for other purposes.

H.R. 1442. An act to provide for the sale of the Federal Government's reversionary interest in approximately 60 acres of land in Salt Lake City, Utah, originally conveyed to the Mount Olivet Cemetery Association under the Act of January 23, 1909.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. DODD,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. DODD,

The Senate resumed its legislative session.

RECOGNIZING NATIONAL NURSES WEEK

On the request of Mr. DODD,

The PRESIDING OFFICER (Mr. BEGICH in the chair) laid before the Senate the resolution (S. Res. 522) recognizing National Nurses Week, submitted today by Mr. BURRIS (for himself, Ms. SNOWE, Ms. MIKULSKI, Mr. MERKLEY, Mr. DURBIN, and Mr. JOHANNS), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HONORING CREW MEMBERS WHO PERISHED ABOARD THE DEEPWATER HORIZON

On the request of Mr. DODD,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 523) honoring the crew members who perished aboard the off-shore oil rig, Deepwater Horizon, and extending the condolences of the Senate to the families and loved ones of the deceased crew members, submitted today by Ms. LANDRIEU (for herself, Mr. WICKER, Mr. SHELBY, Mr. VITTER, Mrs. HUTCHISON, Mr. COCHRAN, Mr. CORNYN, Mr. SESSIONS, Mr. BINGAMAN, Ms. MURKOWSKI, and Mr. BILL NELSON), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DODD,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of bill S. 3217.

Ordered further, That, on tomorrow, the Senate recess from 1 p.m. until 2 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mr. DODD,

At 8:26 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

THURSDAY, MAY 13, 2010

Mrs. KIRSTEN E. GILLIBRAND, from the State of New York, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mrs. GILLIBRAND led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, May 13, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. GILLIBRAND took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

RESTORING AMERICAN FINANCIAL STABILITY ACT

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (S. 3217) to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3991, proposed by Mr. FRANKEN (for himself, Mr. SCHUMER, Mr. BILL NELSON, Mr. WHITEHOUSE, Mr. SHERROD BROWN, Mrs. MURRAY, Mr. MERKLEY, Mr. BINGAMAN, Mr. LAUTENBERG, Mrs. SHAHEEN, Mr. CASEY, Mr. WICKER, Mr. SANDERS, Mr. JOHNSON, Mr. KAUFMAN, Mr. GRASSLEY, Mr. DURBIN, Mr. HARKIN, Ms. KLOBUCHAR, Mr. LEVIN, Mr. WYDEN, and Mr. BEGICH), to amendment No. 3739 (in the nature of a substitute), as amended, proposed by Mr. REID for Mr. DODD (for himself and Mrs. LINCOLN), to the bill.

Pending debate,

Mr. DORGAN asked unanimous consent that the pending amendments be laid aside; and that it be in order for him to propose an amendment (numbered 4008).

Mr. DODD objected.

The question being on agreeing to amendment No. 3991 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

The pending amendments were laid were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. LEMIEUX (for himself and Ms. CANTWELL) to further amend the pending amendment (in the nature of a substitute), on page 1036, by striking all beginning on line 14 through line 3 on page 1041, and inserting other words (being amendment No. 3774).

Mr. LEMIEUX modified his pending amendment.

The question then being on agreeing to amendment No. 3774, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

By unanimous consent, on the request of Mr. DODD,

Ordered, That the Senate immediately vote in relation to the following amendments in the following order: amendment No. 3991, amendment No. 3774, as modified.

Ordered further, That there be two minutes, equally divided and controlled, for debate prior to each vote; that the second vote be 10 minutes in duration; and that no amendment be in order to the amendments.

Ordered further, That, following the votes, Mr. KAUFMAN be recognized to speak for 5 minutes; and that, following remarks by him, the Senate recess until 2 p.m., as pursuant to the order of yesterday.

Ordered further, That, at 2 p.m., the Senate proceed to a period of fifteen minutes for the transaction of morning business; that Mr. MENENDEZ, Mr. LAUTENBERG, and Mr. BILL NELSON be recognized to speak therein on bill S. 3305; that it be in order to ask unanimous consent relative to the bill; that the Senate then resume consideration of bill S. 3217, and amendment No. 3832 thereto; that there be five minutes, equally divided and controlled in the usual form, for debate thereon; and that, upon conclusion of debate, the Senate vote in relation to the amendment.

Pursuant to the foregoing order,

The question recurring on agreeing to amendment No. 3991 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. KYL,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the affirmative---
yeas... 64, nays... 35

[Rollcall Vote No. 146 Leg.]

YEAS --- 64

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (MA), Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Cochran, Collins, Conrad, Crapo, Dorgan, Durbin, Ensign, Feingold, Feinstein, Franken, Gillibrand, Graham, Grassley, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (FL), Pryor, Reid, Risch, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wicker, Wyden.

NAYS --- 35

Alexander, Barrasso, Bayh, Bennett, Bond, Brownback, Bunning, Burr, Chambliss, Coburn, Corker, Cornyn, DeMint, Dodd, Enzi, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lieberman, Lugar, McCain, McConnell, Nelson (NE), Reed, Roberts, Sessions, Shelby, Thune, Vitter, Voinovich.

So the amendment was agreed to.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3774, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

After debate,

On motion by Mr. ENSIGN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment, as modified.

The question being taken.

It was determined in the affirmative---
yeas... 61, nays... 38

[Rollcall Vote No. 147 Leg.]

YEAS --- 61

Alexander, Barrasso, Bayh, Begich, Bennet, Bennett, Bond, Boxer, Brown (MA), Brownback, Bunning, Burr, Cantwell, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Dorgan, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kaufman, Klobuchar, Kyl, Landrieu, LeMieux, Levin, Lincoln, Lugar, McCain, McCaskill, McConnell, Menendez, Murkowski, Murray, Reid, Risch, Roberts, Sanders, Sessions, Shelby, Snowe, Specter, Thune, Udall (CO), Vitter, Voinovich, Wicker, Wyden.

NAYS --- 38

Akaka, Baucus, Bingaman, Brown (OH), Burris, Cardin, Carper, Casey, Conrad, Dodd, Durbin, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kerry, Kohl, Lautenberg, Leahy, Lieberman, Merkley, Mikulski, Nelson (NE), Nelson (FL), Pryor, Reed, Rockefeller, Schumer, Shaheen, Stabenow, Tester, Udall (NM), Warner, Webb, Whitehouse.

So the amendment, as modified, was agreed to.

The question recurring on agreeing to amendment No. 3989, proposed by Mr. DURBIN (for himself, Mr. SANDERS, Mr. CARDIN, and Mr. WHITE), to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

SUPPORTING THE GOALS AND IDEALS OF NATIONAL STUTTERING AWARENESS WEEK 2010

On the request of Mr. KAUFMAN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 524) supporting the goals and ideals of National Stuttering Awareness Week 2010, submitted today by Mr. KAUFMAN (for himself, Mr. BARRASSO, Mr. SHERROD BROWN, Mr. BURRIS, Mr. CARDIN, Mr. CARPER, Ms. CANTWELL, Mr. CASEY, Mr. CORNYN, Mr. DURBIN, Mr. ENZI, Mr. GREGG, Mrs. HAGAN, Mr. ISAKSON, Mr. LEMIEUX, Mr. LEVIN, Ms. MIKULSKI, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. SESSIONS, Mrs. SHAHEEN, Ms. SNOWE, Ms. STABENOW, Mr. TESTER, Mr. WARNER, Mr. WHITEHOUSE, and Mr. TOM UDALL), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECESS

Pursuant to the order of yesterday, as modified,

At 1:23 p.m.,

The PRESIDING OFFICER (Mr. BURRIS in the chair) declared the Senate recessed until 2 p.m.

AT 2 P.M.

The PRESIDING OFFICER called the Senate to order.

OBJECTION TO CONSIDERATION OF BILL S. 3305

Mr. MENENDEZ asked unanimous consent that the Committee on Environment and Public Works be discharged from the further consideration of the bill (S. 3305) to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes; that the Senate proceed to consider the bill; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Ms. MURKOWSKI objected.

RESTORING AMERICAN FINANCIAL STABILITY ACT

The Senate resumed consideration of bill S. 3217.

Pursuant to the order of today,

The question being on agreeing to amendment No. 3832, proposed by Mr. SESSIONS, (for himself, Mr. BUNNING, Mr. DEMINT, Mr. ENSIGN, Mr. SCOTT BROWN, Mr. CORNYN, Mr. THUNE, and Mr. VITTER), to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

After debate,

On motion by Mr. DODD,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the negative---
yeas... 42, nays... 58

[Rollcall Vote No. 148 Leg.]

YEAS --- 42

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

NAYS --- 58

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the amendment was not agreed to.

The question recurring on agreeing to amendment No. 3989 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. DODD for Mr. WYDEN (for himself, Mr. GRASSLEY, Mr. INHOFE, Mr. BENNETT, Ms. COLLINS, Mr. MARK UDALL, Mr. SHERROD BROWN, and Mr. MERKLEY) to further amend the pending amendment (in the nature of a substitute), at the end of thereof, by adding certain words (being amendment No. 4019).

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. DODD (for Mr. THUNE) to further amend the pending amendment (in the nature of a substitute), on page 1208, after line 12, by inserting certain words (being amendment No. 3987).

After debate,

On motion by Mr. THUNE,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being on agreeing to amendment No. 3987 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

Mr. DEMINT called for the regular order with respect to amendment No. 4019.

Whereupon,

The question being on agreeing to amendment No. 4019 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. DEMINT (for himself, Mr. VITTER, and Mr. MCCAIN) to amend the pending amendment, at the appropriate place, by inserting certain words (being amendment No. 3852).

Pending debate,

Mr. DODD withdrew amendment No. 4019 (taking with it amendment No. 3852 thereto).

The question being on agreeing to amendment No. 3987 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. DODD,

Ordered, That there be a period of 10 minutes, equally divided and controlled in the usual form, for concurrent debate on the pending amendment and amendment No. 3989; that, upon conclusion of debate, the question recur on agreeing to amendment No. 3989; that the amendment be modified; that no amendment be in order to the amendment prior to a vote; that the Senate vote in relation to the amendment, as modified; that the amendment receive a minimum of 60 yea votes to be agreed to; that if the amendment, as modified, so receives 60 yea votes, a motion to reconsider be made and laid on the table; and that, if the amendment fails to receive a minimum of 60 yea votes, it be withdrawn.

Ordered further, That, upon disposition of the amendment, as modified, the question recur on agreeing to amendment No. 3987; that there be two minutes, equally divided and controlled, for debate thereon; that no amendment be in order to the amendment prior to a vote; that, upon conclusion of debate, the Senate vote in relation to amendment No. 3987; and that the vote be 10 minutes in duration.

Ordered further, That, upon disposition of the amendments, amendment No. 3879 be the pending question; that the amendment be agreed to; and that a motion to reconsider be considered made and laid on the table.

The question being on agreeing to amendment No. 3987 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. DODD,

Ordered, That the following be the next first-degree amendments in order to be proposed:

An amendment, intended to be proposed by Mr. ROCKEFELLER (for himself and Mrs. HUTCHISON), relative to FTC;

An amendment, intended to be proposed by Mr. CRAPO, relative to GSE on budget;

An amendment (Numbered 4016), intended to be proposed by Mr. MARK UDALL, relative to credit scores;

An amendment (Numbered 4010), intended to be proposed by Mr. SHELBY, relative to consumer bureau;

An amendment, intended to be proposed by Mr. WHITEHOUSE, relative to state usury laws;

An amendment (Numbered 4003), intended to be proposed by Mr. VITTER, relative to manufacturing;

An amendment, intended to be proposed by Ms. CANTWELL (for herself and Mr. MCCAIN), relative to Glass-Steagall; and

An amendment (Numbered 3986), intended to be proposed by Mr. CORNYN, relative to IMF.

The question being on agreeing to amendment No. 3987 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3989 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today,

The amendment was modified.

The question then being on agreeing to amendment No. 3989, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. DURBIN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment, as modified.

The question being taken.

It was determined in the affirmative---

yeas... 64, nays... 33

[Rollcall Vote No. 149 Leg.]

YEAS --- 64

Barrasso, Begich, Bennet, Bingaman, Boxer, Brown (MA), Brown (OH), Burr, Burris, Cantwell, Cardin, Casey, Chambliss, Collins, Conrad, Crapo, Dodd, Dorgan, Durbin, Ensign, Enzi, Feingold, Feinstein, Franken, Gillibrand, Graham, Grassley, Hagan, Harkin, Inouye, Isakson, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lincoln, Lugar, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Pryor, Reed, Reid, Risch, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Udall (CO), Udall (NM), Vitter, Webb, Whitehouse, Wicker, Wyden.

NAYS --- 33

Akaka, Alexander, Baucus, Bayh, Bennett, Bond, Brownback, Bunning, Carper, Coburn, Cochran, Corker, Cornyn, DeMint, Gregg, Hatch, Inhofe, Johanns, Johnson, Kaufman, Kyl, Lieberman, McCain, McCaskill, McConnell, Murkowski, Roberts, Sessions, Shelby, Tester, Thune, Voinovich, Warner.

So the amendment, as modified, was agreed to.

Pursuant to the order of today,

A motion to reconsider was considered made and laid on the table.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3987 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

The question being taken.

It was determined in the negative---

yeas... 40, nays... 55

[Rollcall Vote No. 150 Leg.]

YEAS --- 40

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

NAYS --- 55

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the amendment was not agreed to.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3879 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

The amendment was agreed to.

A motion to reconsider was considered made and laid on the table.

The question recurring on agreeing to amendment No. 3823 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today,

On motion by Mr. WHITEHOUSE (for himself, Mr. MERKLEY, Mr. DURBIN, Mr. SANDERS, and Mr. LEVIN) to further amend the pending amendment (in the nature of a substitute), on page 1320, by striking all beginning on line 23 through the end of the undesignated matter after line 17 on page 1321, and inserting other words (being amendment No. 3746).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today,

On motion by Mr. DODD for Mr. ROCKEFELLER (for himself, Mrs. HUTCHISON, Mr. DORGAN, and Mr. PRYOR) to further amend the pending amendment (in the nature of a substitute), on various pages and lines, by striking certain words and inserting other words (being amendment No. 3758).

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. DODD,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5817. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (21); Amdt. No. 3369" (RIN2120-AA65), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5818. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 737-600, -700, -700C, -800, -900, and -900ER Series Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2010-0430)), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5819. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 747-200B Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0381)), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5820. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0525)), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5821. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model DHC-8-400 Series Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2010-0431)), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5822. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc., Model CL-600-2C10 (Regional Jet Series 700, 701 & 702), CL-600-2D15 (Regional Jet Series 705), and CL-600-2D24 (Regional Jet Series 900) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1111)), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5823. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; British Aerospace Regional Aircraft Model Jetstream Series 3101 and Jetstream Model 3201 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0123)), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5824. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France (ECF) Model EC120B Helicopters" ((RIN2120-AA64)-(Docket No. FAA-2010-0410)), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5825. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Model AS350B, BA, B1, B2, B3, C, D, and D1; AS 355E, F, F1, F2, N, and NP Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-0356)), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5826. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Honeywell International Inc., Primus EPIC and Primus APEX Flight Management Systems, Installed on, but not Limited to, Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 and ERJ 190 Airplanes, and Pilatus Aircraft Ltd. Model PC-12/47E Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0385)), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5827. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Piaggio Aero Industries S.p.A. Model PIAGGIO P-180 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0124)), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5828. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company (GE) CF34-1A, CF34-3A, and CF34-3B Series Turbofan Engines; Correction" ((RIN2120-AA64)(Docket No. FAA-2009-0328)), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5829. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca Makila 2A Turboshaft Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0411)), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5830. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company (GE) CJ610 Series Turbojet Engines and CF700 Series Turbofan Engines" ((RIN2120-AA64)-(Docket No. FAA-2009-0502)), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5831. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Liberty Aerospace Incorporated Model XL-2 Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2009-0329)), received in the Office of the President of the Senate on May 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5832. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Bering Sea and Aleutian Islands" (RIN0648-XV79), received in the Office of the President of the Senate on May 11, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5833. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XV78), received in the Office of the President of the Senate on May 11, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5834. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska" (RIN0648-XV80), received in the Office of the President of the Senate on May 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5835. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer" (RIN0648-XV91), received in the Office of the President of the Senate on May 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5836. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Red Snapper Management Measures" (RIN0648-AY57), received in the Office of the President of the Senate on May 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5837. A communication from the Deputy Chief Financial Officer, Department of Homeland Security, transmitting, pursuant to law, a report relative to the transfer of funds from the Oil Spill Liability Trust Fund to the Emergency Fund, which is administered by the United States Coast Guard; to the Committee on Commerce, Science, and Transportation.

EC-5838. A communication from the Secretary of Transportation, transmitting, pursuant to law, an annual report relative to the regulatory status of each recommendation on the National Transportation Safety Board's Most Wanted List; to the Committee on Commerce, Science, and Transportation.

EC-5839. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flutriafol; Pesticide Tolerances" (FRL No. 8812-6), received in the Office of the President of the Senate on May 11, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5840. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fluazinam; Pesticide Tolerances" (FRL No. 8824-5), received in the Office of the President of the Senate on May 11, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5841. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clethodim; Pesticide Tolerances" (FRL No. 8822-7), received in the Office of the President of the Senate on May 11, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5842. A communication from the Secretary of the American Battle Monuments Commission, transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within the Commission and was reported in the Government Accountability Office report, GAO-10-399; to the Committee on Appropriations.

EC-5843. A communication from the Assistant Secretary of Defense (Health Affairs), Department of Defense, transmitting, pursuant to law, a report relative to mental health counselors practicing independently under the TRICARE program; to the Committee on Armed Services.

EC-5844. A communication from the Under Secretary of Defense (Personnel and Readiness), Department of Defense, transmitting, pursuant to law, a report relative to the disposition of remains; to the Committee on Armed Services.

EC-5845. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to current military, diplomatic, political, and economic measures that are being or have been undertaken to complete our mission in Iraq successfully; to the Committee on Armed Services.

EC-5846. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations (75 FR 22699)" ((44 CFR Part 67)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on May 12, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5847. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations (75 FR 23593)" ((44 CFR Part 65)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on May 12, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5848. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations (75 FR 23595)" ((44 CFR Part 67)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on May 12, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5849. A communication from the Chief Counsel, Federal Emergency Management

Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations (75 FR 23600)" ((44 CFR Part 67)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on May 12, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5850. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations (75 FR 23608)" ((44 CFR Part 67)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on May 12, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5851. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition to the List of Validated End-Users: Advanced Micro Devices China, Inc." (RIN0694-AE87), received in the Office of the President of the Senate on May 12, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5852. A communication from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank of Chicago, transmitting, pursuant to law, the Bank's 2009 management reports; to the Committee on Banking, Housing, and Urban Affairs.

EC-5853. A communication from the General Counsel of the Department of Housing and Urban Development, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Public Affairs, Department of Housing and Urban Development; to the Committee on Banking, Housing, and Urban Affairs.

EC-5854. A communication from the Deputy to the Chairman, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Final Rule Regarding Limited Amendment of the Temporary Liquidity Guarantee Program to Extend the Transaction Account Guarantee Program with Modified Fee Structure" (RIN3064-AD37), received in the Office of the President of the Senate on May 13, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5855. A communication from the Assistant General Counsel for Legislation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Energy Conservation Standards for Residential Water Heaters, Direct Heating Equipment, and Pool Heaters" (RIN1904-AA90), received in the Office of the President of the Senate on May 11, 2010; to the Committee on Energy and Natural Resources.

EC-5856. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Standards for Business Practices and Communication Protocols for Public Utilities; Final Rule" (FERC Docket No. RM05-5-017), received in the Office of the President of the Senate on May 12, 2010; to the Committee on Energy and Natural Resources.

EC-5857. A communication from the Assistant Secretary for Insular Affairs, Department of the Interior, transmitting, pursuant to law, a report entitled "Report on the Alien Worker Population in the Commonwealth of the Northern Mariana Islands"; to the Committee on Energy and Natural Resources.

EC-5858. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled "MOX Fuel Fabrication Facility Construction and Operations Report to Congress; April 30, 2010"; to the Committee on Energy and Natural Resources.

EC-5859. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Texas; Revisions to the Discrete Emission Credit Banking and Trading Program" (FRL No. 9151-6), received in the Office of the President of the Senate on May 12, 2010; to the Committee on Environment and Public Works.

EC-5860. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Texas; Revisions to the Emission Credit Banking and Trading Program" (FRL No. 9151-5), received in the Office of the President of the Senate on May 12, 2010; to the Committee on Environment and Public Works.

EC-5861. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Final Determination to Approve Alternative Final Cover Request for the Lake County, Montana Landfill" (FRL No. 9149-7), received in the Office of the President of the Senate on May 11, 2010; to the Committee on Environment and Public Works.

EC-5862. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Reformulated Gasoline and Diesel Fuels; California" (FRL No. 9112-7), received in the Office of the President of the Senate on May 11, 2010; to the Committee on Environment and Public Works.

EC-5863. A communication from the Regulations Coordinator, Office of Consumer Information and Insurance Oversight, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Interim Final Rules for Group Health Plans and Health Insurance Issuers Relating to Dependent Coverage of Children to Age 26 under the Patient Protection and Affordable Care Act" (RIN0991-AB66), received in the Office of the President of the Senate on May 11, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5864. A communication from the Director of the Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Livestock Forage Disaster Program and Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish; Supplemental Agricultural Disaster Assistance" (RIN0560-AH94), received in the Office of the President of the Senate on May 13, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5865. A communication from the Secretary of the Senate, transmitting, pursuant to law, the report of the receipts and expenditures of the Senate for the period from October 1, 2009 through March 31, 2010, received in the Office of the President of the Senate on May 13, 2010; ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 624. A bill to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis by 2015 by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005 (Rept. No. 111-185).

S. 2839. A bill to amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign programs and centers for treatment of victims of torture, and for other purposes (Rept. No. 111-186).

By Mr. KOHL, from the Special Committee on Aging:

Special Report entitled "Social Security Modernization: Options to Address Solvency and Benefit Adequacy" (Rept. No. 111-187).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. FEINGOLD:

S. 3356. A bill to amend title 38, United States Code, to increase the maximum age for children eligible for medical care under the CHAMPVA program, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LAUTENBERG (for himself, Mr. BROWN of Ohio, Mrs. GILLIBRAND, Mr. WYDEN, Mr. WHITEHOUSE, Mrs. FEINSTEIN, and Mr. FRANKEN):

S. 3357. A bill to establish certain duties for pharmacies to ensure provision of Food and Drug Administration-approved contraception, and for other purposes; to the Committee on Health, Education, Labor, and Pensions

By Mrs. BOXER (for herself, Ms. CANTWELL, Mrs. FEINSTEIN, Mr. MERKLEY, Mr. WYDEN, and Mrs. MURRAY):

S. 3358. A bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf off the coast of California, Oregon, and Washington; to the Committee on Energy and Natural Resources.

By Mr. THUNE (for himself, Mr. TESTER, and Ms. SNOWE):

S. 3359. A bill to amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KERRY:

S. 3360. A bill to establish a pilot program for police departments to use anonymous texts from citizens to augment their anonymous tip hotlines; to the Committee on the Judiciary.

By Mr. BROWNBACK (for himself, Mrs. MURRAY, Mr. BOND, and Mr. ROBERTS):

S. 3361. A bill to require the Secretary of Defense to take illegal subsidization into account in evaluating proposals for contracts for major defense acquisition programs, and for other purposes; to the Committee on Armed Services.

By Mr. SANDERS (for himself and Mrs. BOXER):

S. 3362. A bill to amend the Clean Air Act to direct the Administrator of the Environmental Protection Agency to provide competitive grants to publicly funded schools to implement effective technologies to reduce air pollutants (as defined in section 302 of the Clean Air Act), including greenhouse gas emissions, in accordance with that Act; to the Committee on Environment and Public Works.

By Mr. CARDIN (for himself, Mr. CRAPO, Ms. MIKULSKI, and Mr. RISCH):

S. 3363. A bill to amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under that Act; to the Committee on Environment and Public Works.

By Mr. UDALL of Colorado (for himself, Ms. COLLINS, Mr. BURRIS, Mr. MERKLEY, Mrs. MURRAY, and Mr. TESTER):

S. 3364. A bill to amend the Energy Policy and Conservation Act to establish the Office of Energy and Renewable Energy as the lead Federal agency for coordinating Federal, State, and local assistance provided to promote the energy retrofitting of schools; to the Committee on Energy and Natural Resources.

By Mr. WEBB:

S. 3365. A bill to amend section 5542 of title 5, United States Code, to provide that any hours worked by Federal firefighters under a qualified trade-of-time arrangement shall be excluded for purposes of determinations relating to overtime pay; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LAUTENBERG:

S. 3366. A bill to prohibit individuals from carrying firearms in certain airports buildings and airfields, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. AKAKA:

S. 3367. A bill to amend title 38, United States Code, to increase the rate of pension for disabled veterans who are married to one another and both of whom require regular aid and attendance, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. AKAKA:

S. 3368. A bill to amend title 38, United States Code, to authorize certain individuals to sign claims filed with the Secretary of Veterans Affairs on behalf of claimants, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. MURKOWSKI:

S. 3369. A bill to provide for the application of the Recreation and Public Purposes Act to the Connell Lake area to enable the Ketchikan Gateway Borough in Alaska to obtain land in the area in accordance with that Act; to the Committee on Energy and Natural Resources.

By Mr. AKAKA:

S. 3370. A bill to amend title 38, United States Code, to improve the process by which an individual files jointly for social security and dependency and indemnity compensation, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. McCASKILL (for herself, Mr. LIEBERMAN, and Ms. COLLINS):

S. 3371. A bill to amend title 10, United States Code, to improve access to mental health care counselors under the TRICARE program, and for other purposes; to the Committee on Armed Services.

By Mrs. BOXER (for herself, Ms. MURKOWSKI, Mrs. MURRAY, Ms. CANTWELL, Mr. NELSON of Florida, Mr. WHITEHOUSE, Mr. BEGICH, Mr. INHOFE, Ms. LANDRIEU, Mr. VITTER, Ms. SNOWE, and Mr. COCHRAN):

S. 3372. A bill to modify the date on which the Administrator of the Environmental Protection Agency and applicable States may require permits for discharges from certain vessels; to the Committee on Environment and Public Works.

By Mrs. BOXER:

S. 3373. A bill to address the health and economic development impacts of nonattainment of federally mandated air quality standards in the San Joaquin Valley, California, by designating air quality empowerment zones; to the Committee on Environment and Public Works.

By Mr. LAUTENBERG:

S. 3374. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to establish a grant program to revitalize brownfield sites for the purpose of locating renewable electricity generation facilities on those sites; to the Committee on Environment and Public Works.

By Mr. VITTER (for himself, Mr. SESSIONS, Mr. WICKER, and Mr. LEMIEUX):

S. 3375. A bill to amend the Oil Pollution Act of 1990 to increase the cap on liability for economic damages resulting from an oil spill, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. FEINSTEIN (for herself, Mr. KYL, Mr. SCHUMER, Mr. CORNYN, Mrs. BOXER, Mrs. HUTCHISON, Mr. BINGAMAN, Mr. MCCAIN, Mr. DURBIN, and Mr. CRAPO):

S. 3376. A bill to authorize to be appropriated $950,000,000 for each of the fiscal years 2012 through 2015 to carry out the State Criminal Alien Assistance Program; to the Committee on the Judiciary.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. KAUFMAN (for himself, Mr. BARRASSO, Mr. BROWN of Ohio, Mr. BURRIS, Mr. CARDIN, Mr. CARPER, Ms. CANTWELL, Mr. CASEY, Mr. CORNYN, Mr. DURBIN, Mr. ENZI, Mr. GREGG, Mrs. HAGAN, Mr. ISAKSON, Mr. LEMIEUX, Mr. LEVIN, Ms. MIKULSKI, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. SESSIONS, Mrs. SHAHEEN, Ms. SNOWE, Ms. STABENOW, Mr. TESTER, Mr. WARNER, Mr. WHITEHOUSE, and Mr. UDALL of New Mexico):

S. Res. 524. A resolution supporting the goals and ideals of National Stuttering Awareness Week 2010; considered and agreed to.

By Mr. LIEBERMAN (for himself, Mr. LEVIN, Mr. MCCAIN, Mr. KERRY, and Mr. LUGAR):

S. Res. 525. A resolution expressing sympathy to the families of those killed in the sinking of the Republic of Korea Ship Cheonan, and solidarity with the Republic of Korea in the aftermath of this tragic incident; considered and agreed to.

ADDITIONAL COSPONSORS

S. 46

At the request of Mr. ENSIGN, the name of the Senator from Louisiana [Mr. VITTER] was added as a cosponsor of S. 46, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 504

At the request of Mr. ROBERTS, the names of the Senator from Wyoming [Mr. BARRASSO], the Senator from Utah [Mr. BENNETT], the Senator from Kansas [Mr. BROWNBACK], the Senator from Kentucky [Mr. BUNNING], the Senator from Texas [Mr. CORNYN], the Senator from Idaho [Mr. CRAPO], the Senator from Connecticut [Mr. DODD], the Senator from Wyoming [Mr. ENZI], the Senator from Iowa [Mr. GRASSLEY], the Senator from Oklahoma [Mr. INHOFE], the Senator from Vermont [Mr. LEAHY], the Senator from Idaho [Mr. RISCH], the Senator from South Dakota [Mr. THUNE], the Senator from New Mexico [Mr. UDALL] and the Senator from Virginia [Mr. WARNER] were added as cosponsors of S. 504, a bill to redesignate the Department of the Navy as the Department of the Navy and Marine Corps.

S. 701

At the request of Mr. KERRY, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 701, a bill to amend title XVIII of the Social Security Act to improve access of Medicare beneficiaries to intravenous immune globulins (IVIG).

S. 729

At the request of Mr. DURBIN, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 729, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

S. 987

At the request of Mr. DURBIN, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 987, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from Virginia [Mr. WARNER] was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1072

At the request of Mrs. LINCOLN, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 1072, a bill to amend chapter 1606 of title 10, United States Code, to modify the basis utilized for annual adjustments in amounts of educational assistance for members of the Selected Reserve.

S. 1312

At the request of Mr. ISAKSON, the name of the Senator from Georgia [Mr. CHAMBLISS] was added as a cosponsor of S. 1312, a bill to amend title XVIII of the Social Security Act to provide for coverage, as supplies associated with the injection of insulin, of containment, removal, decontamination and disposal of home-generated needles, syringes, and other sharps through a sharps container, decontamination/destruction device, or sharps-by-mail program or similar program under part D of the Medicare program.

S. 1395

At the request of Mr. CRAPO, the name of the Senator from Nebraska [Mr. JOHANNS] was added as a cosponsor of S. 1395, a bill to amend the Marine Mammal Protection Act of 1972 to allow importation of polar bear trophies taken in sport hunts in Canada before the date on which the polar bear was determined to be a threatened species under the Endangered Species Act of 1973.

S. 1548

At the request of Mr. BURR, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of S. 1548, a bill to improve research, diagnosis, and treatment of musculoskeletal diseases, conditions, and injuries, to conduct a longitudinal study on aging, and for other purposes.

S. 1605

At the request of Mr. SCHUMER, the name of the Senator from Florida [Mr. NELSON] was added as a cosponsor of S. 1605, a bill to amend the Internal Revenue Code of 1986 to reform the rules relating to fractional charitable donations of tangible personal property.

S. 1836

At the request of Mr. MCCAIN, the names of the Senator from Arizona [Mr. KYL], the Senator from Kansas [Mr. BROWNBACK], the Senator from Nevada [Mr. ENSIGN] and the Senator from Texas [Mr. CORNYN] were added as cosponsors of S. 1836, a bill to prohibit the Federal Communications Commission from further regulating the Internet.

S. 2882

At the request of Mr. KERRY, the names of the Senator from Oregon [Mr. WYDEN] and the Senator from Illinois [Mr. BURRIS] were added as cosponsors of S. 2882, a bill to amend the Internal Revenue Code of 1986 to modify the rules relating to the treatment of individuals as independent contractors or employees, and for other purposes.

S. 2989

At the request of Ms. LANDRIEU, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 2989, a bill to improve the Small Business Act, and for other purposes.

S. 3065

At the request of Mr. LIEBERMAN, the names of the Senator from Delaware [Mr. KAUFMAN], the Senator from Washington [Mrs. MURRAY], the Senator from Rhode Island [Mr. WHITEHOUSE] and the Senator from New Jersey [Mr. MENENDEZ] were added as cosponsors of S. 3065, a bill to amend title 10, United States Code, to enhance the readiness of the Armed Forces by replacing the current policy concerning homosexuality in the Armed Forces, referred to as "Don't Ask, Don't Tell", with a policy of nondiscrimination on the basis of sexual orientation.

S. 3078

At the request of Mrs. FEINSTEIN, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 3078, a bill to provide for the establishment of a Health Insurance Rate Authority to establish limits on premium rating, and for other purposes.

S. 3201

At the request of Mr. UDALL of Colorado, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 3201, a bill to amend title 10, United States Code, to extend TRICARE coverage to certain dependents under the age of 26.

S. 3206

At the request of Mr. HARKIN, the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of S. 3206, a bill to establish an Education Jobs Fund.

S. 3266

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 3266, a bill to ensure the availability of loan guarantees for rural homeowners.

S. 3295

At the request of Mr. SCHUMER, the names of the Senator from South Dakota [Mr. JOHNSON] and the Senator from Arkansas [Mrs. LINCOLN] were added as cosponsors of S. 3295, a bill to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes.

S. 3305

At the request of Mr. MENENDEZ, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 3305, a bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 3311

At the request of Mr. KERRY, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 3311, a bill to improve and enhance the capabilities of the Department of Defense to prevent and respond to sexual assault in the Armed Forces, and for other purposes.

S. 3335

At the request of Mr. COBURN, the names of the Senator from Utah [Mr. HATCH], the Senator from Tennessee [Mr. ALEXANDER] and the Senator from Montana [Mr. TESTER] were added as cosponsors of S. 3335, a bill to require Congress to establish a unified and searchable database on a public website for congressional earmarks as called for by the President in his 2010 State of the Union Address to Congress.

S. 3339

At the request of Mr. KERRY, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 3339, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 3341

At the request of Mr. CARDIN, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 3341, a bill to amend title 5, United States Code, to extend eligibility for coverage under the Federal Employees Health Benefits Program with respect to certain adult dependents of Federal employees and annuitants, in conformance with amendments made by the Patient Protection and Affordable Care Act.

SENATE JOINT RESOLUTION 29

At the request of Mrs. FEINSTEIN, the names of the Senator from Alaska [Mr. BEGICH], the Senator from Wisconsin [Mr. FEINGOLD] and the Senator from Oregon [Mr. WYDEN] were added as cosponsors of Senate Joint Resolution 29, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

SENATE JOINT RESOLUTION 30

At the request of Mr. ISAKSON, the names of the Senator from Nevada [Mr. ENSIGN], the Senator from Missouri [Mr. BOND] and the Senator from Texas [Mr. CORNYN] were added as cosponsors of Senate Joint Resolution 30, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Mediation Board relating to representation election procedures.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. REID,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on May 13, 2010, at 2:30 p.m.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on May 13, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs be authorized to meet during the session of the Senate on May 13, 2010, at 9:30 a.m. in room 628 of the Dirksen Senate Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on Judiciary be authorized to meet during the session of the Senate on May 13, 2010, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on May 13, 2010, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations."

SELECT COMMITTEE ON INTELLIGENCE

The Committee on Intelligence be authorized to meet during the session of the Senate on May 13, 2010, at 2:30 p.m.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 10:57 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 1067. An act to support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

S. 3333. An act to extend the statutory license for secondary transmissions under title 17, United States Code, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 61. Concurrent resolution expressing the sense of the Congress that general aviation pilots and industry should be recognized for the contributions made in response to Haiti earthquake relief efforts.

ENROLLED BILLS SIGNED

The PRESIDENT pro tempore announced that he had signed the following enrolled bills, which were previously signed by the Speaker of the House:

H.R. 1121. An act to authorize a land exchange to acquire lands for the Blue Ridge Parkway from the Town of Blowing Rock, North Carolina, and for other purposes.

H.R. 1442. An act to provide for the sale of the Federal Government's reversionary interest in approximately 60 acres of land in Salt Lake City, Utah, originally conveyed to the Mount Olivet Cemetery Association under the Act of January 23, 1909.

AUTHORIZING THE SECRETARY OF THE INTERIOR TO LEASE CERTAIN LANDS IN VIRGIN ISLANDS NATIONAL PARK

By unanimous consent, on the request of Mr. DODD,

The Senate proceeded to consider the bill (H.R. 714) to authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park, and for other purposes.

The question being on agreeing to the reported amendments.

The reported amendments were agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

LAW ENFORCEMENT OFFICERS SAFETY ACT IMPROVEMENTS ACT

By unanimous consent, on the request of Mr. DODD,

The Senate proceeded to consider the bill (S. 1132) to amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, and for other purposes.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

The reported amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

NATIONAL TRANSPORTATION SAFETY BOARD REAUTHORIZATION ACT

By unanimous consent, on the request of Mr. DODD,

The Senate proceeded to consider the bill (S. 2768) to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2010 through 2014, and for other purposes.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. DODD for Mr. DORGAN (for himself and Mr. ROCKEFELLER) to insert, in lieu of the language proposed to be inserted by the pending reported amendment (in the nature of a substitute), other words (being amendment No. 4038, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The reported amendment (in the nature of a substitute), as amended, was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The title was amended, on motion by Mr. DODD for Mr. DORGAN (for himself and Mr. ROCKEFELLER), so as to read: "A bill to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2011 and 2012, and for other purposes."

EXPRESSING SYMPATHY TO THE FAMILIES OF THE REPUBLIC OF KOREA SHIP CHEONAN SINKING, AND SOLIDARITY WITH THE REPUBLIC

On the request of Mr. DODD,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 525) expressing sympathy to the families of those killed in the sinking of the Republic of Korea Ship Cheonan, and solidarity with the Republic of Korea in the aftermath of this tragic incident, submitted today by Mr. LIEBERMAN (for himself, Mr. KERRY, Mr. LEVIN, Mr. LUGAR and Mr. MCCAIN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

REMOVAL OF INJUNCTION OF SECRECY

By unanimous consent, on the request of Mr. DODD,

As in executive session,

Ordered, That the injunction of secrecy be removed from Treaty Document 111-5, received from the President on today.

APPOINTMENT BY THE MAJORITY AND MINORITY LEADERS OF THE SENATE AND SPEAKER AND MINORITY LEADER OF THE HOUSE

OFFICE OF COMPLIANCE MEMBERS OF THE BOARD OF DIRECTORS

The PRESIDING OFFICER announced that the majority and minority leaders of the Senate and the Speaker and the minority leader of the House of Representatives, pursuant to section 301 of Public Law 104-1, as amended by Public Law 108-349, and further amended by Public Law 111-114, had jointly reappointed the following individuals as members of the Board of Directors of the Office of Compliance: Barbara L. Camens, of the District of Columbia, and Roberta L. Holzwarth, of Illinois.

APPOINTMENT BY THE VICE PRESIDENT

HARRY S TRUMAN SCHOLARSHIP FOUNDATION BOARD OF TRUSTEES

The PRESIDING OFFICER announced that the VICE PRESIDENT, pursuant to Public Law 93-642, had appointed Mr. BEGICH to be a member of the Harry S Truman Scholarship Foundation Board of Trustees.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DODD,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of bill S. 3217.

ADJOURNMENT

By unanimous consent, on the request of Mr. DODD,

At 8:16 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

FRIDAY, MAY 14, 2010

Mr. JEFF MERKLEY, from the State of Oregon, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. MERKLEY led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, May 14, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF MERKLEY, a Senator from the State of Oregon, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. MERKLEY took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

RESTORING AMERICAN FINANCIAL STABILITY ACT

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (S. 3217) to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 3758, proposed by Mr. DODD for Mr. ROCKEFELLER (for himself, Mrs. HUTCHISON, Mr. DORGAN, and Mr. PRYOR), to amendment No. 3739 (in the nature of a substitute), as amended, proposed by Mr. REID for Mr. DODD (for himself and Mrs. LINCOLN), to the bill.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. MARK UDALL (for himself, Mr. LUGAR, Mr. LAUTENBERG, Mr. BOND, Mr. BEGICH, Mr. SCHUMER, Mr. LEVIN, and Mr. SCOTT BROWN) to further amend the pending amendment (in the nature of a substitute), on page 1455, after line 25, by adding certain words (being amendment No. 4016).

Pending debate,

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. DODD,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by Mrs. Neiman, one of his secretaries:

CONTINUATION OF THE NATIONAL EMERGENCY DECLARED WITH RESPECT TO BURMA—PM 56

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. I have sent the enclosed notice to the *Federal Register* for publication, stating that the Burma emergency is to continue in effect beyond May 20, 2010.

The crisis between the United States and Burma arising from the actions and policies of the Government of Burma, including its engaging in large-scale repression of the democratic opposition in Burma, that led to the declaration of a national emergency in Executive Order 13047 of May 20, 1997, as modified in scope and relied upon for additional steps taken in Executive Order 13310 of July 28, 2003, Executive Order 13448 of October 18, 2007, and Executive Order 13464 of April 30, 2008, has not been resolved. These actions and policies are hostile to U.S. interests and pose a continuing unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency with respect to Burma and maintain in force the sanctions against Burma to respond to this threat.

BARACK OBAMA.

THE WHITE HOUSE, *May 13, 2010.*

REPORT OF A COMMITTEE

The following report of committee was submitted:

By Mr. INOUYE, from the Committee on Appropriations, with an amendment in the nature of a substitute and an amendment to the title:

H.R. 4899. An act making supplemental appropriations for the fiscal year ending September 30, 2010, and for other purposes (Rept. No. 111-188).

INTRODUCTION OF A BILL

The following bill was introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. BURR (for himself, Mr. AKAKA, and Mr. DURBIN):

S. 3377. A bill to amend title 38, United States Code, to improve the multifamily transitional housing loan program of the Department of Veterans Affairs by requiring the Secretary of Veterans Affairs to issue loans for the construction of, rehabilitation of, or acquisition of land for multifamily transitional housing projects instead of guaranteeing loans for such purposes, and for other purposes; to the Committee on Veterans' Affairs.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Ms. CANTWELL (for herself, Mr. CRAPO, Mr. BINGAMAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. WYDEN, Mrs. BOXER, and Mr. ENZI):

S. Res. 526. A resolution designating May 16 through May 22, 2010, as "National Search and Rescue Week"; considered and agreed to.

By Mr. CASEY (for himself and Mr. CHAMBLISS):

S. Res. 527. A resolution supporting the designation of an appropriate date as "National Childhood Stroke Awareness Day"; considered and agreed to.

By Mr. GRAHAM (for himself, Mr. NELSON of Florida, Ms. MURKOWSKI, Mr. SPECTER, Mr. CONRAD, Mr. DORGAN, Mr. BURR, Mr. INOUYE, Mr. BEGICH, and Mr. KERRY):

S. Res. 528. A resolution designating May 15, 2010, as "National MPS Awareness Day"; considered and agreed to.

By Mrs. GILLIBRAND (for herself, Mr. BURRIS, Mrs. BOXER, Mr. BROWN of Ohio, Mr. CASEY, Mr. LEVIN, Mr. BROWNBACK, Mr. MENENDEZ, Mr. NELSON of Florida, Mr. SCHUMER, and Ms. COLLINS):

S. Res. 529. A resolution celebrating the life and achievements of Lena Mary Calhoun Horne and honoring her for her triumphs against racial discrimination and her steadfast commitment to the civil rights of all people; considered and agreed to.

By Mr. FEINGOLD (for himself, Ms. SNOWE, Mr. KERRY, Mr. BEGICH, Mr. DODD, Ms. STABENOW, and Mr. CRAPO):

S. Res. 530. A resolution supporting the goals and ideals of "National Women's Health Week 2010", and for other purposes; considered and agreed to.

By Mrs. FEINSTEIN (for herself and Mr. BROWN of Ohio):

S. Res. 531. A resolution supporting the goals and ideals of National Hepatitis Awareness Month and World Hepatitis Day; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 354

At the request of Mr. WEBB, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of

S. 354, a bill to provide that 4 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes.

S. 1301

At the request of Mr. MENENDEZ, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 1301, a bill to direct the Attorney General to make an annual grant to the A Child Is Missing Alert and Recovery Center to assist law enforcement agencies in the rapid recovery of missing children, and for other purposes.

S. 1445

At the request of Mr. LAUTENBERG, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 1445, a bill to amend the Public Health Service Act to improve the health of children and reduce the occurrence of sudden unexpected infant death and to enhance public health activities related to stillbirth.

S. 2749

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 2749, a bill to amend the Richard B. Russell National School Lunch Act to improve access to nutritious meals for young children in child care.

S. 2768

At the request of Mrs. HUTCHISON, her name was added as a cosponsor of S. 2768, a bill to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2011 and 2012, and for other purposes.

S. 3039

At the request of Mr. UDALL of New Mexico, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 3039, a bill to prevent drunk driving injuries and fatalities, and for other purposes.

S. 3058

At the request of Mr. DORGAN, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3342

At the request of Mr. DURBIN, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 3342, a bill to amend the Richard B. Russell National School Lunch Act to establish a demonstration project to promote collaborations to improve school nutrition.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 11:41 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1067. An act to support the stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

S. 3333. An act to extend the statutory license for secondary transmissions under title 17, United States Code, and for other purposes.

SPECIAL AGENT SAMUEL HICKS FAMILIES OF FALLEN HEROES ACT

By unanimous consent, on the request of Mr. DODD,

The Senate proceeded to consider the bill (H.R. 2711) to amend title 5, United States Code, to provide for the transportation of the dependents, remains, and effects of certain Federal employees who die while performing official duties or as a result of the performance of official duties.

The question being on agreeing to the reported amendments.

By unanimous consent, on the request of Mr. DODD.

Ordered, That the reported amendments be withdrawn.

The question being on passage of the bill.

On motion by Mr. DODD (for Mr. LIEBERMAN) to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 4043, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The question being on passage of the bill, as amended.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The title was amended, on motion by Mr. DODD (for Mr. LIEBERMAN), so as to read: "A bill to amend title 5, United States Code, to provide for the transportation and moving expenses for the immediate family of certain Federal employees who die in the performance of their duties".

SUPPORTING AND RECOGNIZING THE GOALS AND IDEALS OF "RV CENTENNIAL CELEBRATION MONTH"

By unanimous consent, on the request of Mr. DODD,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 410) supporting and recognizing the goals and ideals of "RV Centennial Celebration Month" to commemorate 100 years of enjoyment of recreation vehicles in the United States.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

COMMEMORATING AND CELEBRATING THE LIVES OF THOSE WHO GAVE THEIR LIVES IN THE SERVICE OF THE PEOPLE OF WASHINGTON STATE IN 2009

By unanimous consent, on the request of Mr. DODD,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 521) commemorating and celebrating the lives of Deputy Sheriff Stephen Michael Gallagher, Jr., Officer Timothy Q. Brenton, Officer Tina G. Griswold, Officer Ronald Wilbur Owens II, Sergeant Mark Joseph Renninger, Officer Gregory James Richards, and Deputy Sheriff Walter Kent Mundell, Jr. who gave their lives in the service of the people of Washington State in 2009.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agreed thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL SEARCH AND RESCUE WEEK"

On the request of Mr. DODD,

The PRESIDING OFFICER (Mr. MERKLEY in the chair) laid before the Senate the resolution (S. Res. 526) designating May 16 through May 22, 2010, as "National Search and Rescue Week", submitted today by Ms. CANTWELL (for herself, Mr. CRAPO, Mr. BINGAMAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. WYDEN, Mrs. BOXER, And Mr. ENZI), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

SUPPORTING DESIGNATION OF "NATIONAL CHILDHOOD STROKE AWARENESS DAY"

On the request of Mr. DODD,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 527) supporting the designation of an appropriate date as "National Childhood Stroke Awareness Day", submitted today by Mr. CASEY (for himself and Mr. CHAMBLISS), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL MPS AWARENESS DAY"

On the request of Mr. DODD,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 528) designating May 15, 2010, as "National MPS Awareness Day", submitted today by Mr. GRAHAM (for himself, Mr. BILL NELSON, Ms. MURKOWSKI, Mr. SPECTER, Mr. CONRAD, Mr. DORGAN, Mr. BURR, Mr. INOUYE, Mr. BEGICH, and Mr. KERRY), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CELEBRATING THE LIFE AND ACHIEVEMENTS OF LENA MARY CALHOUN HORNE

On the request of Mr. DODD,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 529) celebrating the life and achievements of Lena Mary Calhoun Horne and honoring her for her triumphs against racial discrimination and her steadfast commitment to the civil rights of all people, submitted today by Mrs. GILLIBRAND (for herself, Mr. BURRIS, Mrs. BOXER, Mr. SHERROD BROWN, Mr. CASEY, Mr. LEVIN, Mr. BROWNBACK, Mr. MENENDEZ, Mr. BILL NELSON, Mr. SCHUMER, and Ms. COLLINS), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

SUPPORTING THE GOALS AND IDEALS OF "NATIONAL WOMEN'S HEALTH WEEK 2010"

On the request of Mr. DODD,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 530) supporting the goals and ideals of "National Women's Health Week 2010", and for other purposes, and for other purposes, submitted today by Mr. FEINGOLD (for himself, Mr. BEGICH, Mr. CRAPO, Mr. DODD, Mr. KERRY, Ms. SNOWE, and Ms. STABENOW), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, MAY 17, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DODD,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2 p.m. on Monday, May 17, 2010; that, on Monday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 3 p.m., with Senators permitted to speak for ten minutes each therein; and that, following morning business, the Senate resume consideration of bill S. 3217.

ADJOURNMENT

By unanimous consent, on the request of Mr. DODD,

At 11:43 a.m.,

The Senate adjourned, under its order of today, until 2 p.m. on Monday, May 17, 2010.

MONDAY, MAY 17, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, May 17, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of Friday, May 14, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Friday, May 14, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Friday, May 14, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, Monday, May 17, 2010, she had presented to the President of the United States the following enrolled bills:

S. 1067. A bill to support stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

S. 3333. A bill to extend the statutory license for secondary transmissions under title 17, United States Code, and for other purposes.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-100. A concurrent resolution adopted by the Senate of the State of Louisiana urging Congress to establish a National Military Family Relief Fund and create a simple and cost-effective way for taxpayers to lend a helping hand to military families in need; to the Committee on Armed Services.

SENATE CONCURRENT RESOLUTION NO. 43

Whereas, United States service members, especially national guardsmen and reservists, often face a significant salary reduction when called upon to serve our country; and

Whereas, recent studies show that fifty-five percent of married national guard members and reservists report a loss of income in relation to their civilian jobs when they are called to active duty, and fifteen percent experience a pay cut of thirty thousand dollars or more; and

Whereas, national guard members and reservists serving in the Global War On Terrorism make up a larger percentage of frontline fighting forces than in any other war in U.S. history; and

Whereas, all military families deserve thanks and recognition for their sacrifices, and helping to ease the financial pressures that challenge so many of America's finest families must be a top priority; and

Whereas, U.S. Congressman Bill Foster has introduced House Resolution 5941, legislation designed to provide relief for military families that would allow taxpayers to contribute to a National Military Family Relief Fund by filling a voluntary donation in a check-off box on federal income tax forms; and

Whereas, the individually determined donation for the National Military Family Relief Fund would be added to the supporter's tax bill or deducted from a rebate allowing U.S. citizens to support military families without placing any extra burden on the federal budget; and

Whereas, all service members and veterans who are serving, or have served, in Iraq or Afghanistan or other regions of service would be eligible for grants from the National Military Family Relief Fund; and

Whereas, military family relief funds have already been introduced or established in at least twenty-seven states with citizens, corporations and community organizations proving an eagerness to lend a helping hand by generously donating to military families in need. Therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to approve H.R. 5941 to establish a National Military Family Relief Fund and create a simple and cost-effective way for taxpayers to lend a helping hand to military families in need; be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-101. A concurrent resolution adopted by the Legislature of the State of Utah expressing support for policies that promote and foster energy innovation development in the state of Utah; to the Committee on Commerce, Science, and Transportation.

HOUSE CONCURRENT RESOLUTION NO. 15

Whereas, 23 U.S.C. Sec. 159 requires states to enact legislation requiring the revocation or suspension of an individual's driver license for at least six months upon conviction of any drug-related offense;

Whereas, 23 U.S.C. Sec. 159 requires withholding 10% of certain federal aid from states that fail to enact this legislation;

Whereas, the federal government should not dictate policy or legislation of this kind for the state;

Whereas, for Utah to be exempt from this federal requirement, the Governor must submit to the United States Secretary of Transportation a written certification that he is opposed to the enactment or enforcement of a law related to revocation of a person's driver license for any drug-related offense, and also submit a written certification that the Utah Legislature has adopted a resolution expressing opposition to the federal requirement; and

Whereas, the state of Utah shall enforce its own driver license law, which provides that Utah's Driver License Division is not required to suspend a person's license for a violation of certain drug-related offenses if the violation did not involve a motor vehicle and the convicted person is participating in, or has successfully completed, substance abuse treatment at a licensed substance abuse treatment program that is approved by the Division of Substance Abuse and Mental Health or is participating in, or has successfully completed, probation through the Department of Corrections Adult Probation and Parole: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, declare their opposition to the enactment or enforcement of a federal law mandating, in all circumstances, the revocation or suspension of an individual's driver license upon conviction of any drug-related offense; be it further

Resolved, That the Legislature and the Governor declare the state's determination to enforce its own law on the subject, which provides that persons convicted of certain drug-related offenses will not have their driver licenses revoked or suspended if the violation did not involve a motor vehicle and the convicted person is participating in, or has successfully completed, substance abuse treatment at a licensed substance abuse treatment program that is approved by the Division of Substance Abuse and Mental Health or is participating in, or has successfully completed, probation through the Department of Corrections Adult Probation and Parole; be it further

Resolved, That a copy of this resolution be prepared and delivered to the Governor of the state of Utah, and that the Governor submit a copy of the resolution to the United States Secretary of Transportation; be it further

Resolved, That a copy of this resolution be sent to the Utah Department of Transportation and to the members of Utah's congressional delegation.

POM-102. A concurrent resolution adopted by the Legislature of the State of Utah urging Congress to amend federal law to ensure that consumers have the right to access their Fair Isaac Corporation credit scores or any other source for credit scores used by Fannie Mae, Freddie Mac, or Ginnie Mae from the three major credit agencies annually at no cost; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE CONCURRENT RESOLUTION NO. 7

Whereas, under the Fair and Accurate Credit Transactions Act of 2003, consumers are entitled to a free credit report once each year from any credit agency, including the nation's three major credit bureaus, which are Experian, Trans Union, and Equifax;

Whereas, the credit scores used in over 90% of financial transactions, including Fannie Mae, Freddie Mac, and Ginnie Mae, are a version of a Fair Isaac Corporation (FICO) credit score;

Whereas, FICO's website, www.MyFico.com, is the only location where consumers may access their true FICO credit scores;

Whereas, FICO takes the credit information furnished by Experian, Trans Union, and Equifax and calculates that information using an algorithm to develop the three credit scores;

Whereas, after Experian partially severed its relationship with FICO in 2009, consumers can no longer access their FICO/Experian credit score;

Whereas, now consumers can only access their Trans Union/FICO and Equifax/FICO credit scores on FICO's website, and they are charged $14.95 each, while lenders and other creditors can still access all three FICO credit scores from the three major credit agencies;

Whereas, although other companies have developed their own credit scores using their own formulas, ranges, and scores, lenders and creditors and other financial service

companies generally do not consider them reliable;

Whereas, these scores generated by other companies are often found to be substantially different than the FICO credit scores, even though they are widely promoted as the actual consumer credit score;

Whereas, current federal law should be changed to address the consumers' right to access their FICO credit scores from the three major credit agencies once each year;

Whereas, when consumers access their free credit report from www.AnnualCreditReport.com, they should be given the right to their FICO credit scores annually at no cost;

Whereas, credit agencies should not be required to bear any pass through costs from FICO in providing free FICO credit scores once each year to consumers;

Whereas, credit agencies should allow consumers the right to access their credit scores from each major credit agency used by Fannie Mae, Freddie Mac, and Ginnie Mae; and

Whereas, by making it possible for consumers to access their credit scores, which are used in almost every financial transaction, true fairness will return to the credit scoring access system: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, urge the United States Congress to amend federal law to ensure that consumers have the right to access their Fair Isaac Corporation credit scores or any other source for credit scores used by Fannie Mae, Freddie Mac, or Ginnie Mae from the three major credit agencies annually at no cost; be it further

Resolved, That a copy of this resolution be sent to the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and to the members of Utah's congressional delegation.

POM-103. A concurrent resolution adopted by the Legislature of the State of Utah urging the President and Congress to refrain from designating new national monuments in the San Rafael Swell area, the Cedar Mesa area, and any other area in Utah; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT RESOLUTION NO. 11

Whereas, the Antiquities Act, 16 U.S.C. Sec. 431, empowers the President of the United States to singlehandedly bypass congressional, state, and local land management policies and tie up any federal land in Utah through national monument declarations;

Whereas, a recent confirmed United States Department of Interior (DOI) internal memorandum declares that the 75-by-40 mile San Rafael Swell and surrounding "canyons, gorges, mesas, and buttes," plus an area of unspecified size referred to as the Cedar Mesa area, among others, "may be good candidates for National Monument designation under the Antiquities Act;"

Whereas, the San Rafael Swell and surrounding areas and the Cedar Mesa area described in the DOI memorandum are in Emery, Wayne, and San Juan Counties, Utah;

Whereas, Article I, Section 8, Clause 17 of the United States Constitution grants the United States government the power to exercise exclusive jurisdiction over the District of Columbia and over all "places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings";

Whereas, no lands in the San Rafael Swell and Cedar Mesa areas of Utah fit into this category;

Whereas, the United States Constitution delegates to the government of the United States no other power of exclusive jurisdiction over land in Utah, other than that referenced in Article I, Section 8, Clause 17;

Whereas, the Tenth Amendment to the United States Constitution states, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States";

Whereas, Article IV, Section 4 of the United States Constitution states, "The United States shall guarantee to every State in the Union a Republican Form of Government";

Whereas, the constitutional guarantee to Utah of a republican form of government is abrogated and violated when the President of the United States purports through the Antiquities Act, 16 U.S.C. Sec. 431, to exercise exclusive jurisdiction with the mere stroke of a pen over lands in the San Rafael and Cedar Mesa areas that do not fit the category of Article I, Section 8, Clause 17, exclusive jurisdiction land;

Whereas, lands in the San Rafael Swell and Cedar Mesa areas of Utah are currently managed by the United States Bureau of Land Management (BLM) pursuant to the Federal Land Policy Management Act (FLPMA) of 1976, and the Act directs the BLM to manage public lands according to Resource Management Plans (RMPs) which "shall be consistent with State and local plans to the maximum extent [the Secretary of Interior] finds consistent with Federal law and the purpose of [FLPMA]";

Whereas, the state of Utah and the counties of Emery, Wayne, and San Juan have recently completed an expensive and protracted multi-year FLPMA and National Environmental Policy Act (NEPA) process with the BLM and the public to revise and update the BLM's RMPs in planning areas which include the San Rafael Swell and Cedar Mesa areas;

Whereas, the revised RMPs do not call for the creation of national monuments in the San Rafael Swell and Cedar Mesa areas;

Whereas, creating national monuments in the San Rafael Swell and Cedar Mesa areas would violate and undercut the integrity of the RMPs revision process in Emery, Wayne, and San Juan Counties where the San Rafael Swell and Cedar Mesa areas are situated, and would be inconsistent with the plans and policies of the state of Utah and those counties and their duly elected governmental boards and leaders, all in violation of the constitutional guarantee of a republican form of government as well as violating federal statutory consistency requirements of FLPMA;

Whereas, a presidential proclamation declaring national monuments in the San Rafael Swell and Cedar Mesa areas would single-handedly bypass the revised RMPs and the universal opposition by the duly elected leaders of the state of Utah and the counties where those lands lie;

Whereas, a presidential proclamation of this type would constitute an illegitimate arrogation of exclusive jurisdiction over lands by the President, exceeding the bounds of legitimate and lawful authority permitted by the United States Constitution;

Whereas, the Antiquities Act states, "The President ... may reserve as a part [of a national monument] parcels of land, the limits of which in all cases shall be confined to the smallest areas compatible with the proper care and management of the objects to be protected. ..."

Whereas, the size of the 1996 Grand Staircase National Monument in Garfield and Kane Counties far exceeded "the smallest areas compatible" with the feigned object of that monument;

Whereas, the size of the San Rafael Swell area stated in the DOI memo, namely 75-by-40 miles plus surrounding canyons, gorges, mesas, and buttes, is staggering in terms of a national monument;

Whereas, Utah favors protecting the remarkably scenic, recreational, and sensitive areas of the San Rafael Swell and Cedar Mesa areas, however highest and best use of vast tracts of land in those areas is continued grazing and environmentally sensitive energy and mineral development done in such a way as to protect and preserve the scenic and recreational values;

Whereas, as history has demonstrated in the case of the Grand Staircase National Monument, many thousands of acres of important grazing and mineral and other multiple use resources and values have been closed to reasonable development due to the multi-hundred thousand acre national monument designation;

Whereas, Senator Bob Bennett has introduced S. 3016 in the United States Senate, which would prohibit the further

extension or establishment of national monuments in Utah, except by express authorization of Congress; and

Whereas, Utah's economy, industry, culture, way of life, and its viability as a sovereign state guaranteed a republican form of government depend on reasonable multiple-use access to the BLM lands in the San Rafael Swell and Cedar Mesa areas of the state, most of which will be taken away through national monument designation: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, express their opposition to the presidential creation of any large area national monument, as an abuse and violation of the Antiquities Act's smallest-area-compatible mandate; be it further

Resolved, That the Legislature and the Governor oppose the presidential creation of new national monuments in the San Rafael Swell area, Cedar Mesa area, and any other area of Utah; be it further

Resolved, That the Legislature and the Governor declare openly to the United States government that this unchecked exercise of power concentrated in the President portends serious consequences for Utah, as nearly 70% of the State is federally owned; be it further

Resolved, That the Legislature and the Governor declare openly to the United States government that the exercise of this power would essentially coronate the President, giving him the ultimate ability to determine the fate of nearly 70% of the entire state with the mere stroke of an unchecked presidential pen; be it further

Resolved, That the Legislature and the Governor urge Congress to check the President's ability to exercise such power by amending the Antiquities Act to clarify its actual intent, which is to establish small discrete monuments or memorials as existed in Utah prior to the unfortunate creation of the 1996 Grand Staircase National Monument; be it further

Resolved, That the Legislature and the Governor strongly urge the federal government to manage federal public lands in Utah according to state and local government plans, policies, and public input as promised by the Federal Land Policy Management Act of 1976 and the United States constitutional guarantee of a republican form of government on equal footing with all states in the Union, or otherwise convey the federal public lands to Utah for proper care and management, consistent with the original intent of the Constitution's Framers; be it further

Resolved, That the Legislature and the Governor express support for S. 3016, introduced in the United States Senate, which would prohibit the further extension or establishment of national monuments in Utah, except by express authorization of Congress; be it further

Resolved, That copies of this resolution be sent to the President of the United States, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and to the members of Utah's congressional delegation.

POM-104. A joint resolution adopted by the Legislature of the State of Utah expressing support for the Escalante Heritage/Hole-in-the-Rock Center Board's efforts to preserve the history of the Hole-in-the-Rock pioneers and the settlement of the Escalante area; to the Committee on Energy and Natural Resources.

SENATE JOINT RESOLUTION NO. 1

Whereas, in 1879, citizens of towns throughout Southern Utah answered the call of John Taylor, President of the Church of Jesus Christ of Latter-day Saints, to colonize one of the most remote parts of the Territory of Utah;

Whereas, taking what these colonizers thought would be a shortcut to the San Juan area, they traveled through the frontier town of Escalante, which was settled in 1876, to the Colorado River where they blasted and chiseled out a road in the crack of the canyon wall, descending one thousand feet to the Colorado River;

Whereas, while this was the most difficult part of the trek, it was only one of many difficulties they experienced before reaching their destination and establishing a settlement at Bluff, Utah;

Whereas, what they thought would be a six-week journey took six months;

Whereas, the road these individuals created on their journey became the first road in the Territory of Utah, traveling from west to east, to be funded by the Legislature, though it cost only a few thousand dollars to purchase dynamite to blast through the walls of the Hole-in-the-Rock;

Whereas, during the winter of 1879-80, 250 men, women, and children, trailing over 1,000 head of livestock, blazed a trail through 200 miles of the most rugged terrain in the West;

Whereas, Elizabeth Decker, a member of the colonizing party described it as "... the roughest country you or anybody else ever saw. It's nothing in the world but rocks and holes, hills and hollows";

Whereas, during their six-month journey, the San Juan colonizers were tempered like fine steel for the formidable task of tilling the land and establishing law and order;

Whereas, in reaching the San Juan area, the colonizers demonstrated unwavering faith and devotion to duty and set the standard for future generations;

Whereas, in 2002, the Church of Jesus Christ of Latter-day Saints donated nine acres of land in Escalante to build a Heritage Center, and also donated a water meter, which was critical in allowing the project to move ahead;

Whereas, in 2007, the Richfield office of the Utah Department of Transportation granted the Escalante Heritage Center $125,000 to do a feasibility study, which was performed by Landmark Design of Salt Lake City and completed in 2008;

Whereas, in 2009, the Salt Lake City office of the Utah Department of Transportation granted the Escalante Heritage Center $500,000 to build the first of four phases of the project;

Whereas, the Escalante Heritage Center is a nonprofit corporation engaged in raising private and public funds to construct and maintain a center dedicated to preserving the history and heritage of the Hole-in-the-Rock pioneers and the Escalante area;

Whereas, the state transportation improvement program includes $200,000 for preliminary engineering to improve Hole-in-the-Rock Road;

Whereas, the Bureau of Land Management (BLM) has expressly recognized in an administrative determination in 1988 that Garfield County owns an R.S. 2477 right-of-way for the Hole-in-the-Rock Road;

Whereas, Garfield County, Kane County, and the state of Utah have valid documentation that this road has been in existence since 1879 and has been in continuous use for over 131 years;

Whereas, Garfield County, Kane County, and the state of Utah have expended public tax monies to improve and maintain this road and other R.S. 2477 roads in their respective counties for access to BLM and National Park Service-managed lands;

Whereas, Kane County has filed a Quiet Title Action to secure forever the property right to this road and other roads in the county;

Whereas, this case, called the Hole-in-the-Rock Quiet Title Action, will be heard in federal court in the near future;

Whereas, the Garfield County Commission fully supports this endeavor and is the government sponsor of the project;

Whereas, the Mayor and City Council of Escalante fully support the Escalante Heritage Center in its endeavor to preserve the history and heritage of the area;

Whereas, the Mormon Pioneer National Heritage Area project has declared the building of the Escalante Heritage Center its top priority project;

Whereas, the Escalante Heritage Center Board has received letters of support from officials of the Church of Jesus Christ of Latter-day Saints, the offices of both Senators Hatch and Bennett, and the office of Congressman Jim Matheson;

Whereas, the Escalante Heritage Center Board has the support of officials of the

Grand Staircase Escalante National Monument, who feel that a science center on one side of the town of Escalante and a history center on the other side would represent bookends of learning for everyone visiting the area; and

Whereas, Garfield County has received a letter of support from the Grand Staircase Escalante National Monument for road improvements: Now, therefore, be it

Resolved, That the Legislature of the state of Utah expresses its support for the Escalante Heritage/Hole-in-the-Rock Center Board's efforts to preserve the history of the Hole-in-the-Rock pioneers and the settlement of the Escalante area, and to construct a building in which to tell the story of these historic pioneers and to improve the road over which they traveled; be it further

Resolved, That a copy of this resolution be sent to the Escalante Heritage Center Board, the Garfield County Commission, the Mayor and City Council of Escalante City, the Richfield and Salt Lake City offices of the Utah Department of Transportation, Landmark Design, the Church of Jesus Christ of Latter-day Saints, and to the members of Utah's congressional delegation.

POM-105. A joint resolution adopted by the Legislature of the State of Utah expressing opposition to participating in the Western Climate Initiative; to the Committee on Energy and Natural Resources.

HOUSE JOINT RESOLUTION NO. 21

Whereas, Utah's location and natural resources are an economic advantage and catalyst for economic growth and opportunity for Utah's citizens through abundant and affordable power, providing the seventh lowest electric rates in the nation;

Whereas, the nation's coal fired power plants provide for half of the United States' electricity demand, and power generated from Utah's abundant and clean burning coal provides for nearly 90% of the state's power needs;

Whereas, participation in the Western Climate Initiative (WCI) requires Utah, through public policy, to reduce carbon dioxide emissions without legislative consultation or public input;

Whereas, there has been no balanced and unbiased economic analysis of the costs associated with carbon reduction mandates, the economic impacts of participation in a regional cap and trade program, and the consequential effect of the increased costs of doing business in Utah;

Whereas, the credibility of global climate science, data, and modeling that cannot explain declining temperatures over the last decade, coupled with indications that the Intergovernmental Panel on Climate Change has incorporated flawed science to push policymakers, requires reevaluation of the "consensus" and full scientific scrutiny of the claims;

Whereas, forcing business, industry, and food producers to reduce carbon emissions through government mandates and cap and trade policies will increase the cost of doing business, push companies to do business with lower cost states or nations, and increase consumer costs for electricity, fuel, and food;

Whereas, the Congressional Budget Office warns that the cost of cap and trade policies under consideration for the WCI, and nationally, will be borne by consumers and will place a disproportionately high burden on poorer households;

Whereas, there are growing scientific concerns that simply implementing carbon reduction in Utah, the United States, or in the developed world will not have a significant impact while countries like China, Russia, Mexico, and India are greatly expanding their carbon footprints;

Whereas, carbon capture and sequestration are new technologies not yet proven, not yet commercially demonstrated, and facing legal and regulatory challenges;

Whereas, if all nations globally met a Kyoto-style carbon dioxide reduction, climate temperature would be reduced only 0.07 of a degree by 2050, and tremendous economic growth would be sacrificed for very little global warming gain; and

Whereas, no state or nation has enhanced economic opportunities for its citizens or increased Gross Domestic Product through cap and trade or other radical carbon reduction policies: Now, therefore, be it

Resolved, That the Legislature of the state of Utah urges the Governor to withdraw Utah from the WCI; be it further

Resolved, That a copy of this resolution be sent to Governor Herbert, the WCI, the Governor's Blue Ribbon Advisory Council on Climate Change, the International Panel on Climate Change, the United States Environmental Protection Agency, the Utah Department of Environmental Quality, and to the members of Utah's congressional delegation.

POM-106. A joint resolution adopted by the Legislature of the State of Utah urging the United States Environmental Protection Agency to immediately halt its carbon dioxide reduction policies and programs and withdraw its "Endangerment Finding" and related regulations until a full and independent investigation of climate data and global warming science can be substantiated; to the Committee on Energy and Natural Resources.

HOUSE JOINT RESOLUTION NO. 12

Whereas, proposed cap and trade legislation before the United States Congress, together with potential state actions to reduce carbon dioxide (CO2), would result in significantly higher energy costs to American consumers, business, and industry;

Whereas, the United States Environmental Protection Agency's (EPA) "Endangerment Finding" and proposed action to regulate CO2 under the Clean Air Act is based on questionable climate data and would place significant regulatory and financial burdens on all sectors of the nation's economy at a time when the nation's unemployment rate exceeds 10%;

Whereas, global temperatures have been level and declining in some areas over the past 12 years;

Whereas, the "hockey stick" global warming assertion has been discredited and climate alarmists' carbon dioxide-related global warming hypothesis is unable to account for the current downturn in global temperatures;

Whereas, there is a statistically more direct correlation between twentieth century temperature rise and Chlorofluorocarbons (CFCs) in the atmosphere than CO2;

Whereas, outlawed and largely phased out by 1978, in the year 2000 CFCs began to decline at approximately the same time as global temperatures began to decline;

Whereas, emails and other communications between climate researchers around the globe, referred to as "Climategate," indicate a well organized and ongoing effort to manipulate global temperature data in order to produce a global warming outcome;

Whereas, there has been a concerted effort by climate change alarmists to marginalize those in the scientific community who are skeptical of global warming by manipulating or pressuring peer-reviewed publications to keep contrary or competing scientific viewpoints and findings on global warming from being reviewed and published;

Whereas, the Intergovernmental Panel on Climate Change (IPCC), a blend of government officials and scientists, does no independent climate research but relies on global climate researchers;

Whereas, Earth's climate is constantly changing with recent warming potentially an indication of a return to more normal temperatures following a prolonged cooling period from 1250 to 1860 called the "Little Ice Age";

Whereas, more than $7 billion annually in federal government grants may have influenced the climate research focus and findings that have produced a "scientific consensus" at research institutions and universities;

Whereas, the recently completed Copenhagen climate change summit resulted in little agreement, especially among growing CO2 -emitting nations like China and India, and calls on the United States to pay billions of dollars to developing countries to reduce CO2 emissions at a time when the United States' national debt will exceed $12 trillion;

Whereas, the United States Department of Agriculture estimates that current legislation providing agriculture offsets and carbon credits to reduce CO2 emissions would result in tree planting on 59 million acres of crop and pasture land, damaging America's food security and rural communities;

Whereas, according to the World Health Organization, 1.6 billion people do not have adequate food and clean water; and

Whereas, global governance related to global warming and reduction of CO2 would ultimately lock billions of human beings into long-term poverty: Now, therefore, be it

Resolved, That the Legislature of the state of Utah urges the United States Environmental Protection Agency to immediately halt its carbon dioxide reduction policies and programs and withdraw its "Endangerment Finding" and related regulations until a full and independent investigation of climate data and global warming science can be substantiated; be it further

Resolved, That a copy of this resolution be sent to the United States Environmental Protection Agency and to the members of Utah's congressional delegation.

POM-107. A concurrent resolution adopted by the Legislature of the State of Utah urging the United States Government and the Secretary of the Interior to provide continued financial assistance to the unincorporated community of Dutch John, Utah; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 13

Whereas, the Dutch John Federal Property Disposition and Assistance Act of 1998 disposed of certain federal properties located in Dutch John, Utah, and provided for assistance to Daggett County for the delivery of basic services to the Dutch John community, and for other purposes;

Whereas, for the purpose of defraying costs of administration and provision of basic community services, an annual payment of $300,000, as adjusted by the Secretary of the Interior for changes in the Consumer Price Index for all-urban consumers published by the Department of Labor, has been provided from the Upper Colorado Basin Fund authorized by Section 5 of the Act of April 11, 1956 (70 Stat. 107, chapter 203; 43 U.S.C. 620d), to DaggettCounty, Utah or in accordance with Subsection (c), to Dutch John, Utah, for a period not to exceed 15 years beginning the first January 1 that occurs after the date of the effective date of this resolution;

Whereas, these payments for the purpose of defraying costs of administration and provision of basic community services will terminate December 31, 2013;

Whereas, Dutch John was established in 1958 by the Bureau of Reclamation to provide housing and serve project construction needs for the construction of Flaming Gorge Dam;

Whereas, permanent structures for housing, administrative offices, maintenance, and other public purposes continue to be owned and maintained by the Bureau of Reclamation;

Whereas, during construction of the dam, more than 2,000 people were housed in the town;

Whereas, the Bureau of Reclamation and the United States Forest Service, responsible for land management at Dutch John and surrounding Flaming Gorge National Recreation Area, continue to provide basic services and facilities for the community;

Whereas, basic services for Dutch John, as well as the operating and administrative costs for the town prior to 1998, were financed by the Bureau of Reclamation and the United States Forest Service, then reimbursed by annual power sales revenue;

Whereas, the federal costs of providing the full range of community facilities and services in Dutch John had substantially grown over the years, and in 1998 approached $1 million annually;

Whereas, currently, Daggett County is providing these basic community services to Dutch John, such as road maintenance, water, and sewer;

Whereas, to offset these costs, while a traditional community tax base was being established in Dutch John, Daggett County received an annual subsidy that is to last for 15 years from public power revenues;

Whereas, the Dutch John Federal Property Disposition and Assistance Act of 1998 anticipated that in the initial 15-year period commercial developments would be established that would help finance local services; and

Whereas, the commercial developments that were anticipated to occur in Dutch John to help finance local services have not been established: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, urge the United States Government and the Secretary of the Interior to provide continued financial assistance to the unincorporated community of Dutch John, Utah, in the amount of at least $500,000 annually, as adjusted by the Secretary of the Interior for changes in the Consumer Price Index for all-urban consumers published by the Department of Labor, from the Upper Colorado River Basin Fund for a period not to exceed 15 years, for the purpose of defraying costs of administration and the provision of basic community services; be it further

Resolved, That a copy of this resolution be sent to the United States Secretary of the Interior, the members of Utah's congressional delegation, the United States Forest Service, the Bureau of Reclamation, and the Daggett County Commission.

POM-108. A concurrent resolution adopted by the Legislature of the State of Utah expressing support for the creation of the Statue of Responsibility Monument and recognizing the state of Utah's claim to the honorable moniker as "Utah—Birth Place of the Statue of Responsibility"; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 16

Whereas, forty years ago, Holocaust survivor and author of "Man's Search for Meaning", Dr. Viktor E. Frankl, declared that in order for freedom to endure generation after generation, our liberties need to be lived in terms of responsibleness;

Whereas, Dr. Frankl then challenged America to create a Statue of Responsibility on the West Coast to complement the message of the Statue of Liberty on the East Coast, and that these two monuments would forever stand as visual reminders of the two principles, liberty and responsibility, required to keep freedom's flame burning bright;

Whereas, for a nation to endure, at crucial times in its history, its core values must be revisited, reenergized, and reenthroned;

Whereas, in 1997, internationally renowned Utah sculptor, Gary Lee Price, was commissioned by the Statue of Responsibility Foundation to design the Statue of Responsibility;

Whereas, Mr. Price's design was approved by the Statue of Responsibility Foundation's Board of Trustees in 2005;

Whereas, the Statue of Responsibility Foundation has received over $700,000 of in-kind donation support from over 20 Utah companies for the completion of the project's initial phase, which was completed in 2008;

Whereas, Dr. Viktor Frankl's widow, Eleonore Frankl, along with other national and international dignitaries, sits on the Statue of Responsibility Foundation's International Board of Advisors;

Whereas, the Statue of Responsibility Foundation will begin its national public relations campaign once the host city has been awarded;

Whereas, much of the $300 million cost to build the Statue of Responsibility monument will be raised in the private sector by individuals, supportive non-profit organizations, and public and private corporations;

Whereas, the Statue of Responsibility Foundation is in the process of determining which potential host city on the West Coast will be chosen as the resting spot of the monument, and details of the Statue of Responsibility Monument project can be seen on www.SORfoundation.org;

Whereas, the Statue of Responsibility Foundation will gift to the state of Utah a 30-

foot tall replica of the Statue of Responsibility to be located in an appropriate location in the state so that visitors to Utah will be able to see and be reminded of the historic role Utah played in the creation of this historic monument;

Whereas, the Statue of Responsibility Monument will become an educational and tourism landmark, equal to the Statue of Liberty, and their combined messages will stand as beacons of hope and lasting freedom to citizens of all nations;

Whereas, Utah will forever be able to lay claim to the moniker "Utah—Birth Place of the Statue of Responsibility"; and

Whereas, the value of this moniker to the state of Utah will grow through the years as millions of world visitors tour both the 300-foot tall monument on the West Coast and the 30-foot tall replica in Utah: Now, therefore, be it

Resolved, That the Legislature of the State of Utah, the Governor concurring therein, express support for the creation of the Statue of Responsibility Monument; be it further

Resolved, That the Legislature and the Governor recognize the state of Utah's claim to the honorable moniker as "Utah—Birth Place of the Statue of Responsibility;" be it further

Resolved, That the Legislature and the Governor encourage concerned Utahns to assist in the building of what has been called "the most compelling monument project to freedom of the 21st Century" in ways that are unique to our private citizens and our corporate citizens; be it further

Resolved, That a copy of this resolution be sent to the Statue of Responsibility Foundation's organizational leaders, the Statue of Responsibility Foundation's Board of Trustees, and to the members of Utah's congressional delegation.

POM-109. A concurrent resolution adopted by the Legislature of the State of Utah urging the President and Congress to refrain from designating new national monuments in the San Rafael Swell area, the Cedar Mesa area, and any other area in Utah; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 17

Whereas, the Antiquities Act, 16 U.S.C. Sec. 31, empowers the President of the United States to singlehandedly bypass congressional, state, and local land management policies and tie up any federal land in Utah through national monument declarations;

Whereas, a recent confirmed United States Department of Interior (DOI) internal memorandum declares that the 75-by-40 mile San Rafael Swell and surrounding "canyons, gorges, mesas, and buttes," plus an area of unspecified size referred to as the Cedar Mesa area, among others, "may be good candidates for National Monument designation under the Antiquities Act";

Whereas, the San Rafael Swell and surrounding areas and the Cedar Mesa area described in the DOI memorandum are in Emery, Wayne, and San Juan Counties, Utah;

Whereas, Article I, Section 8, Clause 17 of the United States Constitution grants the United States government the power to exercise exclusive jurisdiction over the District of Columbia and over all "places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings";

Whereas, no lands in the San Rafael Swell and Cedar Mesa areas of Utah fit into this category;

Whereas, the United States Constitution delegates to the government of the United States no other power of exclusive jurisdiction over land in Utah, other than that referenced in Article I, Section 8, Clause 17;

Whereas, the Tenth Amendment to the United States Constitution states, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States";

Whereas, Article IV, Section 4 of the United States Constitution states, "The United States shall guarantee to every State in the Union a Republican Form of Government";

Whereas, the constitutional guarantee to Utah of a republican form of government is abrogated and violated when the President of the United States purports through the Antiquities Act, 16 U.S.C. Sec. 431, to exercise exclusive jurisdiction with the mere stroke of a pen over lands in the San Rafael and Cedar Mesa areas that do not fit the category of Article 1, Section 8, Clause 17, exclusive jurisdiction land;

Whereas, lands in the San Rafael Swell and Cedar Mesa areas of Utah are currently managed by the United States Bureau of Land Management (BLM) pursuant to the Federal Land Policy Management Act (FLPMA) of 1976, and, the Act directs the BLM to manage public lands according to Resource Management Plans (RMPs) which "shall be consistent with State and local plans to the maximum extent [the Secretary of Interior} finds consistent with Federal law and the purpose of [FLPMA]";

Whereas, the state of Utah and the counties of Emery, Wayne, and San Juan have recently completed an expensive and protracted multi-year FLPMA and National Environmental Policy Act (NEPA) process with the BLM and the public to revise and update the BLM's RMPs in planning areas which include the San Rafael Swell and Cedar Mesa areas;

Whereas, the revised RMPs do not call for the creation of national monuments in the San Rafael Swell and Cedar Mesa areas;

Whereas, creating national monuments in the San Rafael Swell and Cedar Mesa areas would violate and undercut the integrity of the RMPs revision process in Emery, Wayne, and San Juan Counties where the San Rafael Swell and Cedar Mesa areas are situated, and would be inconsistent with the plans and policies of the state of Utah and those counties and their duly elected governmental boards and leaders, all in violation of the constitutional guarantee of a republican form of government as well as violating federal statutory consistency requirements of FLPMA;

Whereas, a presidential proclamation declaring national monuments in the San Rafael Swell and Cedar Mesa areas would single-handedly bypass the revised RMPs and the universal opposition by the duly elected leaders of the state of Utah and the counties where those lands lie;

Whereas, a presidential proclamation of this type would constitute an illegitimate arrogation of exclusive jurisdiction over lands by the President, exceeding the bounds of legitimate and lawful authority permitted by the United States Constitution;

Whereas, the Antiquities Act states, "The President ... may reserve as a part [of a national monument] parcels of land, the limits of which in all cases shall be confined to the smallest areas compatible with the proper care and management of the objects to be protected.

Whereas, the size of the 1996 Grand Staircase National Monument in Garfield and Kane Counties far exceeded "the smallest areas compatible" with the feigned object of that monument;

Whereas, the size of the San Rafael Swell area stated in the DOI memo, namely 75-by-40 miles plus surrounding canyons, gorges, mesas, and buttes, is staggering in terms of a national monument;

Whereas, Utah favors protecting the remarkably scenic, recreational, and sensitive areas of the San Rafael Swell and Cedar Mesa areas, however the highest and best use of vast tracts of land in those areas is continued grazing and environmentally sensitive energy and mineral development done in such a way as to protect and preserve the scenic and recreational values;

Whereas, as history has demonstrated in the case of the Grand Staircase National Monument, many thousands of acres of important grazing and mineral and other multiple use resources and values have been closed to reasonable development due to the multi-hundred thousand acre national monument designation;

Whereas, Senator Bob Bennett has introduced S. 3016 in the United States Senate, which would prohibit the further extension or establishment of national monuments in Utah, except by express authorization of Congress; and

Whereas, Utah's economy, industry, culture, way of life, and its viability as a sovereign state guaranteed a republican form of government depend on reasonable multiple-use access to the BLM lands in the San Rafael Swell and Cedar Mesa areas of the State, most of which will be taken away through national monument designation: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, express their opposition to the presidential creation of any large area national monument, as an abuse and violation of the Antiquities Act's smallest-area-compatible mandate; be it further

Resolved, That the Legislature and the Governor oppose the presidential creation of new national monuments in the San Rafael Swell area, Cedar Mesa area, and any other area of Utah; be it further

Resolved, That the Legislature and the Governor declare openly to the United States government that this unchecked exercise of power concentrated in the President portends serious consequences for Utah, as nearly 70% of the State is federally owned; be it further

Resolved, That the Legislature and the Governor declare openly to the United States government that the exercise of this power would essentially coronate the President, giving him the ultimate ability to determine the fate of nearly 70% of the entire state with the mere stroke of an unchecked presidential pen; be it further

Resolved, That the Legislature and the Governor urge Congress to check the President's ability to exercise such power by amending the Antiquities Act to clarify its actual intent, which is to establish small discrete monuments or memorials as existed in Utah prior to the unfortunate creation of the 1996 Grand Staircase National Monument; be it further

Resolved, That the Legislature and the Governor strongly urge the federal government to manage federal public lands in Utah according to state and local government plans, policies, and public input as promised by the Federal Land Policy Management Act of 1976 and the United States constitutional guarantee of a republican form of government on equal footing with all states in the Union, or otherwise convey the federal public lands to Utah for proper care and management, consistent with the original intent of the Constitution's Framers; be it further

Resolved, That the Legislature and the Governor express support for S 3016, introduced in the United States Senate, which would prohibit the further extension or establishment of national monuments in Utah, except by express authorization of Congress; be it further

Resolved, That the Legislature and the Governor express strong opposition to presidential or congressional action that would unnecessarily restrict and reduce public access to federal lands; be it further

Resolved, That copies of this resolution be sent to the President of the United States, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and to the members of Utah's congressional delegation.

POM-110. A resolution adopted by the House of Representatives of the State of Utah expressing support for policies that promote and foster energy innovation development in the state of Utah; to the Committee on Energy and Natural Resources.

HOUSE RESOLUTION NO. 8

Whereas, energy innovation research and development is occurring in universities within the state dealing with creative and revolutionary ways of gathering and utilizing energy from a vast array of sources including solar power, get thermal power, bio fuels, oil shale, underground storage, hydrogen-upgrading, carbon sequestration, carbon capture, nuclear power, and computer simulation of the energy industry;

Whereas, many agencies and organizations in the state are developing and promoting energy innovation, such as the Utah Geological Survey, the State Energy Program, the Governor's Energy Office, USTAR, the Governor's Office of Economic Development, the Department of Workforce Services, the Department of Administrative Services' Division of Facilities Construction and Management, the Department of Natural Resources' Division of Oil, Gas, and Mining, the Utah Petroleum Association, and the Utah Mining Association;

Whereas, Utah has the potential to be a world leader in energy innovation and the potential to export its technological advances to other states and countries;

Whereas, Utah also has the potential to dramatically improve the health, well-being, and general quality of life for people not just in the state but across the world through implementing innovative new technologies and processes that have the capacity to produce cheap, reliable, and clean energy supplies;

Whereas, another part of Utah's energy policy is to promote the development of resources and infrastructure sufficient to meet the state's growing energy demands, while contributing to the regional and national energy supply and reducing dependence on international energy sources;

Whereas, another part of Utah's energy policy is to have adequate, reliable, affordable, sustainable, and clean energy resources;

Whereas, a focus on energy innovation, development, and commercialization in the state has the potential to create jobs and attract future business to Utah; and

Whereas, energy innovation has the potential to significantly increase the state's education fund through the wise use of the state's trust lands: Now, therefore, be it

Resolved, That the House of Representatives of the state of Utah expresses support for policies that promote and foster energy innovation development in the state of Utah to increase employment, potentially increase education funding, and make the state a national and international leader in new processes and technologies; be it further

Resolved, That a copy of this resolution be sent to Utah Geological Survey, the State Energy program, the Governor's Energy Office, USTAR, the Governor's Office of Economic Development, the Department of Workforce Services, the Division of Facilities Construction and Management, the Division of Oil, Gas, and Mining, the Utah Petroleum Association, the Utah Mining Association, and to the members of Utah's congressional delegation.

POM-111. A joint resolution adopted by the Legislature of the State of Utah urging recovery plan funds be spent on products made or services performed in the United States; to the Committee on Finance.

SENATE JOINT RESOLUTION NO. 5

Whereas, the nation's economic downturn is having a critical impact on everyday Americans who are struggling to maintain or find jobs in an increasingly difficult environment;

Whereas, these Americans are the taxpayers that provide the revenue needed to operate essential government services;

Whereas, Congress approved and President Obama signed into law a taxpayer-sponsored economic recovery package that will provide billions of dollars to help economically devastated cities and states immediately provide jobs to millions of out-of-work Americans through considerable infrastructure rebuilding, green energy projects, and other projects that will require manufactured components;

Whereas, taxpayer dollars should be spent to maximize the creation of American jobs and restore the economic vitality of our communities;

Whereas, any domestically produced products that are purchased with economic recovery plan monies will immediately help struggling American families and will help stabilize the greater economy; and

Whereas, any economic recovery plan spending should, to every extent possible, include a commitment from the citizens of Utah and its elected representatives to buy materials, goods, and services for projects from companies that produce within the United States, thus employing the very

workers that pay the taxes for the economic recovery spending plan: Now, therefore, be it

Resolved, That the Legislature of the state of Utah endorses the efforts of its citizens and government, to work to maximize the creation of American jobs and restore economic growth and opportunity by spending recovery plan funds on products and services that both create jobs and help keep Americans employed; be it further

Resolved, That the Legislature of the state of Utah expresses its commitment to purchase only products and services that are made or performed in the United States whenever and wherever possible with any economic recovery monies provided the state of Utah by American taxpayers, as long as the cost of the product or service is competitive and its quality is equal or comparable to others; be it further

Resolved, That the Legislature of the state of Utah supports publishing any requests to waive these procurement priorities so as to give American workers and producers the opportunity to identify and provide the American products and services that will maximize the success of the nation's economic recovery program; be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and to the members of Utah's congressional delegation.

POM-112. A concurrent resolution adopted by the Legislature of the State of Utah urging Congress to improve federal—state consultation on international trade, including improving the availability of data to states necessary to evaluate the impact of free trade agreements on economic development within the states and state authority; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 1

Whereas, the economic prosperity of the United States is best served by embracing free and fair trade in global markets, investing in innovative research and technologies, and providing assistance to workers impacted by technology and trade trends;

Whereas, expanding trade opportunities for American workers and businesses depends on cooperation between the federal government and the states;

Whereas, the trade liberalization efforts of the early 1990s and trade agreements such as the North American Free Trade Agreement and the World Trade Organization Uruguay Round agreements have increased the need for state policymakers to play a greater role in international trade decisions;

Whereas, trade liberalization has transformed the historical state-federal division of power into one of necessary and critical partnership, and thereby taxed state agency resources in determining the impact on state laws and regulations;

Whereas, state sovereignty should be preserved by the federal government in trade promotion activities;

Whereas, states often lack a clearly defined institutional trade policy structure and resources, making it difficult to handle requests from trading partners and federal agencies, and to articulate to a unified state stance on trade issues;

Whereas, recent trade agreements have proceeded beyond just discussion of tariffs and quotas and now substantially address and affect government regulation, taxation, procurement, and economic development policies that are historically legislated and implemented at state and local levels;

Whereas, recent trade agreements that proceed beyond tariffs and quotas intersect with traditional areas of state authority under the Tenth Amendment of the United States Constitution, such as regulating the environment, health, and safety and, thus, have a major impact on the states' continuing authority to legislate and regulate in these areas;

Whereas, international lawsuits may be brought against the United States alleging that its states and localities have violated trade agreements;

Whereas, international trade agreements must ensure that non-discriminatory state laws and regulations adopted for a public purpose and with due process are not preempted or otherwise undermined and weakened by international sanctions or penalties;

Whereas, states' interests must be paramount during the negotiation of international agreements given the direct impact on their police powers, policies, and programs;

Whereas, there is a need for a strong federal-state trade policy consultation mechanism;

Whereas, the Intergovernmental Policy Advisory Committee, a state-supported advisory committee to the United States Trade Representative, plays an important role in providing state input to the United States Trade Representative but which is limited in its effectiveness by an inability to share classified information with relevant state officials and members of the general public;

Whereas, compartmentalization of information within the Intergovernmental Policy Advisory Committee prevents members from gathering important and relevant information from those state officials and members of the general public;

Whereas, in August 2004, the Intergovernmental Policy Advisory Committee recommended that a federal-state International Trade Policy Commission would be an ideal resource for objective trade policy analysis and would foster communication among federal and state trade policy officials;

Whereas, the creation of an effective federal-state trade policy infrastructure would assist states in understanding the scope of federal trade efforts, would assist federal agencies in understanding the various state trade processes, and would give states meaningful input into the development and implementation of United States Trade Representative's activities;

Whereas, federal-state consultation should include the timely and comprehensive sharing of information on the substance and likely impact of trade agreements on state laws and regulations, appropriate use of the state single points of contact, improved trade data to assess the impact of proposed and existing agreements, and a reasonable opportunity for meaningful input by the states; and

Whereas, in 2006, the Utah State Legislature statutorily created the Utah International Trade Commission to study and make recommendations to the Legislature concerning the impact of international agreements adopted by the United States on the Legislature's constitutional power to regulate state affairs, public and private, and to promote Utah exports: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, urge Congress to improve federal-state consultation on international trade, including improving the availability of data to states necessary to evaluate the impact of free trade agreements on economic development within the states and state authority; be it further

Resolved, That copies of this resolution be sent to the members of Utah's Congressional Delegation, the Office of the United States Trade Representative, the Intergovernmental Policy Advisory Committee, the U.S. Senate Finance Committee, the U.S. House Ways and Means Committee, the Speaker of the U.S. House of Representatives, and the President of the U.S. Senate.

POM-113. A joint resolution adopted by the Legislature of the State of Utah urging Congress to refrain from instituting a new federal review, oversight, or preemption of state health laws, refrain from creating a federal health insurance exchange or connector, and refrain from creating a federal health insurance public plan option; to the Committee on Finance.

HOUSE JOINT RESOLUTION NO. 11

Whereas, the Tenth Amendment to the United States Constitution states, "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people";

Whereas, the states primarily regulate today's health insurance market, provide aggressive oversight on all aspects of this market, and enforce consumer protection as well as ensure local, responsive presence for consumers;

Whereas, the state-based system of health insurance regulation has served all interests well;

Whereas, the United States Congress is considering legislation that may impose restrictions on states' ability to regulate health plans, including overriding already adopted state patient protections;

Whereas, Congress is considering legislation that would mandate the purchase of health care insurance by all Americans and require those who do not comply to pay a fine, in effect unfairly forcing Americans to buy health insurance;

Whereas, the creation of a new federal system of regulation for health insurance would be inefficient, unnecessary, not cost-effective, and an additional burden on the health care delivery system;

Whereas, private sector health plans are leaders in innovations to improve quality, benefits, and customer service that government-sponsored health plans have been slow to adopt;

Whereas, Congress is considering legislation that would create a federal health insurance exchange or connector to facilitate the purchase of health insurance by individuals and small employers, including offering a new public plan option;

Whereas, a federal exchange would create conflicting state and federal rules, resulting in consumer confusion and leading to adverse selection;

Whereas, a federal exchange would require substantial resources to create a new federal entity that duplicates functions currently performed by states;

Whereas, a federal exchange would undermine states' oversight role in health insurance and cause a substantial shift in the regulation of the health insurance market from the states to the federal government;

Whereas, a federal exchange would undermine state authority to design programs that reflect local needs;

Whereas, a new public plan would not improve competition, but would result in an uneven playing field that would shift costs to the private sector and undermine private plans;

Whereas, a new public health insurance plan would be subject to constant federal changes; and

Whereas, a new public plan is unnecessary in light of the private sector's product offerings and innovations: Now, therefore, be it

Resolved, That the Legislature of the state of Utah urges the United States Congress to refrain from instituting a new federal review, oversight, or preemption of state health insurance laws, refrain from creating a federal health insurance exchange or connector, and refrain from creating a federal health insurance public plan option; be it further

Resolved, That copies of this resolution be sent to the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and to the members of Utah's congressional delegation.

POM-114. A concurrent resolution adopted by the Legislature of the State of Utah urging Congress to refuse to enact, and the President of the United States to refuse to sign, any legislation that imposes further restrictions on any state's ability to regulate the payment and delivery of health care, imposes additional financial burden related to health care on any state, or limits the ability of consumers and businesses to create innovative models for higher quality, lower cost health care; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 8

Whereas, people's health affects not only their sense of well being, but their capacity to contribute to their families, to their employers, and to society at large;

Whereas, the improvement and maintenance of individual health depends to a significant extent on the widespread availability of affordable, high quality health care;

Whereas, the widespread availability of affordable, high quality health care is threatened by long-term runaway spending in a system that too often delivers suboptimal care;

Whereas, runaway spending and suboptimal care are attributable to various factors, but are perpetuated to a large extent by a third-party payer system that fails to reward individual effort to preserve and improve one's health and that fails to reward delivery of the most effective care at the lowest cost;

Whereas, for many years, Utah has been laying the foundation for genuine long-term health system reform;

Whereas, this foundation includes the creation of the Utah Health Data Authority in 1990 and the subsequent collection and publication of hospital charges by facility and adjusted for risk;

Whereas, this foundation includes the establishment in 1993 of the Utah Health Information Network, a nationally recognized statewide system for processing health insurance claims at a small fraction of the cost often charged by other claims processors;

Whereas, this foundation includes the 2005 requirement that the Utah Health Data Authority publish reports that compare health care facilities based on charges, quality, and safety;

Whereas, this foundation includes the 2007-08 development of an all-payer database that will report payments, as opposed to charges, for entire episodes of medical care, and will ultimately allow consumers to choose from among competing providers of treatments for any particular condition based on outcomes, price, and other attributes important to the consumer;

Whereas, this foundation includes the 2008-09 creation of the first statewide system in the nation for standardized electronic exchange of clinical health information across provider systems, including exchange of diagnostic test results and electronic medical record information;

Whereas, this foundation includes the 2008 creation of the Health System Reform Task Force, a legislative body that has engaged consumers, employers, doctors, hospitals, and insurers in a voluntary, cooperative effort spanning two years, and involving thousands of hours, to develop a strategic plan for health system reform;

Whereas, this foundation includes the 2009-10 creation of payment and delivery reform demonstration projects designed to align third-party payment structures with provider practices that result in the highest quality of care for both chronic and acute conditions;

Whereas, this foundation includes the 2009 creation of the nation's second-only health insurance exchange, a virtual marketplace where employees may enroll under a defined contribution arrangement, select from a range of plans broader than what an employer traditionally offers, and fund premiums with contributions from multiple sources;

Whereas, this foundation outlined above is the result of an iterative process of creation and refinement that has relied heavily on the input of all major stakeholders in the health care system and has been established largely on the basis of cooperation and consensus rather than compulsion;

Whereas, many of the perverse incentives that plague our health care system are rooted in federal Medicare and Medicaid payment policies, which exert a disproportionate influence on the privately funded portions of our health care system;

Whereas, federal proposals for health system reform recently considered by Congress emphasize enrollment expansion rather than cost containment, much like boarding additional passengers on an already sinking Titanic;

Whereas, those proposals include laudable authorizations for payment and delivery reform demonstration projects but otherwise largely lack significant cost containment provisions;

Whereas, those proposals include many provisions to improve quality of care but fall

short of the systemic changes needed to fully link outcomes and payment;

Whereas, states have consistently proven themselves laboratories of policy innovation, in spite of sometimes stifling federal regulatory restrictions;

Whereas, the best hope for health system reform lies with individual states, where an iterative process of experimentation, evaluation, and modification will minimize the unintended consequences of one-size-fits-all national policies and will produce results worth replicating; and

Whereas, states are in need of additional financial resources and flexibility to experiment rather than additional benefit mandates, Medicaid eligibility mandates, and rating restrictions, all of which will inevitably drive up health care spending and costs to states: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, urge Congress to refuse to enact, and the President of the United States to refuse to sign, any legislation that imposes further restrictions on any state's ability to regulate the payment and delivery of health care, imposes additional financial burden related to health care on any state, or limits the ability of consumers and businesses to create innovative models for higher quality, lower cost health care; be it further

Resolved, That the Legislature and the Governor urge that Congress pass, and the President sign, legislation that grants states greater flexibility under federal laws and regulations related to health care and encourages states to create health reform demonstration projects with the potential for replication elsewhere; be it further

Resolved, That the Legislature and the Governor urge that should Congress pass, and the President sign, legislation that further restricts states in any manner, the legislation recognize states' efforts to reform health care by grandfathering any state laws, regulations, or practices intended to contain costs, improve quality, increase consumerism, or otherwise implement health system reform concepts; be it further

Resolved, That a copy of this resolution be sent to the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, the President of the United States, and the members of Utah's Congressional delegation.

POM-115. A concurrent resolution adopted by the Senate of the State of Louisiana urging Congress to review the GPO and WEP Social Security benefit reductions and to consider eliminating or reducing them by enacting the Social Security Fairness Act of 2009, the Public Servant Retirement Protection Act of 2009, the Windfall Elimination Provision Relief Act of 2009, or a similar instrument; to the Committee on Finance.

SENATE CONCURRENT RESOLUTION NO. 6

Whereas, the Congress of the United States has enacted both the Government Pension Offset (GPO), reducing the spousal and survivor Social Security benefit, and the Windfall Elimination Provision (WEP), reducing the earned Social Security benefit for any person who also receives a public pension benefit; and

Whereas, the intent of Congress in enacting the GPO and the WEP provisions was to address concerns that a public employee who had worked primarily in federal, state, or local government employment might receive a public pension in addition to the same Social Security benefit as a person who had worked only in employment covered by Social Security throughout his career; and

Whereas,the purpose of Congress in enacting these reduction provisions was to provide a disincentive for public employees to receive two pensions; and

Whereas, the GPO negatively affects a spouse or survivor receiving a federal, state, or local government retirement or pension benefit who would also be entitled to a Social Security benefit earned by a spouse; and

Whereas, the GPO formula reduces the spousal or survivor Social Security benefit by two-thirds of the amount of the federal, state, or local government retirement or pension benefit received by the spouse or survivor, in many cases completely eliminating the Social Security benefit; and

Whereas, nine out of ten public employees affected by the GPO lose their entire spousal benefits, even though their spouses paid Social Security taxes for many years; and

Whereas, the GPO often reduces spousal benefits so significantly it can make the difference between self-sufficiency and poverty; and

Whereas, the GPO has a harsh effect on thousands of citizens and undermines the original purpose of the Social Security dependent/survivor benefit; and

Whereas, the GPO negatively impacts approximately 21,900 Louisianans; and

Whereas, the WEP applies to those persons who have earned federal, state, or local government retirement or pension benefits, in addition to working in employment covered under Social Security and paying into the Social Security system; and

Whereas, the WEP reduces the earned Social Security benefit using an averaged indexed monthly earnings formula and may reduce Social Security benefits for affected persons by as much as one-half of the retirement benefit earned as a public servant in employment not covered under Social Security; and

Whereas, the WEP causes hard-working individuals to lose a significant portion of the social security benefits that they earn themselves; and

Whereas, the WEP negatively impacts approximately 18,300 Louisianans; and

Whereas,because of these calculation characteristics, the GPO and the WEP have a disproportionately negative effect on employees working in lower-wage government jobs, like policemen, firefighters, teachers, and state employees; and

Whereas, many workers rely on Social Security Administration Annual Statements that fail to take into account the GPO and WEP when projecting benefits; and

Whereas, because the Social Security benefit statements do not calculate the GPO and the WEP, many public employees in Louisiana are unaware that their expected Social Security benefits shown on such statements will be significantly lower or nonexistent due to the service in public employment; and

Whereas, these provisions also have a greater adverse effect on women than on men because of the gender differences in salary that continue to plague our nation and the longer life expectancy of women; and

Whereas, Louisiana is making every effort to improve the quality of life of its citizens and to encourage them to live here lifelong, yet the current GPO and WEP provisions compromise that quality of life; and

Whereas, retired individuals negatively affected by GPO and WEP have significantly less money to support their basic needs and sometimes have to turn to government assistance programs; and

Whereas, the GPO and the WEP penalize individuals who have dedicated their lives to public service by taking away benefits they have earned; and

Whereas, our nation should respect, not penalize, public service; and

Whereas, the number of people affected by GPO and WEP is growing every day as more and more people reach retirement age; and

Whereas, the GPO and WEP are established in federal law and repeal of the GPO and the WEP can only be enacted by the United States Congress: Now therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the Congress of the United States to review the GPO and the WEP Social Security benefit reductions and to consider eliminating or reducing them by enacting the Social Security Fairness Act of 2009 (H.R. 235 or S. 484), the Public Servant Retirement Protection Act of 2009 (H.R. 1221, S. 490), the Windfall Elimination Provision Relief Act of 2009 (H.R. 2145), or a similar instrument; be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-116. A resolution adopted by the House of Representatives of the State of Utah strongly urging the President to submit the Comprehensive Test Ban Treaty to the United States Senate and the United States Senate to promptly give its advice and consent for ratification of the Comprehensive Test Ban Treaty; to the Committee on Foreign Relations.

HOUSE RESOLUTION NO. 4

Whereas, a global halt to nuclear weapons testing has been a bipartisan objective of the United States since the late 1950s when President Dwight D. Eisenhower sought a comprehensive nuclear test ban;

Whereas, the United States has not conducted a nuclear weapons test since the United States suspended testing and joined with the Union of Soviet Socialist Republics in a nuclear weapons testing moratorium in September 1992;

Whereas, the Comprehensive Test Ban Treaty (CTBT) was opened for signature on September 24, 1996, and President Bill Clinton was the first head of state to sign the Treaty;

Whereas, no nuclear tests have been conducted since that time by the United States, Russia, or China;

Whereas, as of June 2009, 180 states have signed the CTBT and 148 have ratified it;

Whereas, ratification of the CTBT would signal a strong commitment by the United States to fulfill its obligations under the Nuclear Non-Proliferation Treaty, prompt ratification by other states which is necessary for the Treaty to enter into force, reinforce the global taboo against nuclear weapons testing, and set an example for the rest of the world;

Whereas, a global verifiable ban on nuclear weapons testing would prevent potential nuclear powers from proof testing smaller nuclear bombs that can be delivered on ballistic missiles;

Whereas, United States ratification of the CTBT would be a significant step towards preventing the spread of nuclear weapons, reducing nuclear weapons arsenals worldwide, and building confidence among nations that abolition of nuclear weapons can someday be achieved;

Whereas, after 1,030 nuclear test explosions, further nuclear weapons testing is not necessary to maintain the integrity, effectiveness, and deterrence value of the existing United States nuclear weapons stockpile, nor is there any new military requirement for new types of United States nuclear warheads;

Whereas, the United States government acknowledges that 433 of 824 United States underground tests have vented radiation to the atmosphere;

Whereas, as part of its recognition of the 50th anniversary of nuclear weapons testing at the Nevada Test Site, in the 2001 General Session, the 54th Legislature of the state of Utah expressed, "the fervent desire and commitment to assure that such a legacy will never be repeated";

Whereas, resumption of United States nuclear weapons testing would place persons downwind of the Nevada test location at risk of exposure to radioactive emissions from possible venting;

Whereas, citizens of Utah living downwind of the Nevada Test Site have already suffered significant health effects as a result of nuclear weapons testing;

Whereas, in the best interests of their children and grandchildren, Utah's remaining "downwinders" continue to fight the resumption of any nuclear weapons testing;

Whereas, past nuclear weapons testing at the Nevada Test Site has devastated the health and livelihoods of thousands of Utahns;

Whereas, in 2005, the 58th Legislature of the state of Utah voted in support of a Concurrent Resolution Opposing Nuclear Testing, articulating that, "The state of Utah has an obligation to its citizens, especially those who have suffered so much, to do all in its power to ensure that the lingering wounds from nuclear testing are not reopened to afflict both current and future generations";

Whereas, the Legislature of the state of Utah supports a strong military defense, but atomic weapons tests are not a necessary component of that defense;

Whereas, United States' citizens must not be subjected to the hazards of future nuclear weapons tests;

Whereas, the CTBT Organization effectively monitors compliance with the CTBT through an International Monitoring System, consisting of 337 stations using state-of-the-art seismic, hydroacoustic, infrasound and radionuclide technologies and capable of detecting and identifying a nuclear weapons test explosion anywhere in the world within hours;

Whereas, the CTBT is effectively verifiable and would improve the United States' ability to detect, deter, and respond to potential surreptitious nuclear weapons testing by other nations;

Whereas, Article 9 of the CTBT permits withdrawal by the United States in case extraordinary future developments, including the need to respond to a violation by another nation, were to jeopardize our supreme national interests;

Whereas, independent expert assessments commissioned by the National Nuclear Security Administration have concluded that measures under the Stockpile Stewardship Program and Life Extension Program can support certification of today's nuclear warheads as safe, secure, and reliable for decades without the need to resort to underground nuclear weapons testing and

Whereas, the CTBT would increase international safety and security and is in the best interests of Utah, the United States, and the world: Now, therefore, be it

Resolved, That the House of Representatives of the state of Utah strongly urges the President of the United States to submit the Comprehensive Test Ban Treaty to the United States Senate; be it further

Resolved, That the House of Representatives of the state of Utah strongly urges the United States Senate to promptly give its advice and consent for ratification of the Comprehensive Test Ban Treaty; be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Majority Leader of the United States Senate, and to Utah Senators ORRIN HATCH and BOB BENNETT.

POM-117. A concurrent resolution adopted by the Legislature of the State of Utah reaffirming friendship with the people of Taiwan and urging the Obama Administration to support Taiwan's meaningful participation in the United Nations specialized agencies, programs, and conventions; to the Committee on Foreign Relations.

HOUSE CONCURRENT RESOLUTION NO. 11

Whereas, July 23, 2010, will mark the 30th anniversary of a sister state relationship between Utah and Taiwan;

Whereas, for the past 30 years, four sister county and sister city relationships with Taiwan have also been strengthened, resulting in better mutual understanding of the economic, social, and cultural heritages of Utah and Taiwan;

Whereas, in 2008, Taiwan was Utah's third largest export market;

Whereas, Utah exports to Taiwan have reached $727,000,000, an increase of over 244% since 2007;

Whereas, Utah companies still have substantial opportunities to expand their businesses and cooperation with Taiwan;

Whereas, Utah has already attracted investment from several Taiwanese companies, and there is significant potential for Taiwanese enterprises to further boost investment and create jobs in Utah;

Whereas, in May 2009, the World Health Organization invited Taiwan to attend the 62nd World Health Assembly as an observer;

Whereas, this development raises the possibility for Taiwan to be meaningfully involved in other United Nations specialized agencies, programs, and conventions;

Whereas, Taiwan is a key air transport hub in the Asia-Pacific region, with approximately 2,600 weekly flights to and from neighboring countries;

Whereas, the Taipei Flight Information Region under Taiwan's jurisdiction currently serves 12 international and four domestic routes and has 1,350,000 controlled flights passing through every year;

Whereas, the 2008 statistics from Airports Council International ranked Taiwan's Taoyuan International Airport as the world's 11th largest airport by international cargo volume, and 19th in terms of international passengers services; and

Whereas, given Taiwan's prominent role in regional air control and transport services, it would be beneficial for Taiwan to have meaningful participation in the International Civil Aviation Organization, in order to safeguard the traveling of passengers from home and abroad: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, reaffirm their friendship with the people of Taiwan and urge the Obama Administration to support Taiwan's meaningful participation in United Nations specialized agencies, programs, and conventions; be it further

Resolved, That the Legislature and the Governor express support for a strong and deepening relationship between Utah and Taiwan; be it further

Resolved, That copies of this resolution be sent to the President of the United States and to the government of Taiwan.

POM-118. A joint resolution adopted by the Legislature of the State of Utah expressing opposition to the establishment of a National Commission on State Workers' Compensation Laws; to the Committee on Health, Education, Labor, and Pensions.

HOUSE JOINT RESOLUTION NO. 10

Whereas, state workers' compensation laws should provide an injured worker with all reasonable and necessary medical treatment that promotes expeditious healing, a return to work, a fair level of income benefits during disability, and protection against lost wages;

Whereas, state workers' compensation laws should assure that employees receive just compensation at a cost affordable to employers;

Whereas, the state-based workers' compensation system has proven over the near-century of its existence to be an effective means of protecting injured workers against the costs of industrial injury, while protecting employers against the unlimited and unpredictable costs of workplace liability;

Whereas, a state-based benefit delivery system reflects the nature and cost of employment in individual states and is an exemplar of the federal system, in which power is dispersed among the states, facilitating timely response and the ability to tailor remedies to state-specific conditions;

Whereas, the imposition of federal oversight and development of federal mandates on the state workers' compensation system should be opposed, including any proposed legislation that would unnecessarily increase the federal bureaucracy and create federal regulation in an area where states are currently providing adequate oversight;

Whereas, federal requirements on the state-based system would create unnecessary imbalances and unintended consequences for a system that has been operating effectively for decades;

Whereas, a state workers' compensation system, its administration, legal precedents, funding, and fiscal accountability, which is intricately linked to each state's economy, is a much more effective approach m dealing with workers' compensation issues;

Whereas, the state-based system provides the ability to experiment creatively and borrow from experiences in other states without the burden of a rigid, nationwide, one-size-fits-all federal program that is slow to change and administratively cumbersome;

Whereas, the rights of states and their respective legislatures and stakeholders to review the performance of state-based workers' compensation systems should be preserved;

Whereas, it is not the province of Congress to interfere with the state administration of workers' compensation: Now, therefore, be it

Resolved, That the Legislature of the state of Utah expresses strong support for the current state-based workers' compensation system and opposes any proposed federal legislation that would lead to broadening the federal role in that system; be it further

Resolved, That the Legislature of the state of Utah opposes H.R. 635, introduced in the 111th United States Congress, that would establish a National Commission on State Workers' Compensation Laws, because the Commission's evaluation is intended, and will assuredly lead, to recommendations that would erode the independence of the state-based workers' compensation benefit delivery system, would seek to impose federal benefit delivery system rules, which Congress would be expected to approve, that inherently interfere with state benefit systems, would increase system costs nationwide, and would frustrate efforts of the states to contain costs; be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and to the members of Utah's congressional delegation.

POM-119. A joint resolution adopted by the Legislature of the State of Utah urging the United States Department of Veterans Affairs to prioritize Utah for the construction of another veterans' nursing home; to the Committee on Veterans' Affairs.

HOUSE JOINT RESOLUTION NO. 9

Whereas, there is greet need for the construction of an additional nursing home for veterans in Utah;

Whereas, Utah is still significantly below the nation's average for the total number of needed veterans' nursing homes statewide;

Whereas, due to the heavy numbers of veterans in the state of Utah, the United States Department of Veterans Affairs should prioritize Utah for the construction of an additional veterans' nursing home;

Whereas, Utah should also be prioritized based on the absolute promise of the United States Department of Veterans Affairs to reimburse the state for the Veterans' Nursing Home in Ogden;

Whereas, any and all efforts by the state of Utah to continue to help veterans acquire properties and build a home in central and southern Utah should be encouraged;

Whereas, the citizens of Utah and the citizens of the United States owe a debt to our veterans of the past, present, and future; and

Whereas, constructing an additional veterans' nursing home will demonstrate a measure of gratitude for their service: Now, therefore, be it

Resolved, That the Legislature of the state of Utah strongly encourages the United States Department of Veterans Affairs to prioritize Utah for the construction of another veteran' nursing home; be it further

Resolved, That the Legislature of the state of Utah encourages any and all efforts by the state of Utah to continue helping veterans acquire properties and build a veterans' nursing home in central and southern Utah; be it further

Resolved, That copies of this resolution be sent to the United States Department of Veterans Affairs, the Utah Department of Veteran's Affairs, and to the members of Utah's congressional delegation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. AKAKA, from the Committee on Veterans' Affairs, without amendment:

S. 3378. An original bill to authorize health care for individuals exposed to environmental hazards at Camp Lejeune and the Atsugi Naval Air Facility, to establish an advisory board to examine exposures to environmental hazards during military service, and for other purposes (Rept. No. 111-189).

By Mrs. BOXER, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 1214. A bill to conserve fish and aquatic communities in the United States through partnerships that foster fish habitat conservation, to improve the quality of life

for the people of the United States, and for other purposes (Rept. No. 111-190).

By Mr. INOUYE, from the Committee on Appropriations:

Special Report entitled "Further Revised Budget Allocation to Subcommittees of Budget Totals" (Rept. No. 111-191).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 2868. An Act to provide increased access to the Federal supply schedules of the General Services Administration to the American Red Cross, other qualified organizations, and State and local governments (Rept. No. 111-192).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. AKAKA:

S. 3378. An original bill to authorize health care for individuals exposed to environmental hazards at Camp Lejeune and the Atsugi Naval Air Facility, to establish an advisory board to examine exposures to environmental hazards during military service, and for other purposes; from the Committee on Veterans' Affairs; placed on the calendar.

By Mrs. BOXER:

S. 3379. A bill to amend the Clean Air Act to reduce carbon pollution and create clean energy jobs; to the Committee on Environment and Public Works.

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

S. 3380. A bill to amend the Internal Revenue Code of 1986 to provide for the treatment of securities of a controlled corporation exchanged for assets in certain reorganizations; to the Committee on Finance.

By Mr. BAUCUS (for himself, Mr. CRAPO, and Mr. TESTER):

S. 3381. A bill to amend the Clean Air Act to modify certain definitions of the term "renewable biomass", and for other purposes; to the Committee on Environment and Public Works.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. KERRY (for himself, Mrs. FEINSTEIN, and Mr. UDALL of Colorado):

S. Res. 532. A resolution recognizing Expo 2010 Shanghai China and the USA Pavilion at the Expo; to the Committee on Foreign Relations.

By Ms. LANDRIEU (for herself, Mr. GRASSLEY, Mrs. LINCOLN, Mr. LEVIN, Mr. CARDIN, Mr. BEGICH, Mr. KERRY, Mr. INHOFE, Ms. COLLINS, Ms. SNOWE, Mr. BAYH, Mr. FRANKEN, Mr. AKAKA, Mrs. MURRAY, Mrs. GILLIBRAND, Mr. NELSON of Nebraska, Mr. CASEY, Mrs. BOXER, Mr. SPECTER, Mr. COCHRAN, and Mr. LAUTENBERG):

S. Res. 533. A resolution recognizing National Foster Care Month as an opportunity to raise awareness about the challenges of children in the foster care system and encouraging Congress to implement policy to improve the lives of children in the foster care system; considered and agreed to.

ADDITIONAL COSPONSORS

S. 266

At the request of Mr. NELSON of Florida, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 266, a bill to amend title XVIII of the Social Security Act to reduce the coverage gap in prescription drug coverage under part D of such title based on savings to the Medicare program resulting from the negotiation of prescription drug prices.

S. 311

At the request of Mrs. BOXER, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 311, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 504

At the request of Mr. ROBERTS, the names of the Senator from Tennessee [Mr. ALEXANDER], the Senator from New Mexico [Mr. BINGAMAN], the Senator from Missouri [Mr. BOND], the Senator from Ohio [Mr. BROWN], the Senator from Illinois [Mr. BURRIS], the Senator from Georgia [Mr. CHAMBLISS], the Senator from Oklahoma [Mr. COBURN], the Senator from Mississippi [Mr. COCHRAN], the Senator from North Dakota [Mr. CONRAD], the Senator from Utah [Mr. HATCH], the Senator from Texas [Mrs. HUTCHISON], the Senator from Louisiana [Ms. LANDRIEU], the Senator from Florida [Mr. LEMIEUX], the Senator from Indiana [Mr. LUGAR], the Senator from West Virginia [Mr. ROCKEFELLER], the Senator from Alabama [Mr. SHELBY], the Senator from Maine [Ms. SNOWE], the Senator from Montana [Mr. TESTER], the Senator from Mississippi [Mr. WICKER] and the Senator from Oregon [Mr. WYDEN] were added as cosponsors of S. 504, a bill to redesignate the Department of the Navy as the Department of the Navy and Marine Corps.

S. 632

At the request of Mr. BAUCUS, the name of the Senator from Nebraska [Mr. NELSON] was added as a cosponsor of S. 632, a bill to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly.

S. 634

At the request of Mr. HARKIN, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 634, a bill to amend the Elementary and Secondary Education Act of 1965 to improve standards for physical education.

S. 831

At the request of Mr. KERRY, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 831, a bill to amend title 10, United States Code, to include service after September 11, 2001, as service qualifying for the determination of a reduced eligibility age for receipt of non-regular service retired pay.

S. 999

At the request of Mr. BINGAMAN, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 999, a bill to increase the number of well-trained mental health service professionals (including those based in schools) providing clinical mental health care to children and adolescents, and for other purposes.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1239

At the request of Mr. BINGAMAN, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 1239, a bill to amend section 340B of the Public Health Service Act to revise and expand the drug discount program under that section to improve the provision of discounts on drug purchases for certain safety net providers.

S. 2736

At the request of Mr. FRANKEN, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 2736, a bill to reduce the rape kit backlog and for other purposes.

S. 2749

At the request of Mrs. GILLIBRAND, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 2749, a bill to amend the Richard B. Russell National School Lunch Act to improve access to nutritious meals for young children in child care.

S. 3201

At the request of Mr. UDALL of Colorado, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 3201, a bill to amend title 10, United States Code, to extend TRICARE coverage to certain dependents under the age of 26.

S. 3206

At the request of Mr. HARKIN, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 3206, a bill to establish an Education Jobs Fund.

S. 3213

At the request of Mr. LEVIN, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 3213, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 3234

At the request of Mrs. MURRAY, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 3234, a bill to improve employment, training, and placement services furnished to veterans, especially those serving in Operation Iraqi Freedom and Operation Enduring Freedom, and for other purposes.

S. 3266

At the request of Mr. BENNET, the names of the Senator from Oregon [Mr. WYDEN] and the Senator from Connecticut [Mr. LIEBERMAN] were added as cosponsors of S. 3266, a bill to ensure the availability of loan guarantees for rural homeowners.

S. 3311

At the request of Mr. KERRY, the names of the Senator from Indiana [Mr. BAYH] and the Senator from Pennsylvania [Mr. CASEY] were added as cosponsors of S. 3311, a bill to improve and enhance the capabilities of the Department of Defense to prevent and respond to sexual assault in the Armed Forces, and for other purposes.

S. 3327

At the request of Mr. LIEBERMAN, the name of the Senator from Nebraska [Mr. JOHANNS] was added as a cosponsor of S. 3327, a bill to add joining a foreign terrorist organization or engaging in or supporting hostilities against the United States or its allies to the list of acts for which United States nationals would lose their nationality.

S. 3329

At the request of Mr. LAUTENBERG, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 3329, a bill to provide triple credits for renewable energy on brownfields, and for other purposes.

S. 3350

At the request of Mr. BINGAMAN, the name of the Senator from Iowa [Mr. GRASSLEY] was added as a cosponsor of S. 3350, a bill to amend the Internal Revenue Code of 1986 to permanently modify the limitations on deduction of interest by financial institutions which hold tax-exempt bonds, and for other purposes.

S. 3372

At the request of Mrs. BOXER, the names of the Senator from Maryland [Mr. CARDIN] and the Senator from Minnesota [Ms. KLOBUCHAR] were added as cosponsors of S. 3372, a bill to modify the date on which the Administrator of the Environmental Protection Agency and applicable States may require permits for discharges from certain vessels.

S. 3377

At the request of Mr. BURR, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 3377, a bill to amend title 38, United States Code, to improve the multifamily transitional housing loan program of the Department of Veterans Affairs by requiring the Secretary of Veterans Affairs to issue loans for the construction of, rehabilitation of, or acquisition of land for multifamily transitional housing projects instead of guaranteeing loans for such purposes, and for other purposes.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 17, 2010, at 2:30 p.m. to conduct a hearing entitled "Gulf Coast Catastrophe: Assessing the Nation's Response to the Deepwater Horizon Oil Spill."

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate May 17, 2010, at 5:30 p.m.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 2:06 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 959. An act to increase Federal Pell Grants for the children of fallen public safety officers, and for other purposes.

H.R. 5014. An act to clarify the health care provided by the Secretary of Veterans Affairs that constitutes minimum essential coverage.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 268. A concurrent resolution supporting the goals and ideals of National Women's Health Week, and for other purposes.

The message further announced that pursuant to Executive Order No. 12131, and the order of the House of January 6, 2009, the Speaker appoints the following Members of the House of Representatives to the President's Export Council: Mr. REICHERT of Washington and Mr. TIBERI of Ohio.

The message also announced that pursuant to section 301 of the Congressional Accountability Act of 1995 (2 U.S.C. 1381), as amended by Public Law 111-114, the Speaker and Minority Leader of the House of Representatives and the Majority and Minority Leaders of the Senate jointly reappoint on May 13, 2010, the following individuals to a 5-year term on the Board of Directors of the Office of Compliance: Ms. Barbara L. Camens of Washington, DC, as Chair and Ms. Roberta L. Holzwarth of Illinois.

The message further announced that pursuant to section 13101 of the HITECH Act (Public Law 111-5), and the order of the House of January 6, 2009, the Speaker reappoints the following member on the part of the House of Representatives to the HIT Policy Committee for a term of 3 years: Mr. Paul Egerman of Weston, Massachusetts.

HOUSE BILL AND CONCURRENT RESOLUTION REFERRED

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

H.R. 959. An act to increase Federal Pell Grants for the children of fallen public safety officers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 268. Concurrent resolution supporting the goals and ideals of National Women's Health Week, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

ENROLLED BILLS SIGNED

The PRESIDENT pro tempore announced that he had signed the following enrolled bills, which were previously signed by the Speaker of the House:

S. 1067. An act to support the stabilization and lasting peace in northern Uganda and areas affected by the Lord's Resistance Army through development of a regional strategy to support multilateral efforts to successfully

protect civilians and eliminate the threat posed by the Lord's Resistance Army and to authorize funds for humanitarian relief and reconstruction, reconciliation, and transitional justice, and for other purposes.

S. 3333. An act to extend the statutory license for secondary transmissions under title 17, United States Code, and for other purposes.

RESTORING AMERICAN FINANCIAL STABILITY ACT

Pursuant to the order of Friday, May 14, 2010, as modified,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (S. 3217) to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 4016, proposed by Mr. MARK UDALL (for himself, Mr. LUGAR, Mr. LAUTENBERG, Mr. BOND, Mr. BEGICH, Mr. SCHUMER, Mr. LEVIN, Mr. SCOTT BROWN, Mr. SHERROD BROWN, Mrs. GILLIBRAND, and Mr. MENENDEZ), to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of Thursday, May 13, 2010,

On motion by Mr. CORNYN (for himself, Mr. VITTER, Mr. ENSIGN, Ms. MURKOWSKI, and Mr. HATCH) to further amend the pending amendment (in the nature of a substitute), on page 1565, after line 23, by adding certain words (being amendment No. 3986).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of Thursday, May 13, 2010,

On motion by Mr. CRAPO (for himself, Mr. GREGG, Mr. SHELBY, Mr. MCCAIN, Mr. VITTER, and Mrs. HUTCHISON, and Mr. CORKER) to further amend the pending amendment (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 4020).

Pending debate,

By unanimous consent, on the request of Mr. ROCKEFELLER,

Ordered, That his amendment No. 3758 be the pending question.

Pursuant to the foregoing order,

The question recurring on agreeing to amendment No. 3758 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Mr. ROCKEFELLER modified his pending amendment.

The question then being on agreeing to amendment No 3758, proposed by Mr. ROCKEFELLER (for himself, Mrs. HUTCHISON, Mr. DORGAN, and Mr. PRYOR), as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

After debate,

The amendment, as modified, was agreed to.

On motion by Mr. DODD to reconsider the vote agreeing to the amendment, as modified.

On motion by Mr. DODD,

The motion to reconsider was laid on the table.

The question recurring on agreeing to amendment No. 4020 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That his amendment No. 3746 be the pending question.

Pursuant to the foregoing order,

The question recurring on agreeing to amendment No. 3746, proposed by Mr. WHITEHOUSE (for himself, Mr. MERKLEY, Mr. DURBIN, Mr. SANDERS, Mr. LEVIN, Mr. BURRIS, Mr. FRANKEN, Mr. SHERROD BROWN, Mr. MENENDEZ, Mr. LEAHY, Mr. CASEY, Mr. WEBB, Mr. REED, My WYDEN, Mr. COCHRAN, Mr. TOM UDALL, and Mr. BEGICH), to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Mr. WHITEHOUSE modified his pending amendment.

The question then being on agreeing to amendment No. 3746, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. DODD for Ms. CANTWELL (for herself, Mr. MCCAIN, Mr. KAUFMAN, Mr. HARKIN, Mr. FEINGOLD, and Mr. SANDERS) to further amend the pending amendment (in the nature of a substitute), in subtitle C of title I, at the end thereof, by adding certain words (being amendment No. 3884).

Pending debate,

By unanimous consent, on the request of Mr. MARK UDALL,

Ordered, That, at 5:30 p.m. on today, the Senate vote in "stacked" sequence in relation to the following amendments in the following order: amendment No. 4020; amendment No. 3986; and amendment No. 4016; that, following the first vote, there be two minutes, equally divided and controlled in the usual form, for debate prior to each vote; that no amendment be in order to the amendments prior to the votes; and that each vote following the first be 10 minutes in duration.

The question being on agreeing to amendment No. 3884 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

The hour of 5:30 p.m. having passed,

Pursuant to the order of today, as modified,

The question recurring on agreeing to amendment No. 4020 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

Mr. DODD raised a point of order, viz, that the pending amendment violates section 306 of the Congressional Budget Act, and therefore is not in order.

On motion by Mr. CRAPO, under section 904 of the Congressional Budget Act of 1974 and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and Law, and Budget resolutions, for consideration of the pending amendment.

On motion by Mr. CRAPO,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

The question being taken.

It was determined in the negative---
yeas... 47, nays... 46

[Rollcall Vote No. 151 Leg.]

YEAS --- 47

Alexander, Barrasso, Bayh, Bennet, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kohl, Kyl, LeMieux, Lugar, McCain, McConnell, Nelson (NE), Pryor, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Udall (CO), Vitter, Voinovich, Wicker.

NAYS --- 46

Akaka, Baucus, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Hagan, Inouye, Johnson, Kerry, Klobuchar, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Reed, Reid, Rockefeller, Sanders, Schumer, Stabenow, Tester, Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The question recurring on the point of order raised by Mr. DODD.

The PRESIDING OFFICER (Mr. FRANKEN in the chair) held the point of order well-taken, and the amendment not in order.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 3986 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

After debate,

On motion by Mr. DODD,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the affirmative---
yeas... 94, nays... 0

[Rollcall Vote No. 152 Leg.]

YEAS --- 94

Akaka, Alexander, Barrasso, Baucus, Bayh, Bennet, Bennett, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Brownback, Bunning, Burr, Burris, Byrd, Cantwell, Cardin, Carper, Casey, Chambliss, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dodd, Dorgan, Durbin, Ensign, Enzi, Feingold, Feinstein, Franken, Gillibrand, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lugar, McCain, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Risch, Roberts, Rockefeller, Sanders, Schumer, Sessions, Shelby, Snowe, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Whitehouse, Wicker, Wyden.

So the amendment was agreed to.

On motion by Mr. DODD to reconsider the vote agreeing to the amendment.

On motion by Mr. DODD,

The motion to reconsider was laid on the table.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 4016 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

After debate,

The amendment was agreed to.

On motion by Mr. DODD to reconsider the vote agreeing to the amendment.

On motion by Mr. DODD,

The motion to reconsider was laid on the table.

The question recurring on agreeing to amendment No. 3884 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Mr. REID presented a motion to bring to a close debate on the pending amendment No. 3739 (in the nature of a substitute), as amended; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on amendment No. 3739 (in the nature of a substitute), as amended, to bill S. 3217:

HARRY REID, CHRISTOPHER DODD, TIM JOHNSON, JACK REED, JON TESTER, CHUCK SCHUMER, PATTY MURRAY, D.K. INOUYE, KENT CONRAD, JOHN F. KERRY, ROLAND W. BURRIS, MARK R. WARNER, DANIEL K. AKAKA, S. WHITEHOUSE, JAY ROCKEFELLER, MICHAEL F. BENNET.

Mr. REID presented a motion to bring to a close debate on the pending bill; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on bill S. 3217:

HARRY REID, CHRISTOPHER J. DODD, TIM JOHNSON, JACK REED, JON TESTER, CHUCK SCHUMER, PATTY MURRAY, D.K. INOUYE, KENT CONRAD, JOHN F. KERRY, ROLAND W. BURRIS, MARK R. WARNER, DANIEL K. AKAKA, JAY ROCKEFELLER, S. WHITEHOUSE, MICHAEL F. BENNET.

The question being on agreeing to amendment No. 3884 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. DODD for Mr. BOND (for himself, Mr. DODD, Mr. WARNER, Mr. SCOTT BROWN, Ms. CANTWELL, Mr. BEGICH, Mrs. MURRAY, Mr. CORKER, Mr. TESTER, Mr. BROWNBACK, Mr. BAUCUS, and Mr. REID) to further amend the pending amendment (in the nature of a substitute), on page 387, by striking all beginning on line 13 through line 3 on page 388, and inserting in lieu thereof other words (being amendment No. 4056).

Pending debate,

By unanimous consent, on the request of Mr. DODD,

Ordered, That the following be the next amendments in order to be proposed:

An amendment (Numbered 4050), intended to be proposed by Mr. CARDIN;

An amendment, intended to be proposed by Mr. CORKER, relative to preemption;

A "side-by-side" amendment, intended to be proposed by Mr. CARPER, relative to the amendment to be proposed by Mr. CORKER.

The question being on agreeing to amendment No. 4056 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Mr. BROWNBACK called for the regular order with respect to his amendment No. 3789.

Whereupon,

The question being on agreeing to amendment No. 3789, proposed by Mr. BROWNBACK (for himself, Mr. BOND, Mr. INHOFE, and Ms. MURKOWSKI), as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Mr. BROWNBACK further modified his pending amendment.

The question being on agreeing to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today,

On motion by Mr. CARDIN (for himself, for himself, Mr. LUGAR, Mr. DURBIN, Mr. SCHUMER, Mr. FEINGOLD, Mr. MERKLEY, Mr. JOHNSON, and Mr. WHITEHOUSE) to further amend the pending amendment (in the nature of a substitute), on page 1187, line 9, by striking ``effective.'' and inserting certain words (being amendment No. 4050).

Pending debate,

By unanimous consent, on the request of Mr. DODD,

Ordered, That amendment No. 4056 be the pending question.

Pursuant to the foregoing order,

The question recurring on agreeing to amendment No. 4056 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

The amendment was agreed to.

On motion by Mr. DODD to reconsider the vote agreeing to the amendment.

On motion by Mr. DODD,

The motion to reconsider was laid on the table.

The question being on agreeing to amendment No. 4050 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

On motion by Mr. DODD,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being on agreeing to amendment No. 4050 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. DODD,

Ordered, That, on tomorrow, following a period for the transaction of morning business, the Senate resume consideration of the pending bill; that there be 30 minutes, equally divided and controlled, for debate between Mr. DODD and Mr. GREGG, or their designees, on an amendment (Numbered 4051), intended to be proposed by Mr. GREGG; that, upon conclusion of debate, the Senate vote in relation to the amendment; that the amendment receive a minimum of 60

yea votes to be agreed to; that, if the amendment so receives 60 yea votes, a motion to reconsider be made and laid on the table; and that, if the amendment does not receive 60 yea votes, it be withdrawn.

The question being on agreeing to amendment No. 4050 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

RECOGNIZING NATIONAL FOSTER CARE MONTH

On the request of Mr. DODD,

The PRESIDING OFFICER (Mr. MERKLEY in the chair) laid before the Senate the resolution (S. Res. 533) recognizing National Foster Care Month as an opportunity to raise awareness about the challenges of children in the foster care system and encouraging Congress to implement policy to improve the lives of children in the foster care system, submitted today by Ms. LANDRIEU (for herself, Mr. GRASSLEY, Mrs. LINCOLN, Mr. LEVIN, Mr. CARDIN, Mr. BEGICH, Mr. KERRY, Mr. INHOFE, Ms. COLLINS, Ms. SNOWE, Mr. BAYH, Mr. FRANKEN, Mr. AKAKA, Mrs. MURRAY, Mrs. GILLIBRAND, Mr. Ben Nelson, Mr. CASEY, Mrs. BOXER, Mr. SPECTER, Mr. COCHRAN, and Mr. LAUTENBERG), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DODD,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period of one hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; that the majority control the first half therein, and the minority control the second half therein; and that, following morning business, the Senate resume consideration of bill S. 3217, as pursuant to the order of today.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 2:15 p.m.

Ordered further, That Senators be authorized to "file" first-degree amendments until 12 noon on tomorrow.

Ordered further, That the quorums under the rule be waived.

ADJOURNMENT

By unanimous consent, on the request of Mr. DODD,

At 7:55 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

TUESDAY, MAY 18, 2010

Mr. ROLAND W. BURRIS, from the State of Illinois, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mr. BURRIS led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, May 18, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROLAND W. BURRIS, a Senator from the State of Illinois, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. BURRIS took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5866. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Olives Grown in California; Increased Assessment Rate" (Docket Nos. AMS-FV-09-0089; FV10-932-1 FR), received in the Office of the President of the Senate on May 13, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5867. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "a-[p-(1,1,3,3-Tetramethylbutyl)phenyl]-w-hydroxypoly(oxyethylene); Time-Limited Exemption from the Requirement of a Tolerance" (FRL No. 8824-3), received in the Office of the President of the Senate on May 14, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5868. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "a-(p-Nonylphenol)-w-hydroxypoly(oxyethylene) Sulfate and Phosphate Esters; Time-Limited Exemption from the Requirement of a Tolerance" (FRL No. 8826-3), received in the Office of the President of the Senate on May 14, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5869. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Steel for Military Construction Projects" (DFARS Case 2008-D038), received in the Office of the President of the Senate on May 13, 2010; to the Committee on Armed Services.

EC-5870. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Competition Requirements for Purchases from Federal Prison Industries" (DFARS Case 2008-D015), received in the Office of the President

of the Senate on May 13, 2010; to the Committee on Armed Services.

EC-5871. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Government Rights on the Design of Department of Defense Vessels" (DFARS Case 2008-D039), received in the Office of the President of the Senate on May 13, 2010; to the Committee on Armed Services.

EC-5872. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Authorization for Validated End-User Applied Materials China, Ltd." (RIN0694-AE86), received in the Office of the President of the Senate on May 13, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5873. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Modification to the Gulf of Maine/Georges Bank Herring Midwater Trawl Gear Letter of Authorization" (RIN0648-AX93), received in the Office of the President of the Senate on May 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5874. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries off West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures; Inseason Adjustments" (RIN0648-AY30), received in the Office of the President of the Senate on May 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5875. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants: Threatened Status for the Puget Sound/Georgia Basin Distinct Population Segments of Yelloweye and Canary Rockfish and Endangered Status for the Puget Sound/Georgia Basin Distinct Population Segment of Bocaccio Rockfish" (RIN0648-XF89), received in the Office of the President of the Senate on May 13, 2010; to the Committee on Environment and Public Works.

EC-5876. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of California; Legal Authority" (FRL No. 9152-6), received in the Office of the President of the Senate on May 14, 2010; to the Committee on Environment and Public Works.

EC-5877. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Coordinated Issue: Supervisory Goodwill" (LMSB-4-1109-042), received in the Office of the President of the Senate on May 13, 2010; to the Committee on Finance.

EC-5878. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Interim Final Rules for Group Health Plans and Health Insurance Issuers Relating to Dependent Coverage of Children to Age 26 under the Patient Protection and Affordable Care Act" (RIN1545-BJ46), received in the Office of the President of the Senate on May 13, 2010; to the Committee on Finance.

EC-5879. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates - May 2010" (Rev. Rul. No. 2010-12), received in the Office of the President of the Senate on May 17, 2010; to the Committee on Finance.

EC-5880. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Transitional Guidance for Taxpayers Claiming Relief Under the Military Spouses Residency Relief Act for Taxable Year 2009" (Notice No. 2010-30), received in the Office of the President of the Senate on May 17, 2010; to the Committee on Finance.

EC-5881. A communication from the Secretary of Health and Human Services and the Attorney General, transmitting, pursuant to law, an annual report relative to the Health Care Fraud and Abuse Control Program for fiscal year 2009; to the Committee on Finance.

EC-5882. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Japan for the manufacture of AN/VPS-2 RADARs and associated equipment; to the Committee on Foreign Relations.

EC-5883. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services to the United Kingdom in support of the sale of one C-17 Globemaster III aircraft in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-5884. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services to the United Kingdom for repairs, improvements, modifications, and modernization efforts associated with the WAH-64 Apache helicopters in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-5885. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Interim Final Rules for Group Health Plans and Health Insurance Issuers Relating to Dependent Coverage of Children to Age 26 Under the Patient Protection and Affordable Care Act" (RIN0991-AB66), received in the Office of the President of the Senate on May 13, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5886. A communication from the Acting Director, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Part 4022), received in the Office of the President of the Senate on May 13, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5887. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-383, "Uniform Emergency Volunteer Health Practitioners Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5888. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-394, "Department of Parks and Recreation Capital Construction Mentorship Program Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5889. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-395, "Neighborhood Supermarket Tax Relief Clarification Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5890. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-396, "Anti-Graffiti Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5891. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-397, "Bonus and Special Pay Clarification Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5892. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-400, "OTO Hotel at Constitution Square Economic Development Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 3250. A bill to designate the facility of the United States Postal Service located at 1210 West Main Street in Riverhead, New York, as the "Private First Class Garfield M. Langhorn Post Office Building".

H.R. 3634. A bill to designate the facility of the United States Postal Service located at 109 Main Street in Swifton, Arkansas, as the "George Kell Post Office".

H.R. 3892. A bill to designate the facility of the United States Postal Service located at 101 West Highway 64 Bypass in Roper, North Carolina, as the "E.V. Wilkins Post Office".

H.R. 3951. A bill to designate the facility of the United States Postal Service located at 2000 Louisiana Avenue in New Orleans, Louisiana, as the "Roy Rondeno, Sr. Post Office Building".

H.R. 4017. A bill to designate the facility of the United States Postal Service located at 43 Maple Avenue in Shrewsbury, Massachusetts, as the "Ann Marie Blute Post Office".

H.R. 4095. A bill to designate the facility of the United States Postal Service located at 9727 Antioch Road in Overland Park, Kansas, as the "Congresswoman Jan Meyers Post Office Building".

H.R. 4139. A bill to designate the facility of the United States Postal Service located at 7464 Highway 503 in Hickory, Mississippi, as the "Sergeant Matthew L. Ingram Post Office".

H.R. 4214. A bill to designate the facility of the United States Postal Service located at 45300 Portola Avenue in Palm Desert, California, as the "Roy Wilson Post Office".

H.R. 4238. A bill to designate the facility of the United States Postal Service located at 930 39th Avenue in Greeley, Colorado, as the "W.D. Farr Post Office Building".

H.R. 4425. A bill to designate the facility of the United States Postal Service located at 2-116th Street in North Troy, New York, as the "Martin G. 'Marty' Mahar Post Office".

H.R. 4547. A bill to designate the facility of the United States Postal Service located at 119 Station Road in Cheyney, Pennsylvania, as the "Captain Luther H. Smith, U.S. Army Air Forces Post Office".

H.R. 4624. A bill to designate the facility of the United States Postal Service located at 125 Kerr Avenue in Rome City, Indiana, as the "SPC Nicholas Scott Hartge Post Office".

H.R. 4628. A bill to designate the facility of the United States Postal Service located at 216 Westwood Avenue in Westwood, New Jersey, as the "Sergeant Christopher R. Hrbek Post Office Building".

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

H.R. 4840. An act to designate the facility of the United States Postal Service located at 1981 Cleveland Avenue in Columbus, Ohio, as the "Clarence D. Lumpkin Post Office".

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 2874. A bill to designate the facility of the United States Postal Service located at 2000 Louisiana Avenue in New Orleans, Louisiana, as the "Roy Rondeno, Sr. Post Office Building".

S. 2945. A bill to designate the facility of the United States Postal Service located at 1210 West Main Street in Riverhead, New York, as the "Private First Class Garfield M. Langhorn Post Office Building".

S. 3012. A bill to designate the facility of the United States Postal Service located at 2-116th Street in North Troy, New York, as the Martin G. "Marty" Mahar Post Office.

S. 3013. A bill to designate the facility of the United States Postal Service located at 216 Westwood Avenue in Westwood, New Jersey, as the "Sergeant Christopher R. Hrbek Post Office Building".

S. 3200. A bill to designate the facility of the United States Postal Service located at 23 Genesee Street in Hornell, New York, as the "Zachary Smith Post Office Building".

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. CARDIN:

S. 3382. A bill to authorize the Secretary of the Interior, through the Coastal Program of the United States Fish and Wildlife Service, to work with willing partners and provide support to efforts to assess, protect, restore, and enhance important coastal areas that provide fish and wildlife habitat on which Federal trust species depend; to the Committee on Environment and Public Works.

By Mr. DEMINT:

S. 3383. A bill to temporarily prohibit the United States loans to the International Monetary Fund to be used to provide financing for any member state of the European Union, and for other purposes; to the Committee on Foreign Relations.

SUBMISSION OF A CONCURRENT RESOLUTION

The following concurrent resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. JOHNSON:

S. Con. Res. 63. A concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO); to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 632

At the request of Mr. BAUCUS, the name of the Senator from Mississippi [Mr. WICKER] was added as a cosponsor of S. 632, a bill to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly.

S. 781

At the request of Mr. ROBERTS, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 781, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 1137

At the request of Mr. FEINGOLD, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 1137, a bill to amend the Elementary and Secondary Education Act of 1965 to establish a Volunteer Teacher Advisory Committee.

S. 1445

At the request of Mr. LAUTENBERG, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 1445, a bill to amend the Public Health

Service Act to improve the health of children and reduce the occurrence of sudden unexpected infant death and to enhance public health activities related to stillbirth.

S. 1619

At the request of Mr. DODD, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 1619, a bill to establish the Office of Sustainable Housing and Communities, to establish the Interagency Council on Sustainable Communities, to establish a comprehensive planning grant program, to establish a sustainability challenge grant program, and for other purposes.

S. 1966

At the request of Mr. DODD, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 1966, a bill to provide assistance to improve the health of newborns, children, and mothers in developing countries, and for other purposes.

S. 2885

At the request of Ms. LANDRIEU, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 2885, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide adequate benefits for public safety officers injured or killed in the line of duty, and for other purposes.

S. 3036

At the request of Mr. BAYH, the names of the Senator from Delaware [Mr. CARPER] and the Senator from Colorado [Mr. BENNET] were added as cosponsors of S. 3036, a bill to establish the Office of the National Alzheimer's Project.

S. 3078

At the request of Mrs. FEINSTEIN, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 3078, a bill to provide for the establishment of a Health Insurance Rate Authority to establish limits on premium rating, and for other purposes.

S. 3178

At the request of Mr. BROWN of Ohio, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 3178, a bill to amend the Workforce Investment Act of 1998 to provide for the establishment of Youth Corps programs and provide for wider dissemination of the Youth Corps model.

S. 3184

At the request of Mrs. BOXER, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of S. 3184, a bill to provide United States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes.

S. 3262

At the request of Mr. MENENDEZ, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 3262, a bill to amend the Internal Revenue Code of 1986 to provide that the volume cap for private activity bonds shall not apply to bonds for facilities for the furnishing of water and sewage facilities.

S. 3325

At the request of Mr. BEGICH, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of S. 3325, a bill to amend title 38, United States Code, to authorize the waiver of the collection of copayments for telehealth and telemedicine visits of veterans, and for other purposes.

S. 3326

At the request of Ms. CANTWELL, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 3326, a bill to provide grants to States for low-income housing projects in lieu of low-income housing credits, and to amend the Internal Revenue Code of 1986 to allow a 5-year carryback of the low-income housing credit, and for other purposes.

S. 3335

At the request of Mr. COBURN, the names of the Senator from Wyoming [Mr. ENZI], the Senator from South Dakota [Mr. THUNE] and the Senator from Delaware [Mr. CARPER] were added as cosponsors of S. 3335, a bill to require Congress to establish a unified and searchable database on a public website for congressional earmarks as called for by the President in his 2010 State of the Union Address to Congress.

S. 3357

At the request of Mr. LAUTENBERG, the names of the Senator from New Jersey [Mr. MENENDEZ] and the Senator from Vermont [Mr. SANDERS] were added as cosponsors of S. 3357, a bill to establish certain duties for pharmacies to ensure provision of Food and Drug Administration-approved contraception, and for other purposes.

S. 3359

At the request of Mr. THUNE, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 3359, a bill to amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes.

S. 3366

At the request of Mr. LAUTENBERG, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 3366, a bill to prohibit individuals from carrying firearms in certain airports buildings and airfields, and for other purposes.

S. 3376

At the request of Mrs. FEINSTEIN, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 3376, a bill to authorize to be appropriated $950,000,000 for each of the fiscal years 2012 through 2015 to carry out the State Criminal Alien Assistance Program.

SENATE JOINT RESOLUTION 29

At the request of Mrs. FEINSTEIN, the names of the Senator from Minnesota [Ms. KLOBUCHAR] and the Senator from Maryland [Ms. MIKULSKI] were added as cosponsors of Senate Joint Resolution 29, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

At the request of Mr. MCCONNELL, the names of the Senator from Arizona [Mr. KYL], the Senator from Oklahoma [Mr. COBURN] and the Senator from Tennessee [Mr. ALEXANDER] were added as cosponsors of Senate Joint Resolution 29, supra.

SENATE RESOLUTION 452

At the request of Mr. JOHANNS, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of Senate Resolution 452, a resolution supporting increased market access for exports of United States beef and beef products to Japan.

SENATE RESOLUTION 502

At the request of Mr. WYDEN, the name of the Senator from Nebraska [Mr. JOHANNS] was added as a cosponsor of Senate Resolution 502, a resolution eliminating secret Senate holds.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. LEAHY,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 18, 2010, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on May 18, 2010, at 11 a.m., in room SR-325 of the Russell Senate Office Building.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works be authorized to meet during the session of the Senate on May 18, 2010, at 2:30 p.m. in room 106 of the Dirksen Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on May 18, 2010, at 10 a.m., to hold a hearing entitled "The New START Treaty."

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate to conduct a hearing entitled "ESEA Reauthorization: Supporting Student Health, Physical Education, and Well-Being" on Tuesday, May 18, 2010. The hearing will commence at 2:30 p.m. in room 430 of the Dirksen Senate Office Building.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on May 18, 2010, at 2:30 p.m.

SUBCOMMITTEE ON HUMAN RIGHTS AND THE LAW

The Committee on the Judiciary, Subcommittee on Human Rights and the Law, be authorized to meet during the session of the Senate, on May 18, 2010, at 10 a.m. in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Drug Enforcement and the Rule of Law: Mexico and Colombia."

OBJECTION TO CONSIDERATION OF BILL S. 3305

Mr. MENENDEZ asked unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of the bill (S. 3305) to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes; that the Senate proceed to consider the bill; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. INHOFE objected.

Pending debate,

RESTORING AMERICAN FINANCIAL STABILITY ACT

Pursuant to the order of yesterday,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) laid before the Senate its pending business, viz, the bill (S. 3217) to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 4050, proposed by Mr. CARDIN (for himself, Mr. LUGAR, Mr. DURBIN, Mr. SCHUMER, Mr. FEINGOLD, Mr. MERKLEY, Mr. JOHNSON, and Mr. WHITEHOUSE), to amendment No. 3739 (in the nature of a substitute), as amended, proposed by Mr. REID for Mr. DODD (for himself and Mrs. LINCOLN), to the bill.

Pending debate,

The pending amendments were deemed laid aside.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of yesterday,

On motion by Mr. GREGG to further amend the pending amendment (in the nature of a substitute) on page 18, after line 17, by inserting certain words (being amendment No. 4051).

Pending debate,

By unanimous consent, on the request of Mr. BOND,

Ordered, That he be added as cosponsor to the pending amendment.

The question being on agreeing to amendment No. 4051 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

By unanimous consent, on the request of Mr. GREGG,

Ordered, That the pending amendment be modified.

The question then being on agreeing to amendment No. 4051, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. DODD,

Ordered, That the time until 12:05 p.m. on today be equally divided and controlled for debate on the pending amendment, as modified; that, at 12:05 p.m., the Senate vote in relation to the amendment, as modified; and that the remaining provisions of the order of yesterday relative to the pending amendment remain in effect.

The question being on agreeing to amendment No. 4051, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. DODD,

Ordered, That amendment No. 3884 be modified.

The question being on agreeing to amendment No. 4051, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

After debate,

On motion by Mr. GREGG,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment, as modified.

The hour of 12:05 p.m. having arrived,

Pursuant to the order of today,

The question being taken.

It was determined in the negative---yeas... 47, nays... 50

[Rollcall Vote No. 153 Leg.]

YEAS --- 47

Alexander, Barrasso, Baucus, Bayh, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McCaskill, McConnell, Murkowski, Risch, Roberts, Sessions, Shaheen, Shelby, Snowe, Tester, Thune, Vitter, Voinovich, Wicker.

NAYS --- 50

Akaka, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Stabenow, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the amendment, as modified, was not agreed to (the amendment not having received 60 yea votes, as pursuant to the order of yesterday).

Pursuant to the order of yesterday,

The amendment, as modified, not having received 60 yea votes, was withdrawn.

The question recurring on agreeing to amendment No. 4050 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

By unanimous consent, on the request of Mr. DODD,

Ordered, That, at 2:15 p.m., Mr. CORKER be recognized to propose an amendment (Numbered 4034), and Mr. CARPER be recognized to propose a "side-by-side" amendment (Numbered 4071) in relation thereto; that there be a period of 30 minutes, equally divided and controlled, for concurrent debate on the amendments between Mr. CARPER and Mr. CORKER, or their designees; that, upon conclusion of debate, the Senate vote in relation to the amendment to be proposed by Mr. CORKER; that, following the vote, the Senate vote in relation to the amendment to be proposed by Mr. CARPER; and that no amendment be in order to either amendment prior to a vote.

The question being on agreeing to amendment No. 4050 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

RECESS

Pursuant to the order of yesterday, as modified,

At 12:40 p.m.,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) declared the Senate recessed until 2:15 p.m.

AT 2:15 P.M.

The PRESIDING OFFICER (Mr. BEGICH in the chair) called the Senate to order.

RESTORING AMERICAN FINANCIAL STABILITY ACT

The Senate resumed consideration of bill S. 3217.

The question being on agreeing to amendment No. 4050 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. BROWNBACK (for himself, Mr. FEINGOLD, Mr. DURBIN, Mr. SPECTER, Mr. SHERROD BROWN, Mr. JOHNSON, Mr. WHITEHOUSE, Mr. LAUTENBERG, Mrs. BOXER, and Mr. MERKLEY) to further amend the pending amendment (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 3997).

After debate,

The amendment was agreed to.

On motion by Mr. DODD to reconsider the vote agreeing to the amendment.

On motion by Mr. BROWNBACK,

The motion to reconsider was laid on the table.

The question recurring on agreeing to amendment No. 4050 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today, as modified,

On motion by Mr. CORKER (for himself and Mr. ENSIGN) to further amend the pending amendment (in the nature of a substitute) on page 1315, striking all beginning on line 18 through line 20, page 1325, and inserting in lieu thereof other words (being amendment No. 4034).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today, as modified,

On motion by Mr. CARPER (for himself, Mr. BAYH, Mr. JOHNSON, and Mr. WARNER) to further amend the pending amendment (in the nature of a substitute) on page 1309, striking all beginning on line 15 through line 20, page 1325, and inserting in lieu thereof other words (being amendment No. 4071).

Pending debate,

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 4034 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. KYL,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the negative---
yeas... 43, nays... 55

[Rollcall Vote No. 154 Leg.]

YEAS --- 43

Alexander, Barrasso, Bayh, Bennett, Bond, Brownback, Bunning, Burr, Byrd, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

NAYS --- 55

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (MA), Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the amendment was not agreed to.

On motion by Mr. DODD to reconsider the vote disagreeing to the amendment.

On motion by Mr. DODD,

The motion to reconsider was laid on the table.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 4071 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. DODD,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the affirmative---
yeas... 80, nays... 18

[Rollcall Vote No. 155 Leg.]

YEAS --- 80

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Brown (MA), Brownback, Bunning, Burr, Burris, Byrd, Cantwell, Cardin, Carper, Casey, Chambliss, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dodd, Ensign, Enzi, Feinstein, Gillibrand, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, LeMieux, Levin, Lieberman, Lugar, McCain, McConnell, Menendez, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Risch, Roberts, Schumer, Sessions, Shelby, Snowe, Stabenow, Tester, Thune, Udall (CO), Vitter, Voinovich, Warner, Webb, Wicker.

NAYS --- 18

Boxer, Brown (OH), Dorgan, Durbin, Feingold, Franken, Harkin, Leahy, McCaskill, Merkley, Reed, Reid, Rockefeller, Sanders, Shaheen, Udall (NM), Whitehouse, Wyden.

So the amendment was agreed to.

On motion by Mr. DODD to reconsider the vote agreeing to the amendment.

On motion by Mr. DODD,

The motion to reconsider was laid on the table.

The question recurring on agreeing to amendment No. 4050 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Mrs. HAGAN asked unanimous consent that the pending amendments be laid aside; and that she be recognized to propose an amendment (Numbered 3744).

Mr. SHELBY objected.

The question being on agreeing to amendment No. 4050 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Mr. DODD asked unanimous consent that the pending amendments be laid aside; and that Mr. MERKLEY be recognized to propose an amendment (Numbered 4101).

Mr. SHELBY objected.

The question being on agreeing to amendment No. 4050 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. DODD,

Ordered, That the following be the next amendments in ordered to be proposed:

An amendment (Numbered 4072), intended to be proposed by Mr. GRASSLEY;

An amendment (Numbered 3892), intended to be proposed by Mr. BINGAMAN;

A "side-by-side" amendment, intended to be proposed by Mrs. LINCOLN, relative to the subject of amendment No. 3892.

Ordered further, That amendment No. 3892 be modified; and that Mr. GRASSLEY and Mrs. MCCASKILL each be recognized to speak for 5 minutes on amendment No. 4072.

The question being on agreeing to amendment No. 4050 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Mr. DORGAN asked unanimous consent that, following disposition of amendment No. 3892, the next amendment in order to be proposed be amendment No. 4109.

Mr. SHELBY objected.

The question being on agreeing to amendment No. 4050 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today,

The pending amendments were laid aside.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. BINGAMAN (for himself, Ms. MURKOWSKI, Mr. REID, Mr. BROWNBACK, Ms. CANTWELL, Mr. CORNYN, Mr. WYDEN, Mr. CORKER, Mr. INOUYE, Mrs. MURRAY, and Mrs. SHAHEEN) to further amend the pending amendment (in the nature of a substitute) on page 565, after line 2, by adding certain words (being amendment No. 3892).

Mr. BINGAMAN modified his pending amendment.

The question then being on agreeing to amendment No. 3892, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

The pending amendments were laid aside.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today,

On motion by Mr. GRASSLEY (for himself and Mrs. MCCASKILL) to further amend the pending amendment (in the nature of a substitute) by striking section 989B and inserting, in lieu thereof, other words (being amendment No. 4072).

Pending debate,

On motion by Mr. DORGAN to amend the pending amendment, at the appropriate place, by inserting certain words (being amendment No. 4114).

Pending debate,

By unanimous consent, on the request of Mr. BINGAMAN,

Ordered, That the question recur on his amendment No. 3892, as modified; and that it be further modified.

Pursuant to the foregoing order,

The question being on agreeing to amendment No. 3892, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

After debate,

The amendment, as modified, was agreed to.

On motion by Mr. DODD to reconsider the vote agreeing to the amendment, as modified.

On motion by Mr. DODD,

The motion to reconsider was laid on the table.

The question recurring on agreeing to amendment No. 4114 to amendment No. 4072 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

By unanimous consent, on the request of Mr. DODD,

Ordered, That, if amendment No. 4114 is disposed of, the Senate vote in relation to amendment No. 4072; and that no amendment be in order to the amendment prior to its vote.

The question being on agreeing to amendment No. 4114 to amendment No. 4072 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. DODD to lay the pending amendment on the table.

On motion by Mr. DODD,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---yeas... 57, nays... 38

[Rollcall Vote No. 156 Leg.]

YEAS --- 57

Akaka, Alexander, Barrasso, Baucus, Bayh, Bennett, Bingaman, Bond, Brown (MA), Brownback, Burr, Carper, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Dodd, Enzi, Gillibrand, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kerry, Kohl, Kyl, Landrieu, LeMieux, Lieberman, Lugar, McCain, McConnell, Mikulski, Murkowski, Nelson (NE), Reed, Risch, Roberts, Sessions, Shelby, Snowe, Stabenow, Thune, Vitter, Warner, Wicker.

NAYS --- 38

Begich, Bennet, Boxer, Brown (OH), Bunning, Burris, Cantwell, Cardin, Casey, Conrad, Dorgan, Durbin, Ensign, Feingold, Feinstein, Franken, Harkin, Kaufman, Klobuchar, Lautenberg, Leahy, Levin, McCaskill, Menendez, Merkley, Murray, Nelson (FL), Pryor, Reid, Rockefeller, Sanders, Shaheen, Tester, Udall (CO), Udall (NM), Webb, Whitehouse, Wyden.

So the motion was agreed to.

On motion by Mr. DODD to reconsider the vote agreeing to the motion.

On motion by Mr. DODD,

The motion to reconsider was laid on the table.

The question being on agreeing to amendment No. 4072 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. DODD,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the affirmative---yeas... 75, nays... 21

[Rollcall Vote No. 157 Leg.]

YEAS --- 75

Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Brown (MA), Brown (OH), Brownback, Bunning, Burr, Cantwell, Carper, Casey, Chambliss, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dorgan, Durbin, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hagan, Harkin, Hatch, Hutchison, Inhofe, Isakson, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Leahy, LeMieux, Lugar, McCain, McCaskill, McConnell, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Risch, Roberts, Sessions, Shaheen, Shelby, Snowe, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Vitter, Webb, Whitehouse, Wicker, Wyden.

NAYS --- 21

Akaka, Boxer, Burris, Cardin, Dodd, Feinstein, Franken, Gillibrand, Inouye, Lautenberg, Levin, Lieberman, Menendez, Merkley, Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Warner.

So the amendment was agreed to.

On motion by Mr. DODD to reconsider the vote agreeing to the amendment.

On motion by Mr. DODD,

The motion to reconsider was laid on the table.

The question recurring on agreeing to amendment No. 4050 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Mr. HARKIN asked unanimous consent that the pending amendments be laid aside; and that he be recognized to propose an amendment (Numbered 4085).

Mr. ENZI objected.

The question being on agreeing to amendment No. 4050 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Mr. WYDEN asked unanimous consent that the pending amendments be laid aside; that he be recognized to repropose amendment No. 4019 (withdrawn on May 13, 2010); and that there be 10 minutes for debate thereon.

Mr. SHELBY objected.

The question being on agreeing to amendment No. 4050 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

Mr. MERKLEY asked unanimous consent that the pending amendments be laid aside; that he be recognized to propose amendment No. 4101; that the amendment be considered read; and that the Senate vote on the question of agreeing to the amendment at 9 p.m. today.

Mr. SHELBY objected.

The question being on agreeing to amendment No. 4050 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

By unanimous consent, on the request of Mr. REED,

Ordered, That the Senate vote on the question of agreeing to the motion to bring to a close debate on amendment No. 3739 (in the nature of a substitute) at 2 p.m. on tomorrow; and that Senators be authorized to "file" germane second-degree amendments until 1 p.m. on tomorrow.

The question being on agreeing to amendment No. 4050 to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

CLARIFYING MINIMUM ESSENTIAL HEALTH CARE COVERAGE PROVIDED BY THE SECRETARY OF VETERANS' AFFAIRS

On the request of Mr. LEVIN,

The PRESIDING OFFICER (Mr. MERKLEY in the chair) laid before the Senate the bill (H.R. 5014) to clarify the health care provided by the Secretary of Veterans Affairs that constitutes minimum essential coverage, received from the House of Representatives for concurrence on yesterday, and remaining undisposed of; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

IMPROVING THE FEDERAL HIRING PROCESS

By unanimous consent, on the request of Mr. LEVIN,

The Senate proceeded to consider the bill (S. 736) to provide for improvements in the Federal hiring process and for other purposes.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

The reported amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDER FOR SEQUENTIAL REFERRAL OF NOMINATION

By unanimous consent, on the request of Mr. LEVIN,

As in executive session,

Ordered, That the nomination of John S. Pistole to be Assistant Secretary, Department of Homeland Security (Transportation Security Administration), received on yesterday, be referred to the Committee on Commerce, Science, and Transportation; that when said nomination is reported or discharged, it then be referred to the Committee on Homeland Security and Governmental Affairs for a period not to exceed 30 calendar days; that, if said nomination has not been reported or discharged, the committee be discharged; and that the nomination be placed on the Executive Calendar.

APPOINTMENT BY THE MINORITY LEADER

PUBLIC INTEREST DECLASSIFICATION BOARD

The PRESIDING OFFICER announced that the minority leader, pursuant to Public Law 106-567, had appointed the following individual to serve as a member of the Public Interest Declassification Board: William A. Burck, of the District of Columbia.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. LEVIN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period of one hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; that the minority control the first half therein, and the majority control the second half therein; and that, following morning business, the Senate resume consideration of bill S. 3217, as pursuant to the order of today.

ADJOURNMENT

By unanimous consent, on the request of Mr. LEVIN,

At 9:40 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

WEDNESDAY, MAY 19, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, May 19, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. TOM UDALL took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. VITTER:

S. 3384. A bill to direct the General Accountability Office to conduct a full audit of hurricane protection funding and cost estimates associated with post-Katrina hurricane protection; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BENNETT (for himself, Mr. BARRASSO, Mr. ENZI, and Mr. HATCH):

S. 3385. A bill to amend the Mineral Leasing Act to require the Secretary of the Interior to determine the impact of any proposed modification to the policy of the Department of the Interior relating to any onshore oil or natural gas preleasing or leasing activity, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ROCKEFELLER (for himself, Mr. PRYOR, Mr. NELSON of Florida, Ms. KLOBUCHAR, Mrs. MCCASKILL, and Mr. LEMIEUX):

S. 3386. A bill to protect consumers from certain aggressive sales tactics on the

Internet; to the Committee on Commerce, Science, and Transportation.

By Mr. UDALL of Colorado:

S. 3387. A bill to provide for the release of water from the marketable yield pool of water stored in the Ruedi Reservoir for the benefit of endangered fish habitat in the Colorado River, and for other purpose; to the Committee on Energy and Natural Resources.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. BOND (for himself and Mrs. MCCASKILL):

S. Res. 534. A resolution expressing support for designation of May 1, 2010, as "Silver Star Service Banner Day"; considered and agreed to.

By Mr. DODD (for himself, Mr. LUGAR, Mr. BINGAMAN, Mr. DURBIN, Mrs. GILLIBRAND, and Mr. MENENDEZ):

S. Res. 535. A resolution honoring the President of Mexico, Felipe Calderon Hinojosa, for his service to the people of Mexico, and welcoming the President to the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 28

At the request of Mr. SCHUMER, the name of the Senator from Indiana [Mr. BAYH] was added as a cosponsor of S. 28, a bill to ensure that the courts of the United States may provide an impartial forum for claims brought by United States citizens and others against any railroad organized as a separate legal entity, arising from the deportation of United States citizens and others to Nazi concentration camps on trains owned or operated by such railroad, and by the heirs and survivors of such persons.

S. 354

At the request of Mr. WEBB, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 354, a bill to provide that 4 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes.

S. 504

At the request of Mr. ROBERTS, the names of the Senator from Montana [Mr. BAUCUS], the Senator from Alaska [Mr. BEGICH], the Senator from Nevada [Mr. ENSIGN], the Senator from South Carolina [Mr. GRAHAM], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Alaska [Ms. MURKOWSKI], the Senator from Vermont [Mr. SANDERS] and the Senator from New York [Mr. SCHUMER] were added as cosponsors of S. 504, a bill to redesignate the Department of the Navy as the Department of the Navy and Marine Corps.

S. 632

At the request of Mr. BAUCUS, the names of the Senator from Georgia [Mr. ISAKSON] and the Senator from North Dakota [Mr. CONRAD] were added as cosponsors of S. 632, a bill to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly.

S. 941

At the request of Mr. CRAPO, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of S. 941, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearm laws and regulations, protect the community from criminals, and for other purposes.

S. 987

At the request of Mr. DURBIN, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of S. 987, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 1055

At the request of Mr. BENNETT, his name was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1651

At the request of Mr. LEVIN, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 1651, a bill to modify a land grant patent issued by the Secretary of the Interior.

S. 2781

At the request of Ms. MIKULSKI, the names of the Senator from Rhode Island [Mr. REED] and the Senator from Vermont [Mr. SANDERS] were added as cosponsors of S. 2781, a bill to change references in Federal law to mental retardation to references to an intellectual disability, and to change references to a mentally retarded individual to references to an individual with an intellectual disability.

S. 2854

At the request of Mr. KOHL, the name of the Senator from Kansas [Mr. BROWNBACK] was added as a cosponsor of S. 2854, a bill to amend the Internal Revenue Code of 1986 to extend and modify the credit for new qualified hybrid motor vehicles, and for other purposes.

S. 2862

At the request of Ms. SNOWE, the names of the Senator from Illinois [Mr. BURRIS], the Senator from California [Mrs. BOXER], the Senator from Oregon [Mr. MERKLEY], the Senator from Pennsylvania [Mr. SPECTER] and the Senator from New Mexico [Mr. UDALL] were added as cosponsors of S. 2862, a bill to amend the Small Business Act to improve the Office of International Trade, and for other purposes.

S. 2905

At the request of Mr. INOUYE, the names of the Senator from Mississippi [Mr. COCHRAN], the Senator from Nevada [Mr. ENSIGN] and the Senator from Mississippi [Mr. WICKER] were added as cosponsors of S. 2905, a bill to amend the Internal Revenue Code of 1986 to repeal the reduction in the deductible portion of expenses for business meals and entertainment.

S. 3106

At the request of Mrs. HAGAN, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 3106, a bill to authorize States to exempt certain nonprofit housing organizations from the licensing requirements of the S.A.F.E. Mortgage Licensing Act of 2008.

S. 3213

At the request of Mr. LEVIN, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of S. 3213, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 3246

At the request of Mr. WYDEN, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 3246, a bill to exclude from consideration as income under the Native American Housing Assistance and Self-Determination Act of 1996 amounts received by a family from the Department of Veterans Affairs for service-related disabilities of a member of the family.

S. 3248

At the request of Mr. BINGAMAN, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 3248, a bill to designate the Department of the Interior Building in Washington, District of Columbia, as the "Stewart Lee Udall Department of the Interior Building".

S. 3278

At the request of Mr. BENNET, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 3278, a bill to establish the Meth Project Prevention Campaign Grant Program.

S. 3305

At the request of Mr. MENENDEZ, the names of the Senator from Michigan [Ms. STABENOW] and the Senator from Wisconsin [Mr. FEINGOLD] were added as cosponsors of S. 3305, a bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 3306

At the request of Mr. MENENDEZ, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 3306, a bill to amend the Internal Revenue

Code of 1986 to require polluters to pay the full cost of oil spills, and for other purposes.

S. 3319

At the request of Mr. DODD, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 3319, a bill to amend the Internal Revenue Code of 1986 to provide recruitment and retention incentives for volunteer emergency service workers.

S. 3339

At the request of Mr. KERRY, the name of the Senator from Massachusetts [Mr. BROWN] was added as a cosponsor of S. 3339, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 3363

At the request of Mr. CARDIN, the name of the Senator from Montana [Mr. BAUCUS] was added as a cosponsor of S. 3363, a bill to amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under that Act.

S. 3372

At the request of Mrs. BOXER, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 3372, a bill to modify the date on which the Administrator of the Environmental Protection Agency and applicable States may require permits for discharges from certain vessels.

S. 3381

At the request of Mr. BAUCUS, the name of the Senator from Idaho [Mr. RISCH] was added as a cosponsor of S. 3381, a bill to amend the Clean Air Act to modify certain definitions of the term "renewable biomass", and for other purposes.

SENATE JOINT RESOLUTION 29

At the request of Mrs. FEINSTEIN, the names of the Senator from Ohio [Mr. BROWN], the Senator from Iowa [Mr. HARKIN] and the Senator from Washington [Mrs. MURRAY] were added as cosponsors of Senate Joint Resolution 29, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

At the request of Mr. MCCONNELL, the names of the Senator from Maine [Ms. SNOWE], the Senator from Maine [Ms. COLLINS], the Senator from Ohio [Mr. VOINOVICH] and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of Senate Joint Resolution 29, supra.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. DODD,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to hold a meeting during the session of the Senate on May 19, 2010, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on May 19, 2010, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on May 19, 2010, at 10 a.m., to hold a hearing entitled "After the Earthquake: Empowering Haiti to Rebuild Better."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on May 19, 2010, at 2:30 p.m., to conduct a hearing entitled "The History and Lessons of START."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on May 19, 2010, at 10 a.m., in room SD-266 of the Dirksen Senate Office Building, to conduct a hearing entitled "Renewing America's Commitment to the Refugee Convention: The Refugee Protection Act of 2010."

COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration be authorized to meet during the session of the Senate on May 19, 2010, at 10 a.m., to conduct a hearing entitled "Examining the Filibuster: The Filibuster Today and Its Consequences."

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on May 19, 2010, at 10 a.m. to conduct a hearing entitled "Confirmation Hearing of Marie Collins Johns to be the Deputy Administrator of the Small Business Administration."

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on May 19, 2010, at 11 a.m. to conduct a hearing entitled "The SBA Disaster Assistance Program and the Impact of the Deepwater Horizon Oil Spill on Small Businesses."

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs be authorized to meet during the session of the Senate on May 19, 2010. The Committee will meet in room 418 of the Russell Senate Office Building beginning at 9:30 a.m.

SUBCOMMITTEE ON NATIONAL PARKS

The Subcommittee on National Parks be authorized to meet during the session of the Senate in order to conduct a hearing on May 19, 2010, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10:47 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 1782. An act to provide improvements for the operations of the Federal courts, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2288. An act to amend Public law 106-392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2023.

H.R. 4491. An act to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, and for other purposes.

H.R. 4614. An act to amend part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide for incentive payments under the Edward Byrne Memorial Justice Assistance Grant program for States to implement minimum and enhanced DNA collection processes.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 211. Concurrent resolution recognizing the 75th anniversary of the establishment of the East Bay Regional Park District in California, and for other purposes.

At 4:02 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1782. An act to provide improvements for the operations of the Federal courts, and for other purposes.

H.R. 5014. An act to clarify the health care provided by the Secretary of Veterans Affairs that constitutes minimum essential coverage.

HOUSE BILLS AND HOUSE CONCURRENT RESOLUTION REFERRED

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

H.R. 4491. An act to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating and interpreting the role of the Buffalo Soldiers in the early years of the National Parks, and for other purposes; to the Committee on Energy and Natural Resources

H.R. 4614. An act to amend part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide for incentive payments under the Edward Byrne Memorial Justice Assistance Grant program for States to implement minimum and enhanced DNA collection processes; to the Committee on the Judiciary.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 211. Concurrent resolution recognizing the 75th anniversary of the establishment of the East Bay Regional Park District in California, and for other purposes; to the Committee on the Judiciary

HOUSE BILL PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2288. An act to amend Public Law 106-392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2023.

RESTORING AMERICAN FINANCIAL STABILITY ACT

Pursuant to the order of yesterday,

The PRESIDING OFFICER (Mr. BURRIS in the chair) laid before the Senate its pending business, viz, the bill (S. 3217) to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 4050, proposed by Mr. CARDIN (for himself, Mr. LUGAR, Mr. DURBIN, Mr. SCHUMER, Mr. FEINGOLD, Mr. MERKLEY, Mr. JOHNSON, and Mr. WHITEHOUSE), to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

Mr. MERKLEY called for the regular order with respect to amendment No. 3789.

Whereupon,

The question being on agreeing to amendment No. 3789, as modified, proposed by Mr. BROWNBACK (for himself, Mr. BOND, Mr. INHOFE, and Ms. MURKOWSKI), to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. MERKLEY (for himself and Mr. LEVIN) to further amend the pending amendment, at the appropriate place, by inserting certain words (being amendment No. 4115).

Mr. DODD asked unanimous consent that, at 2 p.m. on today, the question recur on agreeing to amendment No. 3883; that it be in order for Ms. LANDRIEU to propose a "side-by-side" amendment (Numbered 4075) in relation thereto; that there be 30 minutes, equally divided and controlled in the usual form, for concurrent debate on the amendments; that no amendment be in order to either amendment prior to a vote; that, upon conclusion of debate, the Senate vote in relation to amendment No. 4075; and that, following the vote, the Senate vote in relation to amendment No. 3883.

Mr. DODD further asked unanimous consent that, upon disposition of the amendments, the question recur on agreeing to amendment No. 3746, as modified; that there be two minutes, equally divided and controlled, for debate thereon; that, upon conclusion of debate, the Senate vote in relation to the amendment; that the amendment receive a minimum of 60 yea votes to be agreed to; that, if the Senate fails to agree to the amendment with a minimum of 60 yea votes, the amendment be withdrawn; that, if the Senate agrees to the amendment with a minimum of 60 yea votes, a motion to reconsider be deemed made and laid on the table; that no amendment be in order to the amendment; that, upon disposition of the amendment, Mr. VITTER be recognized to propose an amendment (Numbered 4003); that the amendment be modified by incorporating as a modification thereto amendment No. 4087; that the amendment, as modified, be agreed to; and that a motion to reconsider be made and laid on the table.

Mr. DODD further asked unanimous consent that the Senate not vote on the question of agreeing to the motion to bring to a close debate on amendment No. 3739 (in the nature of a substitute) prior to disposition of the aforementioned amendments.

Mr. DODD further asked unanimous consent that Mr. BARRASSO be immediately recognized to speak; that no amendment or motion be in order; and that, upon conclusion of remarks by him, the Senate recess until 2 p.m.

Mr. LEVIN objected.

The question being on agreeing to amendment No. 4115 to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of substitute), as amended, to the bill.

Mr. LEVIN raised a question as to the presence of a quorum.

Pending the ascertainment of a quorum,

Mr. MERKLEY asked unanimous consent that the quorum call be withdrawn.

Mr. SHELBY objected.

Pending the further ascertainment of a quorum,

When,

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum call be withdrawn.

The question being on agreeing to amendment No. 4115 to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request Mr. REID,

Ordered, That the following be recognized to speak in the following order: Mr. BARRASSO, 15 minutes, and Mr. SHERROD BROWN, 15 minutes; and that following remarks by them, the Senate recess until 3:15 p.m.

The question being on agreeing to amendment No. 4115 to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

RECESS

Pursuant to the order of today,

At 2:06 p.m.,

The ACTING PRESIDENT pro tempore declared the Senate recessed until 3:15 p.m.

AT 3:15 P.M.

The PRESIDING OFFICER (Mr. MERKLEY in the chair) called the Senate to order.

RESTORING AMERICAN FINANCIAL STABILITY ACT

The Senate resumed consideration of bill S. 3217.

The question being on agreeing to amendment No. 4115 to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of yesterday, as modified,

The PRESIDING OFFICER (Ms. KLOBUCHAR in the chair) laid before the Senate the motion, presented by Mr. REID on Monday, May 17, 2010, to bring to a close debate on amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of Monday, May 17, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the negative---
yeas... 57, nays... 42

[Rollcall Vote No. 158 Leg.]

YEAS --- 57

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 42

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Cantwell, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Reid, Risch, Roberts, Sessions, Shelby, Thune, Vitter, Voinovich, Wicker.

So the motion was not agreed to; three-fifths of Senators duly chosen and sworn not having voted in the affirmative.

Mr. REID, having voted on the prevailing side, entered a motion to reconsider the foregoing vote disagreeing to the motion to bring to a close debate on amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

The question being on agreeing to amendment No. 4115 to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. REID,

Ordered, That the motion to bring to a close debate on the bill be withdrawn.

The question being on agreeing to amendment No. 4115 to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. DODD,

Ordered, That amendment No. 3883 be the pending question.

Pursuant to the foregoing order,

The question recurring on agreeing to amendment No. 3883, proposed by Ms. SNOWE (for herself, Mr. PRYOR, Mr. MENENDEZ, Mr. FRANKEN, Mr. BOND, Mr. BURRIS, and Mr. THUNE), to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

The amendment was agreed to.

On motion by Mr. DODD to reconsider the vote agreeing to the amendment.

On motion by Mr. DODD,

The motion to reconsider was laid on the table.

The question recurring on agreeing to amendment No. 4115 to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. DORGAN,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. DORGAN,

The Senate resumed its legislative session.

RESTORING AMERICAN FINANCIAL STABILITY ACT

The Senate resumed consideration of bill S. 3217.

The question being on agreeing to amendment No. 4115 to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

By unanimous consent, on the request of Mr. DODD,

Ordered, That amendment No. 3746, as modified, be the pending question; that the amendment be further modified; that it be in order for an amendment to be proposed by Mr. ENSIGN; that there be 10 minutes, equally divided and controlled, for concurrent debate between Mr. WHITEHOUSE and Mr. ENSIGN, or their designees, on the amendments; that no amendment be in order to the amendments; that, upon conclusion of debate, the Senate vote in "stacked" sequence in relation to the amendments in the following order: amendment No. 3746, as modified, and the amendment intended to be proposed by Mr. ENSIGN; that each amendment receive a minimum of 60 yea votes to be agreed to; that if the Senate so agrees to either amendment with a minimum of 60 yea votes, a motion to reconsider be deemed made and laid on the table; and that if the Senate fails to agree to the amendment with a minimum of 60 yea votes, it be withdrawn.

Pursuant to the foregoing order,

The question recurring on agreeing to amendment No. 3746, as modified, proposed by Mr. WHITEHOUSE (for himself, Mr. MERKLEY, Mr. DURBIN, Mr. SANDERS, Mr. LEVIN, Mr. BURRIS, Mr. FRANKEN, Mr. SHERROD BROWN, Mr. LEAHY, Mr. CASEY, Mr. WEBB, Mr. REED, Mr. WYDEN, Mr. COCHRAN, Mr. TOM UDALL, and Mr. BEGICH), to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Mr. DODD asked unanimous consent that it be in order for Ms. CANTWELL to propose an amendment (Numbered 4086).

Mr. SHELBY objected.

The question being on agreeing to amendment No. 3746, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

After debate,

On motion by Mr. WHITEHOUSE,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment, as modified.

The question being taken.

It was determined in the negative---
yeas... 35, nays... 60

[Rollcall Vote No. 159 Leg.]

YEAS --- 35

Akaka, Begich, Bennet, Boxer, Brown (OH), Burris, Cardin, Casey, Cochran, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Harkin, Lautenberg, Leahy, LeMieux, Levin, McCaskill, Merkley, Mikulski, Nelson (FL), Reed, Reid, Rockefeller, Sanders, Schumer, Stabenow, Udall (CO), Udall (NM), Webb, Whitehouse, Wyden.

NAYS --- 60

Alexander, Barrasso, Baucus, Bayh, Bennett, Bingaman, Bond, Brown (MA), Brownback, Bunning, Burr, Cantwell, Carper, Chambliss, Coburn, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dodd, Ensign, Enzi, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lincoln, Lugar, McCain, McConnell, Murkowski, Murray, Nelson (NE), Pryor, Risch, Roberts, Sessions, Shaheen, Shelby, Snowe, Tester, Thune, Vitter, Voinovich, Wicker.

So the amendment, as modified, was not agreed to.

Pursuant to the order of today,

The amendment, not having received 60 yea votes, was withdrawn.

The question being on agreeing to amendment No. 4115 to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today,

On motion by Mr. ENSIGN to further amend the pending amendment (in the nature of a

substitute), on page 1273, by striking lines 17 and 18 (being amendment No. 4146).

After debate,

The amendment was agreed to.

On motion by Mr. REID to reconsider the vote agreeing to the amendment.

On motion by Mr. REID,

The motion to reconsider was laid on the table.

The question recurring on agreeing to amendment No. 4115 to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

On motion by Mr. DODD for Mr. VITTER (for himself, Mr. ROBERTS, Mr. CORKER, Mr. BROWNBACK, and Mr. PRYOR) to further amend the pending amendment (in the nature of a substitute), on page 19, by striking all beginning on line 16 through line 22 on page 21, and inserting in lieu thereof other words (being amendment No. 4003).

By unanimous consent, on the request of Mr. DODD,

Ordered, That the pending amendment be modified by incorporating, as a modification thereto, amendment No. 4087; that the amendment, as thus modified, be agreed to; and that a motion to reconsider be considered made and laid on the table.

The question recurring on agreeing to amendment No. 4115 to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Mr. DODD presented a motion to bring to a close debate on the pending amendment No. 3739 (in the nature of a substitute), as amended; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on amendment No. 3739 (in the nature of a substitute), as amended, to bill S. 3217:

HARRY REID, CHRISTOPHER DODD, TIM JOHNSON, JACK REED, CHUCK SCHUMER, PATTY MURRAY, D.K. INOUYE, KENT CONRAD, JOHN F. KERRY, JON TESTER, ROLAND W. BURRIS, MARK R. WARNER, DANIEL K. AKAKA, JAY ROCKEFELLER, S. WHITEHOUSE, MICHAEL F. BENNET.

By unanimous consent, on the request of Mr. DODD,

Ordered, That the quorum under the rule be waived.

Mr. DODD presented a motion to bring to a close debate on the pending bill; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on bill S. 3217:

HARRY REID, CHRISTOPHER J. DODD, TIM JOHNSON, JACK REED, JON TESTER, CHUCK SCHUMER, PATTY MURRAY, D.K. INOUYE, KENT CONRAD, JOHN F. KERRY, ROLAND W. BURRIS, MARK R. WARNER, DANIEL K. AKAKA, JAY ROCKEFELLER, S. WHITEHOUSE, MICHAEL F. BENNET.

By unanimous consent, on the request of Mr. DODD,

Ordered, That the quorum under the rule be waived.

The question being on agreeing to amendment No. 4115 to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. DODD,

Ordered, That, at 2:30 p.m. on tomorrow, a motion to proceed to consider the motion to reconsider the vote disagreeing to the motion to bring to a close debate on amendment No. 3739 (in the nature of a substitute), as amended, be considered made and agreed to; that the motion to reconsider be agreed to; and that the Senate then vote on the question of agreeing to the motion to bring to a close debate on amendment No. 3739 (in the nature of a substitute), as amended.

The question being on agreeing to amendment No. 4115 to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

INFORMATION TECHNOLOGY INVESTMENT OVERSIGHT ENHANCEMENT AND WASTE PREVENTION ACT

By unanimous consent, on the request of Mr. DODD,

The Senate proceeded to consider the bill (S. 920) to amend section 11317 of title 40, United States Code, to improve the transparency of the status of information technology investments, to require greater accountability for cost overruns on Federal information technology investment projects, to improve the processes agencies implement to manage information technology investments, to reward excellence in information technology acquisition, and for other purposes.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. DODD for Mr. CARPER (for himself, Ms. COLLINS, Mr. LIEBERMAN, and Mr. VOINOVICH) to insert, in lieu of the language proposed to be inserted by the pending reported amendment (in the nature of a substitute), other words (being amendment No. 4147, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The reported amendment (in the nature of a substitute), as amended, was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXPRESSING SUPPORT FOR DESIGNATION OF "SILVER STAR SERVICE BANNER DAY"

On the request of Mr. DODD,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 534) expressing support for designation of May 1, 2010, as "Silver Star Service Banner Day", submitted today by Mr. BOND (for himself and Mrs. MCCASKILL), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HONORING THE PRESIDENT OF MEXICO, FELIPE CALDERON HINOJOSA, FOR HIS SERVICE TO THE PEOPLE OF MEXICO

On the request of Mr. DODD,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 535) honoring the President of Mexico, Felipe Calderon Hinojosa, for his service to the people of Mexico, and welcoming the President to the United States, submitted today by Mr. DODD (for himself, Mr. LUGAR, Mr. BINGAMAN, Mr. DURBIN, Mrs. GILLIBRAND, and Mr. MENENDEZ), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DODD,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be

approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of bill S. 3217.

Ordered further, That Senators be authorized to "file" second-degree amendments until 1:30 p.m.

Ordered further, That, on tomorrow, the Senate recess from 10:40 a.m. until 12 noon for a joint meeting.

ADJOURNMENT

By unanimous consent, on the request of Mr. DODD,

At 8:27 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

THURSDAY, MAY 20, 2010

Mr. HARRY REID, from the State of Nevada, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mrs. GILLIBRAND led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, May 20, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. GILLIBRAND took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

RESTORING AMERICAN FINANCIAL STABILITY ACT

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (S. 3217) to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 4115, proposed by Mr. MERKLEY (for himself, Mr. LEVIN, Mr. SHERROD BROWN, Mr. KAUFMAN, Mrs. SHAHEEN, Mrs. FEINSTEIN, Mr. CASEY, Mr. BILL NELSON, Mr. BURRIS, Mr. BEGICH, Mr. INOUYE, Mr. WHITEHOUSE, Mr. MARK UDALL, Ms. MIKULSKI, Mr. SANDERS, Mr. TOM UDALL, Mr. REED, Mr. DURBIN, Mr. WEBB, Mr. HARKIN, Mrs. MURRAY, Mr. KERRY, Mrs. BOXER, and Mr. FEINGOLD), to amendment No. 3789, as modified, proposed by Mr. BROWNBACK (for himself, Mr. BOND, and Mr. INHOFE), to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

On motion by Mr. MCCONNELL,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

Pending debate,

Mr. HARKIN asked unanimous consent that the pending amendments be laid aside; and that he be recognized to propose an amendment (Numbered 3920).

Mr. AKAKA objected.

The question being on agreeing to amendment No. 4115 to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Mr. HARKIN asked unanimous consent that the pending amendments be laid aside; that he be recognized to propose an amendment (Numbered 3920); that there be 20 minutes, equally divided and controlled, for debate on the amendment; and that the vote occur prior to the vote on the motion to bring to a close debate on amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Mr. AKAKA objected.

The question being on agreeing to amendment No. 4115 to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. DODD,

Ordered, That amendment No. 4003, agreed to on yesterday, be further modified.

The question being on agreeing to amendment No. 4115 to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

AUTHORITY FOR APPOINTMENT OF COMMITTEE OF ESCORT

By unanimous consent, on the request of Mr. DODD,

Ordered, That the PRESIDENT pro tempore be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort the President of Mexico into the Chamber of the House of Representatives on today for a joint meeting.

RESTORING AMERICAN FINANCIAL STABILITY ACT

The Senate resumed consideration of bill S. 3217.

The question being on agreeing to amendment No. 4115 to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

RECESS

Pursuant to the order of yesterday,

At 10:40 a.m.,

The ACTING PRESIDENT pro tempore declared the Senate recessed until 12 noon.

AT 12 NOON

The PRESIDING OFFICER (Mrs. HAGAN in the chair) called the Senate to order.

RESTORING AMERICAN FINANCIAL STABILITY ACT

The Senate resumed consideration of bill S. 3217.

The question being on agreeing to amendment No. 4115 to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Mr. MENENDEZ asked unanimous consent that the pending amendments be laid aside; that it be in order for him to propose amendment No. 4064; and that the Senate vote on said amendment prior to the vote on the question of agreeing to the motion to bring to a close debate on amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Mr. SHELBY objected.

The question being on agreeing to amendment No. 4115 to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

Mr. FRANKEN asked unanimous consent that the pending amendments be laid aside; that it be in order for him to propose amendment No. 3902; and that the Senate vote on the question of agreeing to said amendment at an appropriate time.

Mr. SHELBY objected.

The question being on agreeing to amendment No. 4115 to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

Pursuant to the order of yesterday,

A motion to proceed to consider the motion to reconsider the vote disagreeing to the motion to bring to a close debate on amendment No. 3739 (in the nature of a substitute) was considered made and agreed to.

Pursuant to the order of yesterday,

The question being on agreeing to motion to reconsider.

The motion to reconsider was agreed to.

Whereupon,

The PRESIDING OFFICER (Mr. BURRIS in the chair) laid before the Senate the motion, presented by Mr. REID on May 17, 2010, to bring to a close debate on amendment No. 3739 (in the nature of a substitute) to the bill.

Pursuant to the order of May 17, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the affirmative---yeas... 60, nays... 40

[Rollcall Vote No. 160 Leg.]

YEAS --- 60

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (MA), Brown (OH), Burris, Byrd, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 40

Alexander, Barrasso, Bennett, Bond, Brownback, Bunning, Burr, Cantwell, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Thune, Vitter, Voinovich, Wicker.

So, upon reconsideration, the motion was agreed to; three-fifths of Senators duly chosen and sworn having voted in the affirmative.

The question being on agreeing to amendment No. 4115 to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

By unanimous consent, on the request of Mr. REID,

Ordered, That the Senate proceed to a period for only debate, with Senators permitted to speak for 10 minutes each therein; that no motions or amendments be in order; and that Mr. DODD and Mr. SHELBY be recognized to speak for 30 minutes each therein.

The question being on agreeing to amendment No. 4115 to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL S. 3347

Mr. VITTER asked unanimous consent that the Senate proceed to consider the bill (S. 3347) to extend the National Flood Insurance Program through December 31, 2010, that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. REID objected.

RESTORING AMERICAN FINANCIAL STABILITY ACT

The Senate resumed consideration of bill S. 3217.

The question being on agreeing to amendment No. 4115 to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

By unanimous consent, on the request of Mr. DODD,

Ordered, That the minority leader, or his designee, be recognized for 5 minutes to raise a point of order against the pending amendment No. 3739 (in the nature of a substitute); that time for debate, pursuant to rule XXII of the Standing Rules of the Senate, be concluded; that Mr. DODD, or his designee, be recognized to move to waive; that the Senate vote on the question of agreeing to said motion to waive, without further intervening action or debate; that, if said motion is agreed to, pending amendments to the pending amendment (in the nature of a substitute) be withdrawn; that the amendment (in the nature of a substitute), as amended, then be agreed to; that the bill, as thus amended, be read the third time.

Ordered further, That the Committee on Banking, Housing, and Urban Affairs then be discharged from the further consideration of bill H.R. 4173; that the Senate proceed to consider the bill; that all after the enacting clause be stricken, and the text of bill S. 3217, as amended, be inserted in lieu thereof (being an amendment in the nature of a substitute); that the bill, as thus amended, be read the third time; that the Senate then vote on passage of the bill, as amended; and that an amendment to the title be proposed and agreed to.

Ordered further, That, following the vote, the Senate insist on its amendments, and ask a conference with the House of Representatives thereon.

Ordered further, That, on Monday, May 24, 2010, Mr. BROWNBACK and Mr. DODD each be recognized to speak for 10 minutes; that, upon conclusion of debate, Mr. BROWNBACK be recognized to move to instruct the conferees, relative to auto dealers; that the Senate then vote on the question of agreeing to the motion to instruct; that, upon disposition of said motion, Mrs. HUTCHISON, or her designee, and Mr. DODD each be recognized to speak for 10 minutes; that, upon conclusion of debate, Mrs. HUTCHISON be recognized to move to instruct the conferees, relative to proprietary trading; that the Senate then vote on the question of agreeing to the motion to instruct; that no amendment or motion be in order to the motions to instruct; that, upon disposition of said motions, no further motion be in order; and that the Chair then be authorized to appoint conferees on the part of the Senate in a ratio of 7 majority- to 5 minority-party Senators.

Ordered further, That bill S. 3217 be returned to the calendar; and that the motion to bring to a close debate on the bill be withdrawn.

The question being on agreeing to amendment No. 4115 to amendment No. 3789, as modified, to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pending debate,

Mr. SESSIONS raised a point of order, viz, that the pending amendment No. 3739 (in the nature of a substitute) violates section 302(f) of the Congressional Budget Act, and therefore is not in order.

On motion by Mr. DODD, under section 904 of the Congressional Budget Act, to waive provisions of the Act for consideration of the pending amendment (in the nature of a substitute).

On motion by Mr. DODD,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

The question being taken.

It was determined in the affirmative---

yeas... 60, nays... 39

[Rollcall Vote No. 161 Leg.]

YEAS --- 60

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (MA), Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 39

Alexander, Barrasso, Bennett, Bond, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Thune, Vitter, Voinovich, Wicker.

On motion by Mrs. MURRAY to reconsider the vote agreeing to the motion.

On motion by Mr. DODD,

The motion to reconsider was laid on the table.

So the motion was agreed to; three-fifths of the Senators duly chosen and sworn having voted in the affirmative.

The motion having been agreed to,

Pursuant to the order of today,

The pending amendments (Numbered 3823, 3776, as modified, 3789, as modified, and 4115 thereto, 4050, and 3884, as modified) were withdrawn.

The question being on agreeing to amendment No. 3739 (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today,

The amendment (in the nature of a substitute), as amended, was agreed to.

The bill, as amended, was read the third time.

Pursuant to the order of today,

The Committee on Banking, Housing, and Urban Affairs was discharged from the further consideration of the bill (H.R. 4173) to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes; and

The Senate proceeded to consider the bill.

The question being on passage of the bill.

Pursuant to the order of today,

All after the enacting clause was stricken, and the text of bill S. 3217, as amended, was inserted in lieu thereof (being an amendment in the nature of a substitute).

The question being on passage of the bill, as amended.

Pursuant to the order of today,

The bill, as amended, was read the third time.

On motion by Mr. DURBIN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on passage of the bill, as amended.

Pursuant to the order of today,

On the question, Shall it pass?

It was determined in the affirmative---

yeas... 59, nays... 39

[Rollcall Vote No. 162 Leg.]

YEAS --- 59

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (MA), Brown (OH), Burris, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Grassley, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 39

Alexander, Barrasso, Bennett, Bond, Brownback, Bunning, Burr, Cantwell, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Thune, Vitter, Voinovich, Wicker.

So it was,

Resolved, That the bill, as amended, do pass.

On motion by Mr. DODD to reconsider the vote on passage of the bill, as amended.

On motion by Mr. DODD,

The motion to reconsider was laid on the table.

The title was amended, on motion by Mr. DODD, so as to read: "A bill to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes".

Pursuant to the order of today,

The Senate insisted on its amendments, and asked a conference with the House of Representatives on the disagreeing votes of the two Houses thereon.

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. DODD,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5893. A communication from the Acting Administrator, Rural Business-Cooperative Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Rural Microentrepreneur Assistance Program" (RIN0570-AA71), received in the Office of the President of the Senate on May 18, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5894. A joint communication from the Under Secretary of Defense (Comptroller) and the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to a multiyear procurement that is being sought for F/A-18E/F and EA-18G aircraft in fiscal year 2010 through fiscal year 2013; to the Committee on Armed Services.

EC-5895. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report on the continuation of the national emergency with respect to Iran that was originally declared in Executive Order 12170 on November 14, 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC-5896. A communication from the Deputy Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Individual Fishing Quota Program; Correction" (RIN0648-AY37), received in the Office of the President of the Senate on May 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5897. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Emergency Fisheries Closure in the Gulf of Mexico Due to the Deepwater Horizon Oil Spill" (RIN0648-AY87), received in the Office of the President of the Senate on May 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5898. A communication from the Division Chief of Regulatory Affairs, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Visitor Services" (RIN1004-AD96), received in the Office of the President of the Senate on May 18, 2010; to the Committee on Energy and Natural Resources.

EC-5899. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "List of Approved Spent Fuel Storage Casks: NUHOMS HD System Revision 1" (RIN3150-AI75), received in the Office of the President of the Senate on May 14, 2010; to the Committee on Environment and Public Works.

EC-5900. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Israel for the manufacture of components for the TF33, J52, and F100 aircraft engines in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-5901. A communication from the Secretary of the Department of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC-5902. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report relative to the activities of the Western Hemisphere Institute for Security Cooperation; to the Committee on Foreign Relations.

EC-5903. A communication from the Vice President, Congressional and Public Affairs, Millennium Challenge Corporation, transmitting, pursuant to law, a report relative to the Millennium Challenge Corporation's actual performance during fiscal year 2009; to the Committee on Foreign Relations.

EC-5904. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, a report relative to the General Services Administration's Fiscal Year 2011 Capital Investment and Leasing Program; to the Committee on Homeland Security and Governmental Affairs.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. INHOFE:

S. 3388. A bill to protect the rights under the second amendment to the Constitution of the United States of members of the Armed Forces and civilian employees of the Department of Defense by prohibiting the Department of Defense from requiring the registration of privately-owned firearms, ammunition, or other weapons not stored in facilities owned or operated by the Department of Defense, and by prohibiting the Department of Defense from infringing on the right of individuals to lawfully acquire, possess, own, carry, or otherwise use privately owned firearms, ammunition, or other weapons on property not owned or operated by the Department of Defense; to the Committee on Armed Services.

By Mrs. HAGAN:

S. 3389. A bill to amend title 38, United States Code, to exempt individuals who receive certain educational assistance for service in the Selected Reserve from limitations on the receipt of assistance under Post-9/11 Educational Assistance Program for additional service in the Armed Forces, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FRANKEN (for himself, Ms. MIKULSKI, Mr. MERKLEY, Mrs. GILLIBRAND, Mr. KERRY, Mr. HARKIN, Mr. CASEY, Mrs. MURRAY, Mr. BINGAMAN, Mr. FEINGOLD, Mr. CARDIN, Mr. SANDERS, Ms. CANTWELL, Mr. BROWN of Ohio, Mr. DODD, Mr. BEGICH, Mr. DURBIN, Mr. LAUTENBERG, Mr. LEAHY, Mr. MENENDEZ, Mr. WHITEHOUSE, Mr. WYDEN, Mr. AKAKA, and Ms. KLOBUCHAR):

S. 3390. A bill to end the discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes; to the Committee on Health, Education, Labor, and Pensions

By Ms. LANDRIEU:

S. 3391. A bill to provide for accelerated revenue sharing of Outer Continental Shelf revenues to promote coastal resiliency among Gulf producing states; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND:

S. 3392. A bill to direct the Secretary of the Interior to conduct a special resource study to evaluate the significance of the Newtown Battlefield located in Chemung County, New York, and the suitability and feasibility of its inclusion in the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BROWN of Ohio:

S. 3393. A bill to provide for extension of COBRA continuation coverage until coverage is available otherwise under either an employment-based health plan or through an American Health Benefit Exchange under the Patient Protection and Affordable Care Act; to the Committee on Health, Education, Labor, and Pensions.

By Ms. LANDRIEU (for herself and Ms. SNOWE):

S. 3394. A bill to establish the veterans' business center program, to improve the programs for veterans of the Small Business Administration, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. UDALL of Colorado (for himself, Mr. WYDEN, Mr. BURRIS, and Ms. STABENOW):

S. 3395. A bill to provide cost-sharing assistance to improve access to the markets of foreign countries for energy efficiency products and renewable energy products exported by small- and medium-sized businesses in the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Ms. SNOWE (for herself and Ms. COLLINS):

S. Res. 536. A resolution designating June 1, 2010, as "Declaration of Conscience Day" in commemoration of the 60th anniversary of the landmark "Declaration of Conscience" speech delivered by Senator Margaret Chase Smith on the floor of the United States Senate; considered and agreed to.

ADDITIONAL COSPONSORS

S. 292

At the request of Mr. SPECTER, the name of the Senator from Mississippi [Mr. WICKER] was added as a cosponsor of S. 292, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 334

At the request of Mr. LUGAR, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of S. 334, a bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Moldova.

S. 504

At the request of Mr. ROBERTS, the names of the Senator from Delaware [Mr. CARPER], the Senator from Illinois [Mr. DURBIN], the Senator from Minnesota [Mr. FRANKEN], the Senator from New York [Mrs. GILLIBRAND], the Senator from Hawaii [Mr. INOUYE], the Senator from Nebraska [Mr. JOHANNS], the Senator from Delaware [Mr. KAUFMAN], the Senator from Arkansas [Mrs. LINCOLN] and the Senator from Kentucky [Mr. MCCONNELL] were added as cosponsors of S. 504, a bill to redesignate the Department of the Navy as the Department of the Navy and Marine Corps.

S. 632

At the request of Mr. BAUCUS, the name of the Senator from Idaho [Mr. RISCH] was added as a cosponsor of S. 632, a bill to amend the Internal Revenue Code of 1986 to require that the payment of the

manufacturers' excise tax on recreational equipment be paid quarterly.

S. 752

At the request of Mr. DURBIN, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 752, a bill to reform the financing of Senate elections, and for other purposes.

S. 1445

At the request of Mr. LAUTENBERG, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 1445, a bill to amend the Public Health Service Act to improve the health of children and reduce the occurrence of sudden unexpected infant death and to enhance public health activities related to stillbirth.

S. 1674

At the request of Mr. WYDEN, the name of the Senator from Kansas [Mr. ROBERTS] was added as a cosponsor of S. 1674, a bill to provide for an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 1788

At the request of Mr. FRANKEN, the names of the Senator from Hawaii [Mr. INOUYE] and the Senator from Minnesota [Ms. KLOBUCHAR] were added as cosponsors of S. 1788, a bill to direct the Secretary of Labor to issue an occupational safety and health standard to reduce injuries to patients, direct-care registered nurses, and all other health care workers by establishing a safe patient handling and injury prevention standard, and for other purposes.

S. 2781

At the request of Ms. MIKULSKI, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 2781, a bill to change references in Federal law to mental retardation to references to an intellectual disability, and to change references to a mentally retarded individual to references to an individual with an intellectual disability.

S. 2900

At the request of Mrs. GILLIBRAND, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 2900, a bill to establish a research, development, and technology demonstration program to improve the efficiency of gas turbines used in combined cycle and simple cycle power generation systems.

S. 3039

At the request of Mr. UDALL of New Mexico, the name of the Senator from West Virginia [Mr. ROCKEFELLER] was added as a cosponsor of S. 3039, a bill to prevent drunk driving injuries and fatalities, and for other purposes.

S. 3058

At the request of Mr. DORGAN, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3141

At the request of Mr. BINGAMAN, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 3141, a bill to amend the Internal Revenue Code of 1986 to provide special rules for treatment of low-income housing credits, and for other purposes.

S. 3223

At the request of Ms. SNOWE, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 3223, a bill to amend the Employee Retirement Income Security Act of 1974 and the Public Health Service Act to provide parity under group health plans and group health insurance coverage for the provision of benefits for prosthetics and custom orthotics and benefits for other medical and surgical services.

S. 3227

At the request of Mr. HATCH, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 3227, a bill to authorize the Archivist of the United States to make grants to States for the preservation and dissemination of historical records.

S. 3248

At the request of Mr. BINGAMAN, the names of the Senator from California [Mrs. BOXER], the Senator from Maryland [Mr. CARDIN], the Senator from Delaware [Mr. CARPER], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Vermont [Mr. SANDERS] and the Senator from Rhode Island [Mr. WHITEHOUSE] were added as cosponsors of S. 3248, a bill to designate the Department of the Interior Building in Washington, District of Columbia, as the "Stewart Lee Udall Department of the Interior Building".

S. 3250

At the request of Mr. CARPER, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 3250, a bill to provide for the training of Federal building personnel, and for other purposes.

S. 3262

At the request of Mr. MENENDEZ, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 3262, a bill to amend the Internal Revenue Code of 1986 to provide that the volume cap for private activity bonds shall not apply to bonds for facilities for the furnishing of water and sewage facilities.

S. 3266

At the request of Mr. BENNET, the names of the Senator from Ohio [Mr. BROWN] and the Senator from Vermont [Mr. SANDERS] were added as cosponsors of S. 3266, a bill to ensure the availability of loan guarantees for rural homeowners.

S. 3278

At the request of Mr. BENNET, the name of the Senator from Colorado [Mr. UDALL] was added as a cosponsor of S. 3278, a bill to establish the Meth Project Prevention Campaign Grant Program.

S. 3293

At the request of Mr. HATCH, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 3293, a bill to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

S. 3305

At the request of Mr. MENENDEZ, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 3305, a bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 3306

At the request of Mr. MENENDEZ, the names of the Senator from Illinois [Mr. DURBIN] and the Senator from Oregon [Mr. MERKLEY] were added as cosponsors of S. 3306, a bill to amend the Internal Revenue Code of 1986 to require polluters to pay the full cost of oil spills, and for other purposes.

S. 3326

At the request of Ms. CANTWELL, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 3326, a bill to provide grants to States for low-income housing projects in lieu of low-income housing credits, and to amend the Internal Revenue Code of 1986 to allow a 5-year carryback of the low-income housing credit, and for other purposes.

S. 3339

At the request of Mrs. HUTCHISON, her name was added as a cosponsor of S. 3339, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

At the request of Mr. CORNYN, his name was added as a cosponsor of S. 3339, supra.

S. 3345

At the request of Mr. WHITEHOUSE, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 3345, a bill to amend title 46, United States Code, to remove the cap on punitive damages established by the Supreme Court in Exxon Shipping Company v. Baker.

S. 3346

At the request of Mr. WHITEHOUSE, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 3346, a bill to increase the limits on liability under the Outer Continental Shelf Lands Act.

S. 3358

At the request of Mrs. BOXER, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 3358, a bill to

amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf off the coast of California, Oregon, and Washington.

S. 3361

At the request of Mr. BROWNBACK, the names of the Senator from South Carolina [Mr. GRAHAM] and the Senator from Illinois [Mr. BURRIS] were added as cosponsors of S. 3361, a bill to require the Secretary of Defense to take illegal subsidization into account in evaluating proposals for contracts for major defense acquisition programs, and for other purposes.

S. 3362

At the request of Mr. SANDERS, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 3362, a bill to amend the Clean Air Act to direct the Administrator of the Environmental Protection Agency to provide competitive grants to publicly funded schools to implement effective technologies to reduce air pollutants (as defined in section 302 of the Clean Air Act), including greenhouse gas emissions, in accordance with that Act.

S. 3372

At the request of Mrs. BOXER, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 3372, a bill to modify the date on which the Administrator of the Environmental Protection Agency and applicable States may require permits for discharges from certain vessels.

SENATE JOINT RESOLUTION 29

At the request of Mr. MCCONNELL, the names of the Senator from Oklahoma [Mr. INHOFE] and the Senator from Kentucky [Mr. BUNNING] were added as cosponsors of Senate Joint Resolution 29, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mrs. SHAHEEN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs, be authorized to meet during the session of the Senate on May 20, 2010, at 9:30 a.m., to conduct a hearing entitled "Examining the Causes and Lessons of the May 6th market plunge."

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 20, 2010, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on May 20, 2010, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works be authorized to meet during the session of the Senate on May 20, 2010, at 9:30 a.m. in room 406 of the Dirksen Office Building.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on May 20, 2010, at 2:30 p.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Clean Technology Manufacturing Competitiveness: The Role of Tax Incentives."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on May 20, 2010, at 9:15 a.m., to conduct a hearing entitled "NATO: Report of the Group of Experts."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on May 20, 2010, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

AD HOC SUBCOMMITTEE ON CONTRACTING OVERSIGHT

The Ad Hoc Subcommittee on Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 20, 2010, at 10:30 a.m., to conduct a hearing entitled, "Counternarcotics Contracts in Latin America."

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

The Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on May 20, 2010, at 2:30 p.m., to conduct a hearing entitled "Balancing Act: Efforts to Right-Size the Federal Employee-to-Contractor Mix."

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 9:38 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1514. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to reauthorize the juvenile accountability block grants program through fiscal year 2014.

H.R. 2136. An act to establish the Honorable Stephanie Tubbs Jones Fire Suppression Demonstration Incentive Program within the Department of Education to promote installation of fire sprinkler systems, or other fire suppression or prevention technologies, in qualified student housing and dormitories, and for other purposes.

H.R. 2546. An act to ensure that the right of an individual to display the Service Flag on residential property not be abridged.

H.R. 5099. An act to designate the facility of the United States Postal Service located at 15 South Main Street in Sharon, Massachusetts, as the "Michael C. Rothberg Post Office".

H.R. 5139. An act to provide for the International Organizations Immunities Act to be extended to the Office of the High Representative in Bosnia and Herzegovina and the International Civilian Office in Kosovo.

H.R. 5220. An act to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

HOUSE BILLS REFERRED

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

H.R. 1514. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to reauthorize the juvenile accountability block grants program through fiscal year 2014; to the Committee on the Judiciary.

H.R. 2136. An act to establish the Honorable Stephanie Tubbs Jones Fire Suppression Demonstration Incentive Program within the Department of Education to promote installation of fire sprinkler systems, or other fire suppression or prevention technologies, in qualified student housing and dormitories, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 2546. An act to ensure that the right of an individual to display the Service flag on residential property not be abridged; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 5099. An act to designate the facility of the United States Postal Service located at 15 South Main Street in Sharon, Massachusetts, as the "Michael C. Rothberg

Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5220. An act to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

ENROLLED BILLS SIGNED

The PRESIDENT pro tempore announced that he had signed the following enrolled bills, which were previously signed by the Speaker of the House:

S. 1782. An act to provide improvements for the operations of the Federal courts, and for other purposes.

H.R. 5014. An act to clarify the health care provided by the Secretary of Veterans Affairs that constitutes minimum essential coverage.

ORDER RELATIVE TO BILL H.R. 4173

By unanimous consent, on the request of Mr. MARK UDALL,

Ordered, That, at 4:45 p.m. on Monday, May 24, 2010, the Senate resume consideration of bill H.R. 4173, as pursuant to the order of today; that motions to instruct be made, as pursuant to the order of today; that, upon conclusion of debate on both motions, the Senate vote in "stacked" sequence on the question of agreeing to the motions; and that provisions of the order of today remain in effect.

EXTENDING IMMUNITIES TO THE OFFICE OF THE HIGH REPRESENTATIVE IN BOSNIA AND HERZEGOVINA AND THE INTERNATIONAL CIVILIAN OFFICE IN KOSOVO ACT

On the request of Mr. MARK UDALL,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) laid before the Senate the bill (H.R. 5139) to provide for the International Organizations Immunities Act to be extended to the Office of the High Representative in Bosnia and Herzegovina and the International Civilian Office in Kosovo, received from the House of Representatives for concurrence on today, and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "DECLARATION OF CONSCIENCE DAY"

On the request of Mr. MARK UDALL,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 536) designating June 1, 2010, as "Declaration of Conscience Day" in commemoration of the 60th anniversary of the landmark "Declaration of Conscience" speech delivered by Senator Margaret Chase Smith on the floor of the United States Senate, submitted today by Ms. SNOWE (for herself and Ms. COLLINS), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDER TO VITIATE REPORTING OF BILL H.R. 3951

By unanimous consent, on the request of Mr. MARK UDALL,

Ordered, That, action with respect to the reporting of bill H.R. 3951 be vitiated.

APPOINTMENT BY THE MINORITY LEADER

CONGRESSIONAL OVERSIGHT PANEL

The PRESIDING OFFICER announced that the minority leader, pursuant to provisions of Public Law 110-343, had appointed the following individual as a member of the Congressional Oversight Panel: Mr. Kenneth R. Troske, of Kentucky.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, MAY 24, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. MARK UDALL,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2 p.m. on Monday, May 24, 2010; that, on Monday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 3 p.m., with Senators permitted to speak for 10 minutes each therein; and that, at 3 p.m., the Senate proceed to consider the bill (H.R. 4899) making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes.

ADJOURNMENT

By unanimous consent, on the request of Mr. MARK UDALL,

At 9:12 p.m.,

The Senate adjourned, under its order of today, until 2 p.m. on Monday, May 24, 2010.

MONDAY, MAY 24, 2010

Mr. ROLAND W. BURRIS, from the State of Illinois, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. BURRIS led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, May 24, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROLAND W. BURRIS, a Senator from the State of Illinois, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. BURRIS took the chair.

THE JOURNAL

Pursuant to the order of Thursday, May 20, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Thursday, May 20, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Thursday, May 20, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

ENROLLED BILL PRESENTED DURING ADJOURNMENT

The Secretary of the Senate reported that on Friday, May 21, 2010, she had presented to the President of the United States the following enrolled bill:

S. 1782. A bill to provide improvements for the operations of the Federal courts, and for other purposes.

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by Mr. Williams, one of his secretaries:

EXPEDITED PROCEDURE TO RESCIND UNNECESSARY SPENDING AND TO SCALE BACK FUNDING LEVELS -- PM 57

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

To the Congress of the United Sates:

Today, I am pleased to submit to the Congress the enclosed legislative proposal, the "Reduce Unnecessary Spending Act of 2010," along with a section-by-section analysis of the legislation.

This proposal will be another important step in restoring fiscal discipline and making sure that Washington spends taxpayer dollars responsibly. It will provide a new tool to streamline Government programs and operations, cut wasteful Government spending, and enhance transparency and accountability to the American people. The legislation will create an expedited procedure to rescind unnecessary spending and to broadly scale back funding levels if warranted. The legislation would require the Congress to vote up or down on legislation proposed by the President to rescind funding. This new, enhanced rescission authority will not only empower the President and the Congress to eliminate unnecessary spending, but also discourage waste in the first place.

Now more than ever, it's critical that taxpayer dollars are not wasted on programs that are ineffective, duplicative, or out-dated. In a time when American families and small business owners are conscious of every dollar and make sure that they manage their budgets wisely, the Federal Government can do no less. The American people expect and demand that we spend their money with the same discipline. Allowing taxpayer dollars to be wasted is both an irresponsible use of taxpayer funds and an irresponsible abuse of the public trust.

Recently, the Congress has taken welcome steps to curb wasteful spending. In 2007, when I served in the Senate, a bipartisan group worked together to eliminate anonymous earmarks and brought new measures of transparency to the process so Americans can better follow how their tax dollars are being spent. Consequently, we have seen progress—with earmarks declining since these reforms were passed, including during this past fiscal year.

In addition, my administration undertook a line-by-line review of the Budget, and put forward approximately $20 billion of terminations, reductions, and savings both for Fiscal Year 2010 and 2011. While recent administrations have seen between 15 to 20 percent of their proposed discretionary cuts approved by the Congress, for FY 2010, we worked with the Congress to enact 60 percent of proposed cuts.

Despite the progress we have made to reduce earmarks and other unnecessary spending, there is still more work to be done. The legislation I am sending to you today provides an important tool. The legislation allows the President to target spending policies that do not have a legitimate and worthy public purpose by providing the President with an additional authority to propose the elimination of wasteful or excessive funding. These proposals then receive expedited consideration in the Congress and a guaranteed up-or-down vote. This legislation would also allow the President to delay funding for these projects until the Congress has had the chance to consider the changes. In addition, this proposal has been crafted to preserve the constitutional balance of power between the President and the Congress.

Overall, the "Reduce Unnecessary Spending Act of 2010" provides a new way for the Congress and the President to manage taxpayer dollars wisely. That is why I urge the prompt and favorable consideration of this proposal, and look forward to working with the Congress on this matter in the coming weeks.

BARACK OBAMA.

THE WHITE HOUSE, *May 24, 2010.*

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-120. A resolution adopted by the Senate of the State of Louisiana urging local, state, and federal governmental agencies to work in close coordination, in order to minimize damage to Louisiana's natural resources caused by the Deepwater Horizon oil spill, and to utilize all available resources to protect and support Louisiana residents and businesses affected by the spill; to the Committee on Environment and Public Works.

SENATE RESOLUTION NO. 61

Whereas, on April 20, 2010, the Deepwater Horizon drilling rig exploded and later sank in the Gulf of Mexico; and

Whereas, the accident was reported to have been caused by a blowout, an uncontrolled release of gas or oil that forces its way up a well pipe and catches fire; and

Whereas, with fire still burning days later, Coast Guard officials continued the search for eleven missing crew members; and

Whereas, of the one hundred and fifteen crew members who were accounted for, seventeen suffered injuries that included burns, smoke inhalation, and broken bones; and

Whereas, since the explosion, approximately forty-two thousand gallons of oil per day have been leaking from the site into the Gulf of Mexico; and

Whereas, the oil spill is moving closer and closer to environmentally sensitive coastal areas; and

Whereas, President Obama's administration has launched a full investigation into the oil rig explosion, with Homeland Security Secretary Janet Napolitano and Interior Secretary Ken Salazar indicating devotion and every available resource to a comprehensive investigation of the explosion with assistance to be given by the U.S. Coast Guard and the Minerals Management Service which share in jurisdiction for the investigation; and

Whereas, British Petroleum, which owns the oil rig operated by the Swiss drilling company Transocean, dispatched more than thirty ships, capable of skimming in excess of one hundred and seventy thousand barrels of oil per day; and

Whereas, several oceanographers have claimed that the magnitude of the oil spill is huge and could have an impact on marine life and oyster beds; and

Whereas, the Coast Guard is keeping a watchful eye on underwater activity from the sunken rig; and

Whereas, the Coast Guard has prepared to set fire to portions of the growing oil slick to keep the crude away from sensitive ecological areas; and

Whereas, without prompt and carefully coordinated action, the oil spill has the potential to become one of the worst in U.S. history, as it is up to forty-two miles by eighty miles wide, and ranges in thickness from a couple of molecules to the equivalent of layers of paint; and

Whereas, with the Louisiana shrimp season due to open in less than a month, geologists say the oil spill has the potential to delay or affect the 2010 season; and

Whereas, Governor Jindal has authorized state agencies to continue monitoring the oil spill, while the federal government begins work to protect the Pass-A-Loutre Wildlife

Management and Breton National Wildlife Refuge areas; and

Whereas, the Louisiana Department of Wildlife and Fisheries is working closely with state and federal agencies and British Petroleum to mitigate fish and wildlife resource impacts; and

Whereas, partners in the oil spill response effort include but are not limited to the U.S. Fish and Wildlife Service, the U.S. Coast Guard, the National Oceanic and Atmospheric Administration, the Louisiana Department of Environmental Quality, the Louisiana Department of Natural Resources, the Louisiana Department of Wildlife and Fisheries, the Louisiana Oil Spill Coordinators Office, the Governor's Office of Homeland Security and Emergency Preparedness, the Coastal Protection and Restoration Authority, and the Oiled Wildlife Care Network; Therefore, be it

Resolved, That the Senate of the Legislature of Louisiana does hereby direct local, state, and federal governmental agencies to work in close coordination, in order to minimize damage to Louisiana's natural resources caused by the Deepwater Horizon oil spill, and to utilize all available resources to protect and support Louisiana residents and businesses affected by the spill; be it further

Resolved, That a copy of this Resolution be transmitted to the U.S. Fish and Wildlife Service, the U.S. Coast Guard, the National Oceanic and Atmospheric Administration, the Louisiana Department of Environmental Quality, the Louisiana Department of Natural Resources, the Louisiana Department of Wildlife and Fisheries, the Louisiana Oil Spill Coordinators Office, the Govenor's Office of Homeland Security and Emergency Preparedness, the Coastal Protection and Restoration Authority, the Oiled Wildlife Care Network, the secretary of the United States Senate, the clerk of the United States House of Representatives, and to each member of the Louisiana delegation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1562. A bill to provide for a study and report on research on the United States Arctic Ocean and for other purposes (Rept. No. 111-193).

S. 2856. A bill to allow the United States-Canada Transboundary Resource Sharing Understanding to be considered an international agreement for the purposes of section 304(e)(4) of the Magnuson-Stevens Fishery Conservation and Management Act (Rept. No. 111-194).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 3099. A bill to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the American Falls Reservoir (Rept. No. 111-195).

S. 3100. A bill to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the Little Wood River Ranch (Rept. No. 111-196).

H.R. 934. A bill to convey certain submerged lands to the Commonwealth of the Northern Mariana Islands in order to give that territory the same benefits in its submerged lands as Guam, the Virgin Islands, and American Samoa have in their submerged lands (Rept. No. 111-197).

H.R. 3689. A bill to provide for an extension of the legislative authority of the Vietnam Veterans Memorial Fund, Inc. to establish a Vietnam Veterans Memorial visitor center, and for other purposes (Rept. No. 111-198).

By Mrs. FEINSTEIN, from the Select Committee on Intelligence:

Special Report entitled "Report on the Attempted Terrorist Attack on Northwest Airlines Flight 253" (Rept. No. 111-199). Additional views filed.

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 3066. A bill to correct the application of the Non-Foreign Area Retirement Equity Assurance Act of 2009 (5 U.S.C. 5304 note) to employees paid saved or retained rates.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. BINGAMAN (for himself, Mr. PRYOR, Mrs. LINCOLN, and Mr. BROWN of Massachusetts):

S. 3396. A bill to amend the Energy Policy and Conservation Act to establish within the Department of Energy a Supply Star program to identify and promote practices, companies, and products that use highly efficient supply chains in a manner that conserves energy, water, and other resources; to the Committee on Energy and Natural Resources.

By Ms. KLOBUCHAR (for herself, Mr. CORNYN, Mr. GRASSLEY, and Mr. BROWN of Ohio):

S. 3397. A bill to amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, and for other purposes; to the Committee on the Judiciary.

By Mr. BAUCUS (for himself and Mr. GRASSLEY):

S. 3398. A bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans; to the Committee on Finance.

By Ms. SNOWE (for herself and Mrs. GILLIBRAND):

S. 3399. A bill to remove the limit on the anticipated award price for contracts awarded under the procurement program for women-owned small business concerns, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mrs. GILLIBRAND:

S. 3400. A bill to ban the sale, manufacture, distribution, and use in public facilities of drop-side cribs in the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BURR (for himself and Mr. COBURN):

S. 3401. A bill to provide for the use of unobligated discretionary stimulus dollars to address AIDS Drug Assistance Program waiting lists and other cost containment measures impacting State ADAP programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEMIEUX:

S. 3402. A bill to encourage residential use of renewable energy systems by minimizing upfront costs and providing immediate utility cost savings to consumers through leasing of such systems to homeowners, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 3403. A bill to amend the Fish and Wildlife Improvement Act of 1978 to exempt subsistence users in the State of Alaska from the prohibition on taking; to the Committee on Environment and Public Works.

By Mr. UDALL of Colorado:

S. 3404. A bill to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to require the Secretary of the Interior, acting through the Bureau of Reclamation, to take actions to improve environmental conditions in the vicinity of the Leadville Mine Drainage Tunnel in Lake County, Colorado, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ (for himself, Mr. NELSON of Florida, and Mr. MERKLEY):

S. 3405. A bill to amend the Internal Revenue Code of 1986 to eliminate oil and gas company preferences; to the Committee on Finance.

By Mrs. HAGAN:

S. 3406. A bill to amend title 10, United States Code, to eliminate the per-fiscal year calculation of days of certain active duty or active service used to reduce the minimum

age at which a member of a reserve component of the uniformed services may retire for non-regular service; to the Committee on Armed Services.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Ms. COLLINS (for herself and Mr. CASEY):

S. Res. 537. A resolution designating May 2010 as "National Brain Tumor Awareness Month"; to the Committee on the Judiciary.

By Mr. WEBB (for himself, Mr. KERRY, Mr. BOND, and Mr. DURBIN):

S. Res. 538. A resolution affirming the support of the United States for a strong and vital alliance with Thailand; considered and agreed to.

By Mr. CASEY (for himself, Mr. GRASSLEY, and Mr. KOHL):

S. Res. 539. A resolution designating May 24, 2010, as "Prescription Drug Disposal Awareness Day"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 332

At the request of Mrs. FEINSTEIN, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 332, a bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner.

S. 455

At the request of Mr. ROBERTS, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 455, a bill to require the Secretary of the Treasury to mint coins in recognition of 5 United States Army Five-Star Generals, George Marshall, Douglas MacArthur, Dwight Eisenhower, Henry "Hap" Arnold, and Omar Bradley, alumni of the United States Army Command and General Staff College, Fort Leavenworth, Kansas, to coincide with the celebration of the 132nd Anniversary of the founding of the United States Army Command and General Staff College.

S. 504

At the request of Mr. ROBERTS, the names of the Senator from South Dakota [Mr. JOHNSON], the Senator from Washington [Mrs. MURRAY], the Senator from Arkansas [Mr. PRYOR], the Senator from Louisiana [Mr. VITTER] and the Senator from Ohio [Mr. VOINOVICH] were added as cosponsors of S. 504, a bill to redesignate the Department of the Navy as the Department of the Navy and Marine Corps.

S. 624

At the request of Mr. DURBIN, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 624, a bill to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis by 2015 by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

S. 981

At the request of Mr. REID, the names of the Senator from North Carolina [Mrs. HAGAN] and the Senator from Maryland [Mr. CARDIN] were added as cosponsors of S. 981, a bill to support research and public awareness activities with respect to inflammatory bowel disease, and for other purposes.

S. 987

At the request of Mr. DURBIN, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 987, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 1055

At the request of Mrs. BOXER, the names of the Senator from New Mexico [Mr. BINGAMAN] and the Senator from Maryland [Ms. MIKULSKI] were added as cosponsors of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1395

At the request of Mr. CRAPO, the name of the Senator from Idaho [Mr. RISCH] was added as a cosponsor of S. 1395, a bill to amend the Marine Mammal Protection Act of 1972 to allow importation of polar bear trophies taken in sport hunts in Canada before the date on which the polar bear was determined to be a threatened species under the Endangered Species Act of 1973.

S. 1442

At the request of Mr. BINGAMAN, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 1442, a bill to amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service-learning opportunities on public lands, establish a grant program for Indian Youth Service Corps, help restore the Nation's natural, cultural, historic, archaeological, recreational, and scenic resources, train a new generation of public land managers and enthusiasts, and promote the value of public service.

S. 1445

At the request of Mr. LAUTENBERG, the names of the Senator from Maine [Ms. COLLINS] and the Senator from Minnesota [Ms. KLOBUCHAR] were added as cosponsors of S. 1445, a bill to amend the Public Health Service Act to improve the health of children and reduce the occurrence of sudden unexpected infant death and to enhance public health activities related to stillbirth.

S. 1553

At the request of Mr. GRASSLEY, the name of the Senator from Nevada [Mr. ENSIGN] was added as a cosponsor of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1610

At the request of Ms. CANTWELL, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 1610, a bill to amend the Internal Revenue Code of 1986 to repeal the shipping investment withdrawal rules in section 955 and to provide an incentive to reinvest foreign shipping earnings in the United States.

S. 1611

At the request of Mr. DODD, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 1611, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 1619

At the request of Mr. DODD, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 1619, a bill to establish the Office of Sustainable Housing and Communities, to establish the Interagency Council on Sustainable Communities, to establish a comprehensive planning grant program, to establish a sustainability challenge grant program, and for other purposes.

S. 1802

At the request of Mr. BURRIS, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 1802, a bill to require a study of the feasibility of establishing the United States Civil Rights Trail System, and for other purposes.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 3058

At the request of Mr. DORGAN, the names of the Senator from Utah [Mr. BENNETT] and the Senator from Louisiana [Ms. LANDRIEU] were added as cosponsors of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3059

At the request of Mr. BINGAMAN, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 3059, a bill to improve energy efficiency of appliances,

lighting, and buildings, and for other purposes.

S. 3078

At the request of Mrs. FEINSTEIN, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 3078, a bill to provide for the establishment of a Health Insurance Rate Authority to establish limits on premium rating, and for other purposes.

S. 3079

At the request of Mr. MERKLEY, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 3079, a bill to assist in the creation of new jobs by providing financial incentives for owners of commercial buildings and multifamily residential buildings to retrofit their buildings with energy efficient building equipment and materials and for other purposes.

S. 3102

At the request of Mr. MERKLEY, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 3102, a bill to amend the miscellaneous rural development provisions of the Farm Security and Rural Investment Act of 2002 to authorize the Secretary of Agriculture to make loans to certain entities that will use the funds to make loans to consumers to implement energy efficiency measures involving structural improvements and investments in cost-effective, commercial off-the-shelf technologies to reduce home energy use.

S. 3171

At the request of Mrs. LINCOLN, the name of the Senator from Kansas [Mr. ROBERTS] was added as a cosponsor of S. 3171, a bill to amend title 38, United States Code, to provide for the approval of certain programs of education for purposes of the Post-9/11 Educational Assistance Program.

S. 3260

At the request of Mr. HARKIN, the names of the Senator from New York [Mrs. GILLIBRAND] and the Senator from Maryland [Mr. CARDIN] were added as cosponsors of S. 3260, a bill to enhance and further research into the prevention and treatment of eating disorders, to improve access to treatment of eating disorders, and for other purposes.

S. 3329

At the request of Mr. LAUTENBERG, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 3329, a bill to provide triple credits for renewable energy on brownfields, and for other purposes.

S. 3341

At the request of Mr. CARDIN, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 3341, a bill to amend title 5, United States Code, to extend eligibility for coverage under the Federal Employees Health Benefits Program with respect to certain adult dependents of Federal employees and annuitants, in conformance with amendments made by the Patient Protection and Affordable Care Act.

S. 3371

At the request of Mrs. MCCASKILL, the name of the Senator from Colorado [Mr. UDALL] was added as a cosponsor of S. 3371, a bill to amend title 10, United States Code, to improve access to mental health care counselors under the TRICARE program, and for other purposes.

S. 3395

At the request of Mr. UDALL of Colorado, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 3395, a bill to provide cost-sharing assistance to improve access to the markets of foreign countries for energy efficiency products and renewable energy products exported by small- and medium-sized businesses in the United States, and for other purposes.

SENATE JOINT RESOLUTION 29

At the request of Mr. MCCONNELL, the names of the Senator from Alaska [Ms. MURKOWSKI], the Senator from Missouri [Mr. BOND] and the Senator from Michigan [Ms. STABENOW] were added as cosponsors of Senate Joint Resolution 29, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

At the request of Mrs. FEINSTEIN, the names of the Senator from California [Mrs. BOXER] and the Senator from New Jersey [Mr. MENENDEZ] were added as cosponsors of Senate Joint Resolution 29, supra.

SENATE RESOLUTION 519

At the request of Mr. DEMINT, the names of the Senator from Kentucky [Mr. BUNNING], the Senator from North Carolina [Mr. BURR], the Senator from Georgia [Mr. CHAMBLISS], the Senator from Oklahoma [Mr. COBURN], the Senator from Nevada [Mr. ENSIGN], the Senator from Texas [Mrs. HUTCHISON], the Senator from Oklahoma [Mr. INHOFE], the Senator from Arizona [Mr. KYL] and the Senator from South Dakota [Mr. THUNE] were added as cosponsors of Senate Resolution 519, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and children is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent.

SENATE RESOLUTION 531

At the request of Mrs. FEINSTEIN, the names of the Senator from Hawaii [Mr. INOUYE] and the Senator from California [Mrs. BOXER] were added as cosponsors of Senate Resolution 531, a resolution supporting the goals and ideals of National Hepatitis Awareness Month and World Hepatitis Day.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 3:54 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1177. An act to require the Secretary of the Treasury to mint coins in recognition of five United States Army 5-Star Generals, George Marshall, Douglas MacArthur, Dwight Eisenhower, Henry “Hap” Arnold, and Omar Bradley, alumni of the United States Army Command and General Staff College, Fort Leavenworth, Kansas, to coincide with the celebration of the 132nd Anniversary of the founding of the United States Army Command and General Staff College.

H.R. 5128. An act to designate the United States Department of the Interior Building in Washington, District of Columbia, as the “Stewart Lee Udall—Department of the Interior Building”.

H.R. 5327. An act to authorize assistance to Israel for the Iron Dome anti-missile—defense system.

HOUSE BILLS REFERRED

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

H.R. 1177. An act to require the Secretary of the Treasury to mint coins in recognition of 5 United States Army 5-Star Generals, George Marshall, Douglas MacArthur, Dwight Eisenhower, Henry "Hap" Arnold, and Omar Bradley, alumni of the United States Army Command and General Staff College, Fort Leavenworth, Kansas, to coincide with the celebration of the 132nd Anniversary of the founding of the United States Army Command and General Staff College; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 5327. An act to authorize assistance to Israel for the Iron Dome anti-missile defense system; to the Committee on Foreign Relations.

DISASTER RELIEF AND SUMMER JOBS ACT

The hour of 3 p.m. having passed,

Pursuant to the order of Thursday, May 20, 2010, as modified,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 4899) making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes; and

The Senate proceeded to consider the bill.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. REID to amend the pending reported amendment (in the nature of a substitute), at the appropriate place, by inserting certain words (being amendment No. 4174).

Pending debate,

The pending amendment was laid aside, by unanimous consent.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. SESSIONS (for himself and Mrs. MCCASKILL) to amend the pending reported amendment (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 4173).

Pending debate,

WALL STREET REFORM AND CONSUMER PROTECTION ACT

The hour of 4:45 p.m. having passed,

Pursuant to the order of Thursday, May 20, 2010, as modified,

The PRESIDING OFFICER (Mr. KAUFMAN in the chair) laid before the Senate the bill (H.R. 4173) to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes; and

The Senate resumed consideration of the bill.

Pursuant to the order Thursday, May 20, 2010,

On motion by Mr. BROWNBACK that the conferees on the part of the Senate at the conference on the disagreeing votes of the two Houses on the bill H.R. 4173 be instructed to insist that the final conference report include the House position relating to the exclusion for motor vehicle dealers from the rulemaking, supervisory, enforcement, or other authority granted to the Director of the Consumer Financial Protection Agency, as such exclusion is contained in section 4205 of bill H.R. 4173, as passed by the House and that the final conference report preserves the additional provisions, definitions, and protections provided to such motor vehicle dealers and servicemembers and their families in Senate amendment 3789, as further modified, to bill S. 3217.

Pending debate,

Pursuant to the order of Thursday, May 20, 2010,

On motion by Mrs. HUTCHISON that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on H.R. 4173 be instructed to insist that the final conference report ensure that proprietary trading restrictions do not prevent insurance company affiliates of depository institutions from engaging in such trading as part of the ordinary business of insurance, especially insurance company affiliates serving military service members and their families, as such restrictions would result in higher costs and significant inconveniences to those sacrificing in service to our country.

After debate,

On motion by Mr. DODD,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

Pursuant to the order of Thursday, May 20, 2010, as modified,

The question recurring on agreeing to the motion, by Mr. BROWNBACK, to instruct.

On motion by Mr. DODD,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---yeas... 60, nays... 30

[Rollcall Vote No. 163 Leg.]

YEAS --- 60

Alexander, Barrasso, Bayh, Begich, Bennett, Bond, Boxer, Brown (MA), Brownback, Bunning, Burr, Cardin, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Johanns, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, LeMieux, Lieberman, Lugar, McCain, McConnell, Menendez, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reid, Risch, Roberts, Rockefeller, Sessions, Shaheen, Shelby, Snowe, Specter, Thune, Vitter, Voinovich, Wyden.

NAYS --- 30

Akaka, Baucus, Bennet, Bingaman, Brown (OH), Burris, Cantwell, Carper, Casey, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Harkin, Inouye, Johnson, Kaufman, Leahy, Levin, Reed, Sanders, Stabenow, Tester, Udall (CO), Udall (NM), Webb, Whitehouse.

So the motion was agreed to.

On motion by Mr. BROWNBACK to reconsider the vote agreeing to the motion.

On motion by Mr. BROWNBACK,

The motion to reconsider was laid on the table.

The question being taken on agreeing to the motion, by Mrs. HUTCHISON, to instruct.

It was determined in the affirmative---yeas... 87, nays... 4

[Rollcall Vote No. 164 Leg.]

YEAS --- 87

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Brownback, Burr, Burris, Cardin, Carper, Casey, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dodd, Dorgan, Durbin, Ensign, Enzi, Feinstein, Franken, Gillibrand, Graham, Grassley, Gregg, Hagan, Harkin, Hatch, Hutchison, Inhofe, Inouye, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lugar, McCain, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Risch, Roberts, Rockefeller, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Webb, Whitehouse, Wyden.

NAYS --- 4

Bunning, Cantwell, Feingold, Sanders.

So the motion was agreed to.

On motion by Mr. DODD to reconsider the vote agreeing to the motion.

On motion by Mr. DODD,

The motion to reconsider was laid on the table.

Pending debate,

TELEWORK ENHNACEMENT ACT

By unanimous consent, on the request of Mr. DURBIN,

The Senate proceeded to consider the bill (S. 707) to enhance the Federal Telework Program.

The question being on agreeing to the reported amendments.

The reported amendments were agreed to.

The question being on passage of the bill, as amended.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

FEDERAL SUPPLY SCHEDULES USAGE ACT

By unanimous consent, on the request of Mr. DURBIN,

The Senate proceeded to consider the bill (S. 2868) to provide increased access to the General Services Administration's Schedules Program by the American Red Cross and State and local governments.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

SUPPORTING A STRONG AND VITAL ALLIANCE WITH THAILAND

On the request of Mr. DURBIN,

The PRESIDING OFFICER (Mrs. SHAHEEN in the chair) laid before the Senate the resolution (S. Res. 538) affirming the support of the United States for a strong and vital alliance with Thailand, submitted today by Mr. WEBB (for himself, Mr. KERRY, and Mr. BOND), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That he be added as a cosponsor of the pending resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "PRESCRIPTION DRUG DISPOSAL AWARENESS DAY"

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 539) designating May 24, 2010, as "Prescription Drug Disposal Awareness Day", submitted today by Mr. CASEY (for himself, Mr. GRASSLEY, and Mr. KOHL), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of bill H.R. 4899.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 2:15 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mr. DURBIN,

At 6:48 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

TUESDAY, MAY 25, 2010

Mrs. JEANNE SHAHEEN, from the State of New Hampshire, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mrs. SHAHEEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, May 25, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. BEGICH took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

SUPPLEMENTAL APPROPRIATIONS ACT, 2010

Pursuant to the order of yesterday,

The PRESIDING OFFICER laid before the Senate its pending business, viz, the bill (H.R. 4899) making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 4173, proposed by Mr. SESSIONS (for himself and Mrs. MCCASKILL), to the reported amendment (in the nature of a substitute), to the bill.

Pending debate,

CONFEREES APPOINTED TO CONFERENCE ON BILL H.R. 4173

Under the authority of the order of Thursday, May 20, 2010,

The PRESIDING OFFICER appointed the following as conferees on the part of the Senate to the conference on the disagreeing vote of the two Houses on the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 4173) to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes: Mr. DODD, Mr. JOHNSON, Mr. REED, Mr. SCHUMER, Mr. SHELBY, Mr. CRAPO, Mr. CORKER, and Mr. GREGG; from the Committee on Agriculture, Nutrition, and Forestry: Mrs. LINCOLN, Mr. LEAHY, Mr. HARKIN, and Mr. CHAMBLISS.

BILL RETURNED TO THE CALENDAR

Pursuant to the order of Thursday, May 20, 2010,

The bill (S. 3217) to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes, was returned to the calendar.

SUPPLEMENTAL APPROPRIATIONS ACT, 2010

The Senate resumed consideration of bill H.R. 4899.

The question being on agreeing to amendment No. 4173 to the reported amendment (in the nature of a substitute) to the bill.

Pending debate,

CONSIDERATION OF CERTAIN BILLS ON THE CALENDAR, EN BLOC

By unanimous consent, on the request of Mr. WYDEN,

Ordered That the Senate proceed to consider the following bills on the calendar, en bloc:

S. 2874. A bill to designate the facility of the United States Postal Service located at 2000 Louisiana Avenue in New Orleans, Louisiana, as the "Roy Rondeno, Sr. Post Office Building";

S. 3200. A bill to designate the facility of the United States Postal Service located at 23 Genesee Street in Hornell, New York, as the "Zachary Smith Post Office Building";

H.R. 3250. An act to designate the facility of the United States Postal Service located at 1210 West Main Street in Riverhead, New York, as the "Private First Class Garfield M. Langhorn Post Office Building";

H.R. 3634. An act to designate the facility of the United States Postal Service located at 109 Main Street in Swifton, Arkansas, as the "George Kell Post Office";

H.R. 3892. An act to designate the facility of the United States Postal Service located at 101 West Highway 64 Bypass in Roper, North Carolina, as the "E.V. Wilkins Post Office";

H.R. 4017. An act to designate the facility of the United States Postal Service located at 43 Maple Avenue in Shrewsbury, Massachusetts, as the "Ann Marie Blute Post Office";

H.R. 4095. An act to designate the facility of the United States Postal Service located at 9727 Antioch Road in Overland Park, Kansas, as the "Congresswoman Jan Meyers Post Office Building";

H.R. 4139. An act to designate the facility of the United States Postal Service located at 7464 Highway 503 in Hickory, Mississippi, as the "Sergeant Matthew L. Ingram Post Office";

H.R. 4214. An act to designate the facility of the United States Postal Service located at 45300 Portola Avenue in Palm Desert, California, as the "Roy Wilson Post Office";

H.R. 4238. An act to designate the facility of the United States Postal Service located at 930 39th Avenue in Greeley, Colorado, as the "W.D. Farr Post Office Building";

H.R. 4425. An act to designate the facility of the United States Postal Service located at 2-116th Street in North Troy, New York, as the "Martin G. 'Marty' Mahar Post Office";

H.R. 4547. An act to designate the facility of the United States Postal Service located at 119 Station Road in Cheyney, Pennsylvania, as the "Captain Luther H. Smith, U.S. Army Air Forces Post Office";

H.R. 4628. An act to designate the facility of the United States Postal Service located at 216 Westwood Avenue in Westwood, New Jersey, as the "Sergeant Christopher R. Hrbek Post Office Building".

The question being on passage of the bills, en bloc.

By unanimous consent, on the request of Mr. WYDEN,

Ordered, That the bills be read the third time, en bloc, and passed; and that motions to reconsider, en bloc, be made and laid on the table.

DESIGNATING THE "CLARENCE D. LUMPKIN POST OFFICE"

By unanimous consent, on the request of Mr. WYDEN,

The Senate proceeded to consider the bill (H.R 4840) to designate the facility of the United States Postal Service located at 1979 Cleveland Avenue in Columbus, Ohio, as the "Clarence D. Lumpkin Post Office".

The question being on agreeing to the reported amendment.

The reported amendment was agreed to.

The question being on passage of the bill, as amended.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The title was amended, as reported by the committee, so as to read: "An act to designate the facility of the United States Postal Service located at 1981 Cleveland Avenue in Columbus, Ohio, as the 'Clarence D. Lumpkin Post Office'."

SUPPLEMENTAL APPROPRIATIONS ACT, 2010

The Senate resumed consideration of bill H.R. 4899.

The question being on agreeing to amendment No. 4173 to the reported amendment (in the nature of a substitute) to the bill.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. WYDEN (for himself and Mr. GRASSLEY) to amend the pending reported amendment (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 4183).

Pending debate,

RECESS

By unanimous consent, on the request of Mr. INOUYE,

Ordered, That, notwithstanding the order of yesterday, the Senate immediately recess.

Pursuant to the order of yesterday, as modified,

At 12:11 p.m.,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) declared the Senate recessed until 2:15 p.m.

AT 2:15 P.M.

The PRESIDING OFFICER (Mrs. GILLIBRAND in the chair) called the Senate to order.

SUPPLEMENTAL APPROPRIATIONS ACT, 2010

The Senate resumed consideration of bill H.R. 4899.

The question being on agreeing to amendment No. 4183 to the reported amendment (in the nature of a substitute) to the bill.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL S. 3305

Mr. MENENDEZ asked unanimous consent that the Committee on Environment and Public Works be discharged from the further consideration of the bill (S. 3305) to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes; that the Senate proceed to consider the bill; that an amendment (in the nature of a substitute) be proposed, and agreed to; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. INHOFE objected.

SUPPLEMENTAL APPROPRIATIONS ACT, 2010

The Senate resumed consideration of bill H.R. 4899.

The question being on agreeing to amendment No. 4183 to the reported amendment (in the nature of a substitute) to the bill.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL S. 3410

Mr. VITTER asked that the chair lay before the Senate the bill (S. 3410) to create a fair and efficient system to resolve claims of victims for economic injury caused by the Deepwater Horizon incident, and to direct the Secretary of the Interior to renegotiate the terms of the lease known as "Mississippi Canyon 252" with respect to claims relating to the Deepwater Horizon explosion and oil spill that exceed existing applicable economic liability limitations, introduced by him on today, and at the desk; that the bill be read twice, considered, read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. MENENDEZ objected.

SUPPLEMENTAL APPROPRIATIONS ACT, 2010

The Senate resumed consideration of bill H.R. 4899.

The question being on agreeing to amendment No. 4183 to the reported amendment (in the nature of a substitute) to the bill.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. FEINGOLD (for himself, Mrs. BOXER, Mr. DURBIN, and Mr. MERKLEY) to amend the pending reported amendment (in the nature of a substitute), in chapter 10 of title I, at the end thereof, by adding certain words (being amendment No. 4204).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. MCCAIN (for himself, Mr. KYL, Mrs. HUTCHISON, Mr. CORNYN, Mr. GRAHAM, Mr. ISAKSON, Mr. ROBERTS, Mr. CHAMBLISS, and Mr. WEBB) to amend the pending reported amendment (in the nature of a substitute), in chapter 3 of title I, at the end thereof, by adding certain words (being amendment No. 4214).

Pending debate,

Mr. CORNYN asked unanimous consent that the pending amendments be laid aside; that he be recognized to propose an amendment (Numbered 4202); and that the amendment be modified.

Mr. MENENDEZ objected.

The question being on agreeing to amendment No. 4214 to the reported amendment (in the nature of a substitute) to the bill.

Mr. CORNYN asked unanimous consent that the pending amendments be laid aside; that he be recognized to propose an amendment (Numbered 4202); and that the amendment be modified.

Mr. MENENDEZ objected.

The question being on agreeing to amendment No. 4214 to the reported amendment (in the nature of a substitute) to the bill.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. CORNYN (for himself, Mr. KYL, Mrs. HUTCHISON, and Mr. MCCAIN) to amend the pending reported amendment (in the nature of a substitute), at the appropriate place, by inserting certain words (being amendment No. 4202).

Mr. CORNYN modified his pending amendment.

The question then being on agreeing to amendment No. 4202, as modified, to the reported amendment (in the nature of a substitute) to the bill.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. LAUTENBERG (for himself, Mrs. MURRAY, Mr. MENENDEZ, Mr. BEN NELSON, Mrs. BOXER, Mr. MERKLEY, Mr. FRANKEN, and Mr. BENNET) to amend the pending reported amendment (in the nature of a substitute), on page 79, after line 3, by inserting certain words (being amendment No. 4175).

Pending debate,

Ms. COLLINS asked unanimous consent that the pending amendments be laid aside; and that she be recognized to propose an amendment (Numbered 4218).

Mr. INOUYE objected.

The question being on agreeing to amendment No. 4175 to the reported amendment (in the nature of a substitute) to the bill.

Pending debate,

Mr. INOUYE, by unanimous consent, modified the pending amendment.

The question then being on agreeing to amendment No. 4175, as modified, to the reported amendment (in the nature of a substitute) to the bill.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. CARDIN to amend the pending reported amendment (in the nature of a substitute), on page 81, after line 23, by inserting certain words (being amendment No. 4191).

Pending debate,

Mr. KYL called for the regular order with respect to amendment No. 4202, as modified.

Whereupon,

The question being on agreeing to amendment No. 4202, as modified, to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. KYL (for himself and Mr. MCCAIN) to amend the pending amendment, at the end thereof, by adding certain words (being amendment No. 4228).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. COBURN (for himself and Mr. MCCAIN) to amend the pending reported amendment (in the nature of a substitute), at the end of thereof, by adding certain words (being amendment No. 4232).

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. COBURN (for himself and Mr. MCCAIN) to amend the pending reported amendment (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 4231).

Pending debate,

Mr. REID presented a motion to bring to a close debate on the pending reported amendment (in the nature of a substitute); which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the reported amendment (in the nature of a substitute) to bill H.R. 4899:

HARRY REID, DICK DURBIN, JAY ROCKEFELLER, PATTY MURRAY, DEBBIE STABENOW, BEN CARDIN, SHERROD BROWN, K. E. GILLIBRAND, MARK BEGICH, ROBERT P. CASEY, JR., JACK REED, PAT LEAHY, CARL LEVIN, AMY KLOBUCHAR, KAY R. HAGAN, ROLAND W. BURRIS, CHARLES SCHUMER.

Mr. REID presented a motion to bring to a close debate on bill H.R. 4899; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on bill H.R. 4899:

HARRY REID, DICK DURBIN, JAY ROCKEFELLER, PATTY MURRAY, DEBBIE STABENOW, BEN CARDIN, SHERROD BROWN, K. E. GILLIBRAND, MARK BEGICH, ROBERT P. CASEY, JR., JACK REED, PAT LEAHY, CARL LEVIN, AMY KLOBUCHAR, KAY R. HAGAN, ROLAND W. BURRIS, CHARLES SCHUMER.

The question being on agreeing to amendment No. 4231 to the reported amendment (in the nature of a substitute) to the bill.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Ms. LANDRIEU (for herself and Mr. COCHRAN) to amend the pending reported amendment (in the nature of a substitute), on page 74, after line 12, by inserting certain words (being amendment No. 4179).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Ms. LANDRIEU to amend the pending reported amendment (in the nature of a substitute), on page 79, after line 3, by

inserting certain words (being amendment No. 4180).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Ms. LANDRIEU to amend the pending reported amendment (in the nature of a substitute), on page 30, after line 6, by inserting certain words (being amendment No. 4184).

Ms. LANDRIEU modified her pending amendment.

The question then being on agreeing to amendment No. 4184, as modified, to the reported amendment (in the nature of a substitute) to the bill.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Ms. LANDRIEU to amend the pending reported amendment (in the nature of a substitute), on page 81, after line 23, by inserting certain words (being amendment No. 4213).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Ms. LANDRIEU to amend the pending reported amendment (in the nature of a substitute), on page 30, after line 6, by inserting certain words (being amendment No. 4182).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Ms. LANDRIEU to amend the pending reported amendment (in the nature of a substitute), on page 74, striking all beginning on line 13 through line 3, page 79, and inserting in lieu thereof other words (being amendment No. 4234).

Pending debate,

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. CASEY,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5905. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Silver Nitrate; Exemption from the Requirement of a Tolerance" (FRL No. 8824-9), received in the Office of the President of the Senate on May 19, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5906. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility (75 FR 24820)" ((44 CFR Part 64)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on May 19, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5907. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Antarctic Marine Living Resources; Use of Centralized-Vessel Monitoring System and Importation of Toothfish; Re-export and Export of Toothfish; Applications for Krill Fishing; Regulatory Framework for Annual Conservation Measures" (RIN0648-AX80), received in the Office of the President of the Senate on May 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5908. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Individual Fishing Quota Program; Correction" (RIN0648-AY37), received in the Office of the President of the Senate on May 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5909. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; West Coast Salmon Fisheries; 2010 Management Measures" (RIN0648-AY60), received in the Office of the President of the Senate on May 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5910. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska" (RIN0648-XV80), received in the Office of the President of the Senate on May 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5911. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures; Inseason Adjustments; Pacific Halibut Fisheries" (RIN0648-AY82), received in the Office of the President of the Senate on May 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5912. A communication from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Virginia Graeme Baker Pool and Spa Safety Act; Interpretation of Unblockable Drain" (16 CFR Part 1450), received in the Office of the President of the Senate on May 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5913. A communication from the Assistant General Counsel for Legislation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Web-Based Compliance and Certification Management System" (RIN1904-AC10), received in the Office of the President of the Senate on May 19, 2010; to the Committee on Energy and Natural Resources.

EC-5914. A communication from the Assistant General Counsel for Legislation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program for Consumer Products: Determination Concerning the Potential for Energy Conservation Standards for Non-Class A External Power Supplies" (RIN1904-AB80), received in the Office of the President of the Senate on May 19, 2010; to the Committee on Energy and Natural Resources.

EC-5915. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Designation of Areas for Air Quality Planning Purposes; State of California; PM-10; Determination of Attainment for the Coso

Junction Nonattainment Area; Determination Regarding Applicability of Certain Clean Air Act Requirements" (FRL No. 9153-3), received in the Office of the President of the Senate on May 19, 2010; to the Committee on Environment and Public Works.

EC-5916. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Prevention of Significant Deterioration and Title V Greenhouse Gas Tailoring Rule" (FRL No. 9152-8), received in the Office of the President of the Senate on May 19, 2010; to the Committee on Environment and Public Works.

EC-5917. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Qualified Nonpersonal Use Vehicles" (RIN1545-BH65), received in the Office of the President of the Senate on May 19, 2010; to the Committee on Finance.

EC-5918. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Tidewater, Inc., and Subsidiaries v. United States" (AOD 2010-22), received in the Office of the President of the Senate on May 20, 2010; to the Committee on Finance.

EC-5919. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Sections 7701(a) and 7805 - Definition of Foreign Partnership" (Notice No. 2010-41), received in the Office of the President of the Senate on May 20, 2010; to the Committee on Finance.

EC-5920. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "James R. Thompson v. United States Court of Federal Claims No. 06-211 T" (AOD 2010-14), received in the Office of the President of the Senate on May 20, 2010; to the Committee on Finance.

EC-5921. A communication from the Assistant Secretary for Special Education and Rehabilitation Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "National Institute on Disability and Rehabilitation Research (NIDRR) - - Disability and Rehabilitation Research Projects and Centers Program - - Rehabilitation Research and Training Centers (RRTCs) - - Employer Practices Related to Employment Outcomes Among Individuals with Disabilities Catalog of Federal Domestic Assistance (CFDA) Number: 84.133B-3" received in the Office of the President of the Senate on May 19, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5922. A communication from the Assistant Secretary for Special Education and Rehabilitation Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Capacity Building Program for Traditionally Underserved Populations - - Technical Assistance for American Indian Vocational Rehabilitation Services Projects Catalog of Federal Domestic Assistance (CFDA) Number: 84.406" received in the Office of the President of the Senate on May 19, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5923. A communication from the Secretary of the Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Annual Report to Congress on Targeted Grants to Increase the Well-Being of, and to Improve the Permanency Outcomes for, Children Affected by Methamphetamine or Other Substance Abuse"; to the Committee on Health, Education, Labor, and Pensions.

EC-5924. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the Canoga Avenue Facility, Los Angeles County, California, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-5925. A communication from the Acting Director, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the 2009 Annual Report of the Pension Benefit Guaranty Corporation; to the Committee on Health, Education, Labor, and Pensions.

EC-5926. A communication from the Auditor of the District of Columbia, transmitting, pursuant to law, a report entitled "Auditor's Review of Compliance with Certified Business Enterprises Requirements Pursuant to the Compliance Unit Establishment Act of 2008"; to the Committee on Homeland Security and Governmental Affairs.

EC-5927. A communication from the Auditor of the District of Columbia, transmitting, pursuant to law, a report entitled "Auditor's Review of Environmental Standards Requirements Pursuant to the Compliance Unit Establishment Act of 2008"; to the Committee on Homeland Security and Governmental Affairs.

EC-5928. A communication from the Executive Director, Interstate Commission on the Potomac River Basin, transmitting, pursuant to law, the Commission's financial statement for the period of October 1, 2008, to September 30, 2009; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KERRY, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 469. A resolution recognizing the 60th Anniversary of the Fulbright Program in Thailand.

S. Res. 532. A resolution recognizing Expo 2010 Shanghai China and the USA Pavilion at the Expo.

By Mrs. BOXER, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute and an amendment to the title:

S. 3248. A bill to designate the Department of the Interior Building in Washington, District of Columbia, as the "Stewart Lee Udall Department of the Interior Building".

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. FEINGOLD:

S. 3407. A bill to improve the quality of care in nursing homes, help families make informed decisions, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for himself and Mr. ENSIGN):

S. 3408. A bill to provide for the conveyance of certain public land in and around historic mining townsites located in the State of Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. LANDRIEU:

S. 3409. A bill to make certain adjustments to the price analysis of propane prepared by the Secretary of Commerce; to the Committee on Energy and Natural Resources.

By Mr. VITTER (for himself, Ms. MURKOWSKI, and Mr. LEMIEUX):

S. 3410. A bill to create a fair and efficient system to resolve claims of victims for economic injury caused by the Deepwater Horizon incident, and to direct the Secretary of the Interior to renegotiate the terms of the lease known as "Mississippi Canyon 252" with respect to claims relating to the Deepwater Horizon explosion and oil spill that exceed existing applicable economic liability limitations; read the first time.

By Mrs. GILLIBRAND (for herself, Mr. INHOFE, and Ms. LANDRIEU):

S. 3411. A bill to provide for the adjustment of status for certain Haitian orphans paroled into the United States after the earthquake of January 12, 2010; to the Committee on the Judiciary.

By Mr. DODD (for himself, Mr. MENENDEZ, Mr. DURBIN, Mr. SCHUMER, Mr. LAUTENBERG, Mr. BROWN of Ohio, Mr. REED, and Mrs. GILLIBRAND):

S. 3412. A bill to provide emergency operating funds for public transportation; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FEINGOLD:

S. 3413. A bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries; to the Committee on Finance.

By Mr. HARKIN (for himself and Mr. HATCH):

S. 3414. A bill to ensure that the Dietary Supplement Health and Education Act of 1994 and other requirements for dietary supplements under the jurisdiction of the Food and Drug Administration are fully implemented and enforced, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FEINGOLD:

S. 3415. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs and to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THUNE (for himself and Mr. BEGICH):

S. 3416. A bill to amend the Fair Credit Reporting Act to provide for an exclusion from Red Flag Guidelines for certain businesses; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. VITTER:

S. 3417. A bill to prohibit offshore aquaculture until 3 years after the submission of a report on the impacts of offshore aquaculture and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. MERKLEY (for himself, Mr. JOHANNS, Mr. CASEY, and Mr. BROWN of Ohio):

S. 3418. A bill to amend the Public Health Service Act to specifically include, in programs of the Substance Abuse and Mental Health Services Administration, programs to research, prevent, and address the harmful consequences of pathological and other problem gambling, and for other purposes; to the Committee on Health, Education, Labor, and Pensions

By Mr. MERKLEY (for himself, Mr. DORGAN, Mr. SCHUMER, Mr. MENENDEZ, Mr. DURBIN, and Mr. HARKIN):

S. 3419. A bill to exclude from consumer credit reports medical debt that has been in collection and has been fully paid or settled, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GRASSLEY:

S. 3420. A bill to provide a temporary extension of certain programs, and for other purposes; to the Committee on Finance.

By Mr. GRASSLEY:

S. 3421. A bill to provide a temporary extension of certain programs, and for other purposes; read the first time.

By Mr. WYDEN:

S. 3422. A bill to require the provision to members of the reserve components of the Armed Forces upon their mobilization and demobilization of a comprehensive statement of the medical care to which they are entitled as a result of mobilization; to the Committee on Armed Services.

By Mr. KERRY:

S. 3423. A bill to provide the President with expedited consideration of proposals for cancellation of certain budget items; to the Committee on the Budget.

By Mr. DURBIN (for himself and Mr. VITTER):

S. 3424. A bill to amend the Animal Welfare Act to provide further protection for puppies; to the Committee on Agriculture, Nutrition, and Forestry.

ADDITIONAL COSPONSORS

S. 491

At the request of Mr. WEBB, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 491, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 504

At the request of Mr. ROBERTS, the names of the Senator from Hawaii [Mr. AKAKA], the Senator from California [Mrs. BOXER], the Senator from Pennsylvania [Mr. CASEY], the Senator from California [Mrs. FEINSTEIN], the Senator from Minnesota [Ms. KLOBUCHAR], the Senator from Nebraska [Mr. NELSON] and the Senator from Michigan [Ms. STABENOW] were added as cosponsors of S. 504, a bill to redesignate the Department of the Navy as the Department of the Navy and Marine Corps.

S. 653

At the request of Mr. CARDIN, the name of the Senator from Delaware [Mr. CARPER] was added as a cosponsor of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 769

At the request of Mrs. LINCOLN, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 769, a bill to amend title XVIII of the Social Security Act to improve access to, and increase utilization of, bone mass measurement benefits under the Medicare part B program.

S. 1425

At the request of Mr. DURBIN, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 1425, a bill to increase the United States financial and programmatic contributions to promote economic opportunities for women in developing countries.

S. 1567

At the request of Mr. BROWNBACK, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of S. 1567, a bill to provide for the issuance of a Multinational Species Conservation Funds Semipostal Stamp.

S. 1709

At the request of Ms. STABENOW, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 1709, a bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to establish a grant program to promote efforts to develop, implement, and sustain veterinary services, and for other purposes.

S. 1740

At the request of Mrs. MURRAY, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 1740, a bill to promote the economic security and safety of victims of domestic violence, dating violence, sexual assault, or stalking, and for other purposes.

S. 1770

At the request of Mr. ENSIGN, his name was added as a cosponsor of S. 1770, a bill to recognize the heritage of recreational fishing, hunting, and shooting on Federal public lands and ensure continued opportunities for these activities.

S. 2737

At the request of Mr. BROWNBACK, the name of the Senator from Oklahoma [Mr. COBURN] was added as a cosponsor of S. 2737, a bill to relocate to Jerusalem the United States Embassy in Israel, and for other purposes.

S. 2755

At the request of Mr. MENENDEZ, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 2755, a bill to amend the Internal Revenue Code of 1986 to provide an investment credit for equipment used to fabricate solar energy property, and for other purposes.

S. 2781

At the request of Ms. MIKULSKI, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 2781, a bill to change references in Federal law to mental retardation to references to an intellectual disability, and to change references to a mentally retarded individual to references to an individual with an intellectual disability.

S. 2858

At the request of Mrs. BOXER, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 2858, a bill to amend the Public Health Service Act to establish an Office of Mitochondrial Disease at the National Institutes of Health, and for other purposes.

S. 2885

At the request of Ms. LANDRIEU, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 2885, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide adequate benefits for public safety officers injured or killed in the line of duty, and for other purposes.

S. 2913

At the request of Ms. COLLINS, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 2913, a bill to establish a national mercury monitoring program, and for other purposes.

S. 2947

At the request of Mr. CARPER, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 2947, a bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation.

S. 3197

At the request of Mr. FEINGOLD, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 3197, a bill to require a plan for the safe, orderly, and expeditious redeployment of United States Armed Forces from Afghanistan.

S. 3206

At the request of Mr. HARKIN, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 3206, a bill to establish an Education Jobs Fund.

S. 3234

At the request of Mrs. MURRAY, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 3234, a bill to improve employment, training, and placement services furnished to veterans, especially those serving in Operation Iraqi Freedom and Operation Enduring Freedom, and for other purposes.

S. 3262

At the request of Mr. MENENDEZ, the name of the Senator from Mississippi [Mr. WICKER] was added as a cosponsor of S. 3262, a bill to amend the Internal Revenue Code of 1986 to provide that the volume cap for private activity bonds shall not apply to bonds for facilities for the furnishing of water and sewage facilities.

S. 3296

At the request of Mr. INHOFE, the name of the Senator from North Carolina [Mr. BURR] was withdrawn as a cosponsor of S. 3296, a bill to delay the implementation of certain final rules of the Environmental Protection Agency in States until accreditation classes are held in the States for a period of at least 1 year.

S. 3305

At the request of Mr. MENENDEZ, the names of the Senator from New Hampshire [Mrs. SHAHEEN], the Senator from Pennsylvania [Mr. CASEY], the Senator from Vermont [Mr. LEAHY] and the Senator from Iowa [Mr. HARKIN] were added as cosponsors of S. 3305, a bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 3306

At the request of Mr. MENENDEZ, the names of the Senator from Pennsylvania [Mr. CASEY] and the Senator from Vermont [Mr. LEAHY] were added as cosponsors of S. 3306, a bill to amend the Internal Revenue Code of 1986 to require polluters to pay the full cost of oil spills, and for other purposes.

S. 3326

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 3326, a bill to provide grants to States for low-income housing projects in lieu of low-income housing credits, and to amend the Internal Revenue Code of 1986 to allow a 5-year carryback of the low-income housing credit, and for other purposes.

S. 3341

At the request of Mr. CARDIN, the names of the Senator from Washington [Ms. CANTWELL] and the Senator from North Dakota [Mr. DORGAN] were added as cosponsors of S. 3341, a bill to amend title 5, United States Code, to extend eligibility for coverage under the Federal Employees Health Benefits Program with respect to certain adult dependents of Federal employees and annuitants, in conformance with amendments made by the Patient Protection and Affordable Care Act.

S. 3393

At the request of Mr. BROWN of Ohio, the names of the Senator from Illinois [Mr. DURBIN], the Senator from Rhode Island [Mr. WHITEHOUSE] and the Senator from Pennsylvania [Mr. CASEY] were added as cosponsors of S. 3393, a bill to provide for extension of COBRA continuation coverage until coverage is available otherwise under either an employment-based health plan or through an American Health Benefit Exchange under the Patient Protection and Affordable Care Act.

SENATE JOINT RESOLUTION 29

At the request of Mr. MCCONNELL, the names of the Senator from Texas [Mrs. HUTCHISON], the Senator from North Carolina [Mr. BURR] and the Senator from Mississippi [Mr. WICKER] were added as cosponsors of Senate Joint Resolution 29, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. WYDEN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on May 25, 2010, at 10 a.m., in room SR-325 of the Russell Senate Office Building.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on May 25, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Reducing Overpayments and Increasing Quality in the Unemployment System."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on May 25, 2010, at 9:30 a.m. to conduct a hearing entitled "The Role of Strategic Arms Control in a Post-Cold War World."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on May 25, 2010, at 2:15 p.m.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "ESEA Reauthorization: Early Childhood Education" on May 25, 2010. The hearing will commence at 2 p.m. in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration be authorized to meet during the session of the Senate on May 25, 2010, at 10 a.m.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on May 25, 2010, at 2:30 p.m.

SUBCOMMITTEE ON AIRLAND

The Subcommittee on Airland of the Committee on Armed Services be authorized to meet during the session of the Senate on May 25, 2010, at 9 a.m.

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

The Subcommittee on Emerging Threats of Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on May 25, 2010, at 2 p.m.

SUBCOMMITTEE ON PERSONNEL

The Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on May 25, 2010, at 5 p.m.

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

The Subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet during the session of the Senate on May 25, 2010, at 10:30 a.m.

SUBCOMMITTEE ON STRATEGIC FORCES

The Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on May 25, 2010, at 3:30 p.m.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 10:03 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1017. An act to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services.

H.R. 5330. An act to amend the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to extend the operation of such Act, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 137. Concurrent resolution expressing the sense of the Congress that the lack of adequate housing must be addressed as a barrier to effective HIV prevention, treatment, and care, and that the United States should make a commitment to providing adequate funding for developing housing as a response to the AIDS pandemic.

H. Con. Res. 278. Concurrent resolution expressing the sense of Congress that a grateful Nation supports and salutes Sons and Daughters in Touch on its 20th Anniversary that is being held on Father's Day, 2010, at the Vietnam Veterans Memorial in Washington, the District of Columbia.

HOUSE BILL AND CONCURRENT RESOLUTIONS REFERRED

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

H.R. 1017. An act to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 and title 38, United States Code, to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers and to expand access to such care and services; to the Committee on Veterans' Affairs.

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 137. Concurrent resolution expressing the sense of the Congress that the lack of adequate housing must be addressed as a barrier to effective HIV prevention, treatment, and care, and that the United States should make a commitment to providing adequate funding for developing housing as a response to the AIDS pandemic; to the Committee on Banking, Housing, and Urban Affairs.

H. Con. Res. 278. Concurrent resolution expressing the sense of Congress that a grateful Nation supports and salutes Sons and Daughters in Touch on its 20th Anniversary that is being held on Father's Day, 2010, at the Vietnam Veterans Memorial in Washington, the District of Columbia; to the Committee on the Judiciary.

DESIGNATING THE "STEWART LEE UDALL DEPARTMENT OF THE INTERIOR BUILDING"

On the request of Mr. CASEY,

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) laid before the Senate the bill (H.R. 5128) to designate the United States Department of the Interior Building in Washington, District of Columbia, as the "Stewart Lee Udall Department of the Interior Building", received from the House of Representatives for concurrence on yesterday, and remaining undisposed of; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE 75TH ANNIVERSARY OF THE ESTABLISHMENT OF THE EAST BAY REGIONAL PARK DISTRICT IN CALIFORNIA

By unanimous consent, on the request of Mr. CASEY,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the concurrent resolution (H. Con. Res. 211) recognizing the 75th anniversary of the establishment of the East Bay Regional Park District in California, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

BILL READ THE FIRST TIME

On the request of Mr. CASEY,

The PRESIDING OFFICER laid before the Senate the bill (S. 3410) to create a fair and efficient system to resolve claims of victims for economic injury caused by the Deepwater Horizon incident, and to direct the Secretary of the Interior to renegotiate the terms of the lease known as "Mississippi Canyon 252" with respect to claims relating to the Deepwater Horizon explosion and oil spill that exceed existing applicable economic liability limitations, introduced on today by Mr. VITTER (for himself, Mr. ISAKSON, Ms. MURKOWSKI, and Mr. LEMIEUX), and at the desk; which was read the first time.

Mr. CASEY asked unanimous consent that the bill be read the second time.

Mr. CASEY objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

BILL READ THE FIRST TIME

On the request of Mr. CASEY,

The PRESIDING OFFICER laid before the Senate the bill (S. 3421) to provide a temporary extension of certain programs, and for other purposes, introduced on today by Mr. GRASSLEY, and at the desk; which was read the first time.

Mr. CASEY asked unanimous consent that the bill be read the second time.

Mr. CASEY objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

ORDER RELATIVE TO JOINT RESOLUTION S.J. RES. 26

By unanimous consent, on the request of Mr. CASEY,

Ordered, That, following the times for the two leaders on Thursday, June 10, 2010, the minority leader, or his designee, be recognized to move to proceed to consider the joint resolution (S.J. Res. 26) disapproving a rule submitted by the Environmental Protection Agency relating to the endangerment finding and the cause or contribute findings for greenhouse gases under section 202(a) of the Clean Air Act; that there be six hours, equally divided and controlled, for debate thereon between Mrs. BOXER and Ms. MURKOWSKI, or their designees; that, upon conclusion of debate, the Senate vote on the question of agreeing to the motion to proceed; that, if said motion is not agreed to, no further motion to proceed to consider the joint resolution be in order; that, if said motion to proceed is agreed to, there then be one hour, equally divided and controlled, for debate between Mrs. BOXER and Ms. MURKOWSKI, or their designees, on the question of passage of the joint resolution; that, upon conclusion of debate; the joint resolution be read the third time; and that the Senate vote on passage of the joint resolution.

Ordered further, That no amendment or motion relative to EPA greenhouse gas regulations or relative to endangerment finding be in order prior to consideration of the motion to proceed to consider joint resolution S.J. Res. 26; and that all other statutory provisions of the Congressional Review Act relative to consideration of the joint resolution remain in effect.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. CASEY,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. CASEY,

The Senate resumed its legislative session.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. CASEY,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of bill H.R. 4899.

Ordered further, That the quorums under rule XXII of the Standing Rules of the Senate relative to the motions to bring to a close debate on the reported amendment (in the nature of a substitute) to bill H.R. 4899, and to the bill, be waived.

ADJOURNMENT

By unanimous consent, on the request of Mr. CASEY,

At 7:41 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

WEDNESDAY, MAY 26, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, May 26, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. TOM UDALL took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3410) to create a fair and efficient system to resolve claims of victims for economic injury caused by the Deepwater Horizon incident, and to direct the Secretary of the Interior to renegotiate the terms of the lease known as "Mississippi Canyon 252" with respect to claims relating to the Deepwater Horizon explosion and oil spill that exceed existing applicable economic liability limitations, introduced on yesterday by Mr. VITTER (for himself, Ms. MURKOWSKI, Mr. LEMIEUX, and Mr. ISAKSON), and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3421) to provide a temporary extension for certain programs, and for other purposes, introduced on yesterday by Mr. GRASSLEY, and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

DISASTER RELIEF AND SUMMER JOBS ACT

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (H.R. 4899) making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year

ending September 30, 2010, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 4234, proposed by Ms. LANDRIEU, to the reported amendment (in the nature of a substitute) to the bill.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. ENSIGN (for himself, Mr. REID, and Mr. BOND) to amend the pending reported amendment (in the nature of a substitute) in title I, chapter 3, at the end thereof, by adding certain words (being amendment No. 4229).

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. ENSIGN (for himself, Mr. REID, and Mr. BOND) to amend the pending reported amendment (in the nature of a substitute) in title I, chapter 3, at the end thereof, by adding certain words (being amendment No. 4230).

By unanimous consent, on the request of Mr. ENSIGN,

Ordered, That amendment No. 4234 be the pending question.

Pursuant to the foregoing order,

The question recurring on agreeing to amendment No. 4234 to the reported amendment (in the nature of a substitute) to the bill.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. ISAKSON (for himself and Mr. CHAMBLISS) to amend the pending reported amendment (in the nature of a substitute) on page 35, line 7, before "FEMA-1894-DR," by inserting certain words (being amendment No. 4221).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Ms. COLLINS (for herself, Mr. ALEXANDER, Mr. BOND, Mr. VOINOVICH, Mr. INHOFE, Ms. SNOWE, Mr. BEGICH, Mr. THUNE, Mr. COBURN, Mr. GREGG, Ms. MURKOWSKI, Mr. CORKER, Mr. BARRASSO, and Mr. SCOTT BROWN) to amend the pending reported amendment (in the nature of a substitute) on page 79, after line 3, by inserting certain words (being amendment No. 4253).

Pending debate,

Ms. COLLINS requested the yeas and nays on the question of agreeing to the pending amendment.

There was not a sufficient second.

The question being on agreeing to amendment No. 4253 to the reported amendment (in the nature of a substitute) to the bill.

Pending debate,

Mr. MENENDEZ called for the regular order with respect to amendment No. 4174.

Whereupon,

The question being on agreeing to amendment No. 4174, proposed by Mr. REID (for himself, and Mr. DURBIN), to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. MENENDEZ (for himself, Mr. BILL NELSON, Mr. LAUTENBERG, Mrs. MURRAY, Mr. SCHUMER, Mrs. GILLIBRAND, Mr. KAUFMAN, and Mr. FRANKEN) to amend the pending amendment, at the end thereof, by adding certain words (being amendment No. 4289).

Pending debate,

Mr. ENSIGN, by unanimous consent, modified his amendment No. 4230.

The question being on agreeing to amendment No. 4289 to amendment No. 4174 to the reported amendment (in the nature of a substitute) to the bill.

Mr. KYL, by unanimous consent, modified his amendment No. 4228.

The question being on agreeing to amendment No. 4289 to amendment No. 4174 to the reported amendment (in the nature of a substitute) to the bill.

Pending debate,

By unanimous consent, on the request of Mr. PRYOR,

Ordered, That Mr. COCHRAN be added as cosponsor of amendment No. 4282.

The question being on agreeing to amendment No. 4289 to amendment No. 4174 to the reported amendment (in the nature of a substitute) to the bill.

Pending debate,

By unanimous consent, on the request of Mr. SHELBY,

Ordered, That Ms. LANDRIEU be added as cosponsor of amendment No. 4242, and Mr. LEMIEUX be added as cosponsor of amendment No. 4287.

The question being on agreeing to amendment No. 4289 to amendment No. 4174 to the reported amendment (in the nature of a substitute) to the bill.

Pending debate,

By unanimous consent, on the request of Mr. COBURN,

Ordered, That amendment No. 4231 be modified.

The question being on agreeing to amendment No. 4289 to amendment No. 4174 to the reported amendment (in the nature of a substitute) to the bill.

Pending debate,

By unanimous consent, on the request of Mr. REID,

Ordered, That, on tomorrow, following times for the recognition of the two leaders, the Senate resume consideration of bill H.R. 4899; that the question recur on agreeing to the following amendments in the following order: amendments Numbered 4214, 4228, as modified, and 4202, as modified and may be amended; that amendment No. 4202 be further modified; that there be 20 minutes, equally divided and controlled, for concurrent debate on the amendments between Mr. MCCAIN, Mr. KYL, Mr. CORNYN, and Mr. SCHUMER, or their designees; that no amendment be in order to the amendments prior to a vote; that, upon conclusion of debate, the Senate vote in "stacked" sequence in relation to the amendments in the aforementioned order; that there be 2 minutes, equally divided and controlled, for debate between the votes; and that each vote following the first be 10 minutes in duration.

Ordered further, That, if a point of order under the Budget Act is raised against any of said amendments, a motion to waive be considered made; that the Senate then vote on the question of agreeing to the motion; that, if the motion is agreed to, the amendment be agreed to; and that, if said motion is not agreed to, the amendment be withdrawn.

Ordered further, That, upon disposition of said amendments, the question recur on agreeing to the following amendments in the following order: amendments Numbered 4204, 4231, as modified, and 4232; that there be 15 minutes, equally divided and controlled, for concurrent debate on the amendments between Mr. FEINGOLD, Mr. COBURN, and Mr. INOUYE, or their designees; that, upon conclusion of said debate, the Senate vote in "stacked" sequence in relation to the amendments in the aforementioned order; and that no amendment be in order to the amendments prior to a vote.

Ordered further, That no point of order under rule XVI of the Standing Rules of the Senate be in order to be raised against the pending reported amendment (in the nature of a substitute) to the bill.

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second

times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mrs. MURRAY (for herself and Mrs. MCCASKILL):

S. 3425. A bill to amend title 10, United States Code, to require the provision of behavioral health services to members of the reserve components of the Armed Forces necessary to meet pre-deployment and post-deployment readiness and fitness standards, and for other purposes; to the Committee on Armed Services.

By Mrs. GILLIBRAND:

S. 3426. A bill to amend the Agricultural Marketing Act of 1946 to require monthly reporting to the Secretary of Agriculture of items contained in the cold storage survey and the dairy products survey of the National Agricultural Statistics Service; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SCHUMER (for himself and Mr. CORNYN):

S. 3427. A bill to institute an identification requirement for the purchase of pre-paid mobile devices; to the Committee on Commerce, Science, and Transportation.

By Mr. UDALL of New Mexico (for himself and Mr. BINGAMAN):

S. 3428. A bill to designate the Memorial of Perpetual Tears, which honors victims of driving while impaired, as the official National DWI Victims Memorial; to the Committee on Energy and Natural Resources.

By Mr. CASEY:

S. 3429. A bill to require the Comptroller General of the United States to carry out a study on procurement under the American Recovery and Reinvestment Act of 2009; to the Committee on Homeland Security and Governmental Affairs.

By Ms. SNOWE (for herself and Ms. LANDRIEU):

S. 3430. A bill to amend the Internal Revenue Code of 1986 to expand the tip tax credit to employers of cosmetologists and to promote tax compliance in the cosmetology sector; to the Committee on Finance.

By Mr. MENENDEZ (for himself and Mr. NELSON of Florida):

S. 3431. A bill to improve the administration of the Minerals Management Service, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Ms. LANDRIEU (for herself, Ms. SNOWE, Ms. CANTWELL, Mrs. SHAHEEN, Mr. KERRY, Mr. BAYH, Mr. CARDIN, Mr. BOND, Mr. VITTER, Mr. ENZI, Mr. ISAKSON, Mr. WICKER, Mr. RISCH, and Mr. THUNE):

S. Res. 540. A resolution honoring the entrepreneurial spirit of small businesses in the United States during "National Small Business Week", beginning May 23, 2010; considered and agreed to.

ADDITIONAL COSPONSORS

S. 211

At the request of Mrs. MURRAY, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 211, a bill to facilitate nationwide availability of 2-1-1 telephone service for information and referral on human services and volunteer services, and for other purposes.

S. 493

At the request of Mr. CASEY, the names of the Senator from Mississippi [Mr. COCHRAN] and the Senator from Maryland [Ms. MIKULSKI] were added as cosponsors of S. 493, a bill to amend the Internal Revenue Code of 1986 to provide for the establishment of ABLE accounts for the care of family members with disabilities, and for other purposes.

S. 752

At the request of Mr. DURBIN, the names of the Senator from Vermont [Mr. SANDERS] and the Senator from Montana [Mr. TESTER] were added as cosponsors of S. 752, a bill to reform the financing of Senate elections, and for other purposes.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from New Mexico [Mr. UDALL] was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1545

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 1545, a bill to expand the research and awareness activities of the National Institute of Arthritis and Musculoskeletal and Skin Diseases and the Centers for Disease Control and Prevention with respect to scleroderma, and for other purposes.

S. 1627

At the request of Mr. HARKIN, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 1627, a bill to improve choices for consumers for vehicles and fuel, and for other purposes.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 1939

At the request of Mrs. GILLIBRAND, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 1939, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 2947

At the request of Mr. CARPER, the name of the Senator from Rhode Island [Mr. REED] was added as a cosponsor of S. 2947, a bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation.

S. 3157

At the request of Mr. CASEY, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 3157, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to allow time for pensions to fund benefit obligations in light of economic circumstances in the financial markets of 2008, and for other purposes.

S. 3201

At the request of Mr. UDALL of Colorado, the name of the Senator from West Virginia [Mr. ROCKEFELLER] was added as a cosponsor of S. 3201, a bill to amend title 10, United States Code, to extend TRICARE coverage to certain dependents under the age of 26.

S. 3223

At the request of Ms. SNOWE, the name of the Senator from Utah [Mr. BENNETT] was added as a cosponsor of S. 3223, a bill to amend the Employee Retirement Income Security Act of 1974 and the Public Health Service Act to provide parity under group health plans and group health insurance coverage for the provision of benefits for prosthetics and custom orthotics and benefits for other medical and surgical services.

S. 3231

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 3231, a bill to amend the Internal Revenue Code of 1986 to extend certain tax incentives for alcohol used as fuel and to amend the Harmonized Tariff Schedule of the United States to extend additional duties on ethanol.

S. 3248

At the request of Mr. MERKLEY, his name was added as a cosponsor of S. 3248, a bill to designate the Department of the Interior Building in Washington, District of Columbia, as the "Stewart Lee Udall Department of the Interior Building".

S. 3269

At the request of Mrs. GILLIBRAND, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 3269, a bill to provide driver safety grants

to States with graduated driver licensing laws that meet certain minimum requirements.

S. 3295

At the request of Mr. SCHUMER, the name of the Senator from Delaware [Mr. CARPER] was added as a cosponsor of S. 3295, a bill to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes.

S. 3305

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 3305, a bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 3341

At the request of Mr. CARDIN, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 3341, a bill to amend title 5, United States Code, to extend eligibility for coverage under the Federal Employees Health Benefits Program with respect to certain adult dependents of Federal employees and annuitants, in conformance with amendments made by the Patient Protection and Affordable Care Act.

S. 3396

At the request of Mr. BINGAMAN, the name of the Senator from Indiana [Mr. BAYH] was added as a cosponsor of S. 3396, a bill to amend the Energy Policy and Conservation Act to establish within the Department of Energy a Supply Star program to identify and promote practices, companies, and products that use highly efficient supply chains in a manner that conserves energy, water, and other resources.

S. 3398

At the request of Mr. BAUCUS, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3398, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans.

S. 3405

At the request of Mr. MENENDEZ, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 3405, a bill to amend the Internal Revenue Code of 1986 to eliminate oil and gas company preferences.

S. 3410

At the request of Mr. VITTER, the name of the Senator from Georgia [Mr. ISAKSON] was added as a cosponsor of S. 3410, a bill to create a fair and efficient system to resolve claims of victims for economic injury caused by the Deepwater Horizon incident, and to direct the Secretary of the Interior to renegotiate the terms of the lease known as "Mississippi Canyon 252" with respect to claims relating to the Deepwater Horizon explosion and oil spill that exceed existing applicable economic liability limitations.

S. 3419

At the request of Mr. MERKLEY, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 3419, a bill to exclude from consumer credit reports medical debt that has been in collection and has been fully paid or settled, and for other purposes.

S. 3424

At the request of Mr. DURBIN, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 3424, a bill to amend the Animal Welfare Act to provide further protection for puppies.

SENATE JOINT RESOLUTION 29

At the request of Mr. MCCONNELL, the names of the Senator from Georgia [Mr. CHAMBLISS], the Senator from Georgia [Mr. ISAKSON], the Senator from Utah [Mr. HATCH] and the Senator from Idaho [Mr. RISCH] were added as cosponsors of Senate Joint Resolution 29, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

SENATE RESOLUTION 519

At the request of Mr. DEMINT, the names of the Senator from Idaho [Mr. RISCH], the Senator from Iowa [Mr. GRASSLEY], the Senator from Mississippi [Mr. WICKER], the Senator from Arizona [Mr. MCCAIN] and the Senator from Alabama [Mr. SESSIONS] were added as cosponsors of Senate Resolution 519, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and children is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent.

SENATE RESOLUTION 534

At the request of Mr. BOND, the name of the Senator from Georgia [Mr. ISAKSON] was added as a cosponsor of Senate Resolution 534, a resolution expressing support for designation of May 1, 2010, as "Silver Star Service Banner Day".

SENATE RESOLUTION 537

At the request of Ms. COLLINS, the name of the Senator from South Carolina [Mr. GRAHAM] was added as a cosponsor of Senate Resolution 537, a resolution designating May 2010 as "National Brain Tumor Awareness Month".

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. DORGAN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on May 26, 2010, at 2:30 p.m.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on May 26, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on May 26, 2010, at 10 a.m. in room 430 of the Dirksen building.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs be authorized to meet during the session of the Senate on May 26, 2010, at 10 a.m. in room 628 of the Dirksen Senate Office Building.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on May 26, 2010.

AFRICAN AFFAIRS SUBCOMMITTEE

The Committee on Foreign Relations be authorized to meet during the session of the Senate on May 26, 2010, at 2:30 p.m., to hold an African Affairs subcommittee hearing entitled "Assessing Challenges and Opportunities for Peace in Sudan."

SUBCOMMITTEE ON COMMUNICATIONS, TECHNOLOGY, AND THE INTERNET

The Subcommittee on Communications, Technology, and the Internet of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 26, 2010, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

SUBCOMMITTEE ON THE CONSTITUTION

The Committee on the Judiciary, Subcommittee on the Constitution, be authorized to meet during the session of the Senate, on May 26, 2010, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "The Legality and Efficacy of Line-Item Veto Proposals."

SUBCOMMITTEE ON SEAPOWER

The Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on May 26, 2010, at 9:30 a.m.

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging be authorized to meet during the session of the Senate on May 26, 2010, from 2 p.m. until 5 p.m. in Dirksen 562 for the purpose of conducting a hearing.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10:08 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 5139. An act to provide for the International Organizations Immunities Act to be extended to the Office of the High Representative in Bosnia and Herzegovina and the International Civilian Office in Kosovo.

At 10:34 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3885. An act to direct the Secretary of Veterans Affairs to carry out a pilot program on dog training therapy.

H.R. 5145. An act to amend title 38, United States Code, to improve the continuing professional education reimbursement provided to health professionals employed by the Department of Veterans Affairs.

The message also announced that the House agrees to the amendments of the Senate to the bill (H.R. 2711) to amend title 5, United States Code, to provide for the transportation of dependents, remains, and effects of certain Federal employees who die while performing official duties or as a result of the performance of official duties.

The message further announced that pursuant to section 106 of the Higher Education Opportunity Act (Public Law 110-315) and the order of the House of January 6, 2009, the Speaker appoints the following members on the part of the House of Representatives to the National Advisory Committee on Institutional Quality and Integrity for a term of 6 years: Upon the recommendation of the Majority Leader: Dr. Carolyn Williams of Bronx, New York, Dr. William "Brit" Kirwan of Adelphi, Maryland, and Dr. Benjamin J. Allen of Cedar Falls, Iowa; Upon recommendation of the Minority Leader: Dr. Art Keiser of Parkland, Florida, Mr. Arthur Rothkopf of Washington, DC, and Dr. William Pepicello of Phoenix, Arizona.

HOUSE BILLS REFERRED

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

H.R. 3885. An act to direct the Secretary of Veterans Affairs to carry out a pilot program on dog training therapy; to the Committee on Veterans' Affairs.

H.R. 5145. An act to amend title 38, United States Code, to improve the continuing professional education reimbursement provided to health professionals employed by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

NOTICE OF INTENT TO SUSPEND THE RULES

Mr. DEMINT, In accordance with Rule V of the Standing Rules of the Senate, submitted notice in writing of his intent to move to suspend rule XVI and paragraph 2 of Rule XXII for purpose of proposing amendment No. 4177 to bill H.R. 4899, including germaneness requirements.

RECOGNIZING NATIONAL HEREDITARY TELANGIECSTASIA MONTH

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on Health, Education, Labor, and Pensions be discharged from the further consideration of the resolution (S. Res. 508) recognizing June 2010 as National Hereditary Hemorrhagic Telangiecstasia (HHT) month established to increase awareness of HHT, which is a complex genetic blood vessel disorder that affects approximately 70,000 people in the United States.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL BRAIN TUMOR AWARENESS MONTH"

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 537) designating May 2010 as "National Brain Tumor Awareness Month."

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HONORING THE ENTREPRENEURIAL SPIRIT DURING "NATIONAL SMALL BUSINESS WEEK"

On the request of Mr. DURBIN,

The PRESIDING OFFICER (Mr. BEGICH in the chair) laid before the Senate the resolution (S. Res. 540) honoring the entrepreneurial spirit of small businesses in the United States during "National Small Business Week", beginning May 23, 2010, submitted today by Ms. LANDRIEU (for herself, Ms. SNOWE, Ms. CANTWELL, Mrs. SHAHEEN, Mr. KERRY, Mr. BAYH, Mr. CARDIN, Mr. BOND, Mr. VITTER, Mr. ENZI, Mr. ISAKSON, Mr. WICKER, Mr. RISCH, and Mr. THUNE), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR RECESS UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, when the Senate concludes its business on today, it recess until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, and the times for the two leaders be reserved; and that the Senate then resume consideration of bill H.R. 4899, as pursuant to the order of today.

Ordered further, That Senators be authorized to "file" second-degree amendments until 11 a.m. on tomorrow.

AUTHORITY FOR RECESS ON TODAY

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Senate recess, following remarks by Mr. KERRY.

After debate,

RECESS

Under the authority of the order of today,

At 7:36 p.m.,

The PRESIDING OFFICER declared the Senate recessed, under its order of today, until 9:30 a.m. on tomorrow.

THURSDAY, MAY 27, 2010

(Legislative day of Wednesday, May 26, 2010)

Mrs. KIRSTEN E. GILLIBRAND, from the State of New York, called the Senate to order at 9:30 a.m., the Monsignor William F. Cuddy, Jr., Chaplain of the Coast Guard, offered a prayer, and Mrs. GILLIBRAND led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, May 27, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. GILLIBRAND took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

LEADER TIME RESERVED

Pursuant to the order of yesterday,

The times for the recognition of the two leaders being reserved.

SUPPLEMENTAL APPROPRIATIONS ACT, 2010

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (H.R. 4899) making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 4214, proposed by Mr. MCCAIN (for himself, Mr. KYL, Mrs. HUTCHISON, Mr. CORNYN, Mr. GRAHAM, Mr. ISAKSON, Mr. ROBERTS, Mr. CHAMBLISS, Mr. WEBB, Mr. HATCH, and Mr. GREGG), to the reported amendment (in the nature of a substitute) to the bill.

Pursuant to the order of yesterday,

The Senate proceeded to a period for concurrent debate on amendments Numbered 4214, 4228, as modified, and 4202, as modified.

Pending debate,

The question being on agreeing to amendment No. 4214 to the reported amendment (in the nature of a substitute) to the bill.

Mr. SCHUMER raised a point of order, viz, that the pending amendment violates section 302(f) of the Congressional Budget Act, and therefore is not in order.

Pursuant to the order of yesterday,

A motion, under section 904(b) of the Congressional Budget Act, to waive provisions of the Act for consideration of the pending amendment, was considered made.

On motion by Mr. MCCAIN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

The question being taken.

It was determined in the negative---
yeas... 51, nays... 46

[Rollcall Vote No. 165 Leg.]

YEAS --- 51

Alexander, Barrasso, Baucus, Bayh, Bennet, Bennett, Bond, Boxer, Brown (MA), Brownback, Bunning, Burr, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feinstein, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McCaskill, McConnell, Murkowski, Nelson (NE), Nelson (FL), Pryor, Risch, Roberts, Sessions, Shelby, Snowe, Tester, Thune, Vitter, Webb, Wicker.

NAYS --- 46

Akaka, Begich, Bingaman, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Franken, Gillibrand, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Menendez, Merkley, Mikulski, Murray, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Udall (CO), Udall (NM), Voinovich, Warner, Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The motion not having been agreed to,

Pursuant to the order of yesterday,

The amendment was withdrawn.

Pursuant to the order of yesterday,

The question recurring on agreeing to amendment No. 4228, as modified, proposed by Mr. KYL (for himself and Mr. MCCAIN), to amendment No. 4202, as modified, proposed by Mr. CORNYN (for himself, Mr. KYL, Mrs. HUTCHISON, Mr. MCCAIN, and Mr. GREGG), to the reported amendment (in the nature of a substitute) to the bill.

After debate,

Mr. SCHUMER raised a point of order, viz, that the pending amendment violates section 403 of concurrent resolution S. Con. Res. 13 (111th Congress), and therefore is not in order.

Pursuant to the order of yesterday,

A motion, under section 403(e) of concurrent resolution S. Con. Res. 13 (111th Congress), to waive provisions of the concurrent resolution for consideration of the pending amendment, was considered made.

On motion by Mr. KYL,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

The question being taken.

It was determined in the negative---
yeas... 54, nays... 44

[Rollcall Vote No. 166 Leg.]

YEAS --- 54

Alexander, Barrasso, Bayh, Begich, Bennett, Bond, Boxer, Brown (MA), Brownback, Bunning, Burr, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feinstein, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Klobuchar, Kyl, Landrieu, LeMieux, Lieberman, Lincoln, Lugar, McCain, McCaskill, McConnell, Merkley, Murkowski, Nelson (NE), Pryor, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Webb, Wicker, Wyden.

NAYS --- 44

Akaka, Baucus, Bennet, Bingaman, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Kohl, Lautenberg, Leahy, Levin, Menendez, Mikulski, Murray, Nelson (FL), Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Whitehouse.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The motion not having been agreed to,

Pursuant to the order of yesterday,

The amendment was withdrawn.

Pursuant to the order of yesterday,

The question recurring on agreeing to amendment No. 4202, as modified, to the reported amendment (in the nature of a substitute) to the bill.

After debate,

Mr. SCHUMER raised a point of order, viz, that the pending amendment, as modified, violates section 403(e) of concurrent resolution S. Con. Res. 13 (111th Congress), and therefore is not in order.

Pursuant to the order of yesterday,

A motion, under section 403(e) of concurrent resolution S. Con. Res. 13 (111th Congress), to waive provisions of the

concurrent resolution for consideration of the pending amendment, was considered made.

On motion by Mr. MENENDEZ,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

Pursuant to the order of yesterday,

The question being taken.

It was determined in the negative---
yeas... 54, nays... 43

[Rollcall Vote No. 167 Leg.]

YEAS --- 54

Alexander, Barrasso, Baucus, Bayh, Bennett, Bond, Boxer, Brown (MA), Brownback, Bunning, Burr, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feinstein, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Klobuchar, Kohl, Kyl, LeMieux, Lieberman, Lincoln, Lugar, McCain, McCaskill, McConnell, Murkowski, Nelson (NE), Pryor, Risch, Roberts, Sessions, Shelby, Snowe, Tester, Thune, Udall (CO), Vitter, Voinovich, Webb, Wicker.

NAYS --- 43

Akaka, Begich, Bennet, Bingaman, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Landrieu, Lautenberg, Leahy, Levin, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Reed, Reid, Rockefeller, Sanders, Schumer, Specter, Stabenow, Udall (NM), Warner, Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The motion having been disagreed to,

Pursuant to the order of yesterday,

The amendment No. 4202, as modified, was withdrawn.

Pursuant to the order of yesterday,

The question recurring on agreeing to amendment No. 4204, proposed by Mr. FEINGOLD (for himself, Mrs. BOXER, Mr. DURBIN, Mr. SHERROD BROWN, Mr. SANDERS, Mr. BYRD, Mr. HARKIN, and Mr. TOM UDALL), to the reported amendment (in the nature of a substitute) to the bill.

After debate,

On motion by Mr. FEINGOLD,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

Pursuant to the order of yesterday,

The question being taken.

It was determined in the negative---
yeas... 18, nays... 80

[Rollcall Vote No. 168 Leg.]

YEAS --- 18

Baucus, Boxer, Brown (OH), Cantwell, Dorgan, Durbin, Feingold, Gillibrand, Harkin, Leahy, Merkley, Murray, Sanders, Schumer, Specter, Tester, Udall (NM), Wyden.

NAYS --- 80

Akaka, Alexander, Barrasso, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Brown (MA), Brownback, Bunning, Burr, Burris, Cardin, Carper, Casey, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dodd, Ensign, Enzi, Feinstein, Franken, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, LeMieux, Levin, Lieberman, Lincoln, Lugar, McCain, McCaskill, McConnell, Menendez, Mikulski, Murkowski, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Risch, Roberts, Rockefeller, Sessions, Shaheen, Shelby, Snowe, Stabenow, Thune, Udall (CO), Vitter, Voinovich, Warner, Webb, Whitehouse, Wicker.

So the amendment was not agreed to.

On motion by Mr. INOUYE to reconsider the vote disagreeing to the amendment.

On motion by Mr. COCHRAN,

The motion to reconsider was laid on the table.

Pursuant to the order of yesterday,

The question recurring on agreeing to amendment No. 4231, as modified, proposed by Mr. COBURN (for himself and Mr. MCCAIN), as modified, to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. INOUYE to lay the pending amendment, as modified, on the table.

On motion by Mr. INOUYE,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 53, nays... 45

[Rollcall Vote No. 169 Leg.]

YEAS --- 53

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 45

Alexander, Barrasso, Bayh, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kohl, Kyl, LeMieux, Lincoln, Lugar, McCain, McCaskill, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Tester, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

Pursuant to the order of yesterday,

The question recurring on agreeing to amendment No. 4232, proposed by Mr. COBURN (for himself and Mr. MCCAIN), to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. INOUYE to lay the pending amendment on the table.

On motion by Mr. INOUYE,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 50, nays... 47

[Rollcall Vote No. 170 Leg.]

YEAS --- 50

Baucus, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Udall (CO), Udall (NM), Voinovich, Webb, Whitehouse, Wyden.

NAYS --- 47

Alexander, Barrasso, Bayh, Begich, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Klobuchar, Kyl, LeMieux, Lincoln, Lugar, McCain, McCaskill, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Tester, Thune, Vitter, Warner, Wicker.

So the motion was agreed to.

On motion by Mrs. MURRAY to reconsider the vote agreeing to the motion.

On motion by Mr. COCHRAN,

The motion to reconsider was laid on the table.

The question recurring on agreeing to amendment No. 4289, proposed by Mr. MENENDEZ (for himself, Mr. BILL NELSON, Mr. LAUTENBERG, Mrs. MURRAY, Mrs. GILLIBRAND, and Mr. KAUFMAN), to amendment No. 4174, proposed by Mr. REID, to the reported amendment (in the nature of a substitute) to the bill.

Pursuant to the order of yesterday,

The PRESIDING OFFICER (Mrs. HAGAN in the chair) laid before the Senate the motion, presented by Mr. REID on Tuesday, May 25, 2010, to bring to a close debate on the reported amendment (in the nature of a substitute) to the bill.

Pursuant to the order of Tuesday, May 25, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the affirmative---
yeas... 69, nays... 29

[Rollcall Vote No. 171 Leg.]

YEAS --- 69

Akaka, Alexander, Baucus, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Cochran, Collins, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, Lugar, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Vitter, Warner, Webb, Whitehouse, Wyden.

NAYS --- 29

Barrasso, Brownback, Bunning, Burr, Coburn, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Kyl, LeMieux, McCain, Risch, Roberts, Sessions, Shelby, Thune, Voinovich, Wicker.

So the motion was agreed to; three-fifths of Senators duly chosen and sworn having voted in the affirmative.

The question recurring on agreeing to amendment No. 4289 to amendment No. 4174 to the reported amendment (in the nature of a substitute) to the bill.

Pending debate,

ORDER FOR RECESS

By unanimous consent, on the request of Mr. BURRIS,

Ordered, That the Senate recess until 2 p.m.; and that time therein be counted against time for debate pursuant to rule XXII of the Standing Rules of the Senate.

RECESS

Pursuant to the foregoing order,

At 12:51 p.m.,

The PRESIDING OFFICER declared the Senate recessed until 2 p.m.

AT 2 P.M.

The PRESIDING OFFICER (Mr. BURRIS in the chair) called the Senate to order.

SUPPLEMENTAL APPROPRIATIONS ACT, 2010

The Senate resumed consideration of bill H.R. 4899.

The question being on agreeing to amendment No. 4289 to amendment No. 4174 to the reported amendment (in the nature of a substitute) to the bill.

Pending debate,

By unanimous consent, on the request of Mr. ISAKSON,

Ordered, That his amendment No. 4221 be withdrawn.

The question being on agreeing to amendment No. 4289 to amendment No. 4174 to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. DEMINT to suspend rule XXII, paragraph 2, of the Standing Rules the Senate for purpose of proposing amendment No. 4177.

On motion by Mr. DEMINT,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion.

By unanimous consent, on the request of Mr. REID,

Ordered, That no amendment be in order to the motion; that, upon conclusion of debate, the Senate vote in relation to the motion; and that, if the motion is not agreed to, no further motion or amendment relative to border fence completion be in order.

Ordered further, That, upon disposition of the motion, the question recur on agreeing to amendment No. 4253; that there be two minutes, equally divided and controlled, for debate thereon between Mrs. BOXER and Ms. COLLINS, or their designees; that no amendment be in order to the amendment; and that, upon conclusion of debate, the Senate vote in relation to the amendment.

Ordered further, That it be in order for Mr. BURR to propose an amendment (Numbered 4273); that Mr. INOUYE be recognized to propose a "side-by-side" amendment (Numbered 4299); that there be eight minutes, equally divided and controlled, for concurrent debate between Mr. INOUYE and Mr. BURR, or their designees, on the amendments; that, upon conclusion of debate, the Senate vote in relation to amendment No. 4299; and that, following the vote, the Senate vote in relation to amendment No. 4273.

Ordered further, That, upon disposition of said amendment, all pending amendments be withdrawn; that a managers' amendment, cleared by the managers and leaders, be in order; that no other amendment be in order; that, if a managers' amendment is proposed, it be agreed to, and a motion to reconsider be considered made and laid on the table; that time for debate, pursuant to rule XXII of the Standing Rules of the Senate, then be concluded; that the reported amendment (in the nature of a substitute) be agreed to; that the bill, as thus amended, be read the third time; and that the Senate then vote on passage of the bill, as amended, without further intervening action or debate.

Ordered further, That, following the vote, the Senate insist on its amendment, and ask a conference with the House of Representatives thereon; that the chair be authorized to appoint conferees on the part of the Senate; and that the the Committee on Appropriations be so appointed.

Ordered further, That the motion to bring to a close debate on the bill be withdrawn.

Pursuant to the foregoing order,

The question being taken on agreeing to the motion to suspend rule XXII of the Standing Rules of the Senate for the purpose of proposing amendment No. 4177.

It was determined in the negative---
yeas... 45, nays... 52

[Rollcall Vote No. 172 Leg.]

YEAS --- 45

Alexander, Barrasso, Baucus, Bayh, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, Landrieu, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Rockefeller, Sessions, Shelby, Snowe, Tester, Thune, Vitter, Wicker.

NAYS --- 52

Akaka, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Lautenberg, Leahy, Levin, Lieberman, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Sanders, Schumer, Shaheen, Specter, Stabenow, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; two-thirds of the Senators present and voting not having voted in the affirmative.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 4253, proposed by Ms. COLLINS (for herself, Mr. ALEXANDER, Mr. BOND, Mr. VOINOVICH, Mr. INHOFE, Ms. SNOWE, Mr. BEGICH, Mr. THUNE, Mr. COBURN, Mr. GREGG, Ms. MURKOWSKI, Mr. CORKER, Mr. BARRASSO, Mr. SCOTT BROWN, Mrs. HUTCHISON, and Mr. ENZI), to the reported amendment (in the nature of a substitute) to the bill.

By unanimous consent, on the request of Mr. INOUYE,

Ordered, That each subsequent vote be ten minutes in duration.

After debate,

On motion by Mr. BARRASSO,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the affirmative---
yeas... 60, nays... 37

[Rollcall Vote No. 173 Leg.]

YEAS --- 60

Alexander, Barrasso, Baucus, Begich, Bennet, Bennett, Bingaman, Bond, Brown (MA), Brownback, Bunning, Burr, Byrd, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dodd, Dorgan, Ensign, Enzi, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Isakson, Johanns, Johnson, Kohl, Kyl, Landrieu, LeMieux, Lieberman, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Pryor, Risch, Roberts, Rockefeller, Sessions, Shaheen, Shelby, Snowe, Tester, Thune, Udall (CO), Vitter, Voinovich, Webb, Wicker.

NAYS --- 37

Akaka, Bayh, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Durbin, Feingold, Feinstein, Franken, Gillibrand, Harkin, Inouye, Kaufman, Kerry, Klobuchar, Lautenberg, Leahy, Levin, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Reed, Reid, Sanders, Schumer, Specter, Stabenow, Udall (NM), Warner, Whitehouse, Wyden.

So the amendment was agreed to.

The question recurring on agreeing to amendment No. 4289 to amendment No. 4174 to the reported amendment (in the nature of a substitute), as amended, to the bill.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to the reported amendment (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today,

On motion by Mr. INOUYE to further amend the pending reported amendment (in the nature of a substitute) on page 41, line 14, by inserting certain words (being amendment No. 4299).

Pending debate,

On motion by Mr. INOUYE,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to the reported amendment (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today,

On motion by Mr. BURR to further amend the pending reported amendment (in the nature of a substitute) on page 41, by striking all beginning with line 10 through line 24, (being amendment No. 4273).

Pending debate,

On motion by Mr. BURR,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

After debate,

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 4299 to the reported amendment (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today,

The question being taken.

It was determined in the affirmative---
yeas... 60, nays... 35

[Rollcall Vote No. 174 Leg.]

YEAS --- 60

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Bond, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Cochran, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Gregg, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 35

Alexander, Barrasso, Bennett, Brown (MA), Brownback, Bunning, Burr, Coburn, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Hagan, Hatch, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Voinovich, Wicker.

So the amendment was agreed to.

The question recurring on agreeing to amendment No. 4273 to the reported amendment (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today,

The question being taken.

It was determined in the negative---
yeas... 37, nays... 58

[Rollcall Vote No. 175 Leg.]

YEAS --- 37

Alexander, Barrasso, Bennett, Brown (MA), Brownback, Bunning, Burr, Coburn, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Hagan, Hatch, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Voinovich, Wicker.

NAYS --- 58

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Bond, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Cochran, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Gregg, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the amendment was not agreed to.

The question recurring on agreeing to amendment No. 4289 to amendment No. 4174 to the reported amendment (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. INOUYE,

Ordered, That the order of today be modified to provide that pending amendments No. 4184, as modified, and No. 4213 not be withdrawn.

Pursuant to the order of today,

Amendments No. 4289 (to amendment No. 4174), No. 4174, No. 4230, as modified, No. 4229, No. 4234, No. 4182, No. 4180, No. 4183, No. 4175, as modified, No. 4191, No. 4179, and No. 4173, were withdrawn.

The question recurring on agreeing to amendment No. 4184, as modified, to the reported amendment (in the nature of a substitute), as amended, to the bill.

By unanimous consent, on the request of Mr. INOUYE,

Ordered, That amendment No. 4184, as modified, and amendment No. 4213 (in the nature of a substitute), as modified, be agreed to.

The question being on agreeing to the reported amendment (in the nature of a substitute), as amended, to the bill.

Mr. INOUYE proposed the following amendments on various pages and lines on behalf of the Senators indicated; each was modified, as indicated, and agreed to: Mr. REID, amendment No. 4178; Mr. LEVIN, amendment No. 4205; Mr. MCCAIN (for himself, Mr. LEVIN, Ms. COLLINS, Mr. LIEBERMAN, and Mr. SCOTT BROWN), amendment No. 4217; Mr. WEBB, amendment No. 4222; Mr. WICKER, amendment No. 4224; Mr. LEAHY, amendment No. 4245; Mr. LEAHY, amendment No. 4246; Mr. LEAHY, amendment No. 4249; Mr. LEAHY, amendment No. 4260; Mr. SANDERS, amendment No. 4280; Mr. BOND (for himself and Mr. COBURN), amendment No. 4259; Mr. ISAKSON (for himself and Mr. CHAMBLISS), amendment No. 4255; Mr. LEAHY, amendment No. 4248; Mr. BYRD, amendment No. 4200; Mr. MERKLEY (for himself, Mrs. FEINSTEIN, Mrs. BOXER, Mr. WYDEN, and Mr. ALEXANDER), amendment No. 4251, as modified; Mr. SHELBY (for himself, Mr. VITTER, and Mr. LEMIEUX), amendment No. 4287, as modified.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The question being on agreeing to the reported amendment (in the nature of a substitute), as amended, to the bill.

Pursuant to the order of today,

The reported amendment (in the nature of a substitute), as amended, was agreed to.

The question being on passage of the bill, as amended.

Pursuant to the order of today,

The bill, as amended, was read the third time.

On motion by Mr. INOUYE,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the passage of the bill, as amended.

On the question, Shall it pass?

It was determined in the affirmative---yeas... 67, nays... 28

[Rollcall Vote No. 176 Leg.]

YEAS --- 67

Akaka, Alexander, Baucus, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Cochran, Collins, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lugar, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse.

NAYS --- 28

Barrasso, Brownback, Bunning, Burr, Coburn, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Inhofe, Isakson, Kyl, McCain, Risch, Roberts, Sessions, Shelby, Thune, Voinovich, Wicker, Wyden.

So it was

Resolved, That the bill, as amended, do pass.

On motion by Mr. INOUYE to reconsider the vote on passage of the bill, as amended.

On motion by Mr. INOUYE,

The motion to reconsider was laid on the table.

The title was amended, as reported by the committee so as to read: "An act making supplemental appropriations for the fiscal year ending September 30, 2010, and for other purposes."

Pursuant to the order of today,

The Senate insisted on its amendment, and asked a conference with the House of Representatives thereon; and the chair, as authorized, appointed the following as conferees on the part of the Senate: Mr. INOUYE, Mr. BYRD, Mr. LEAHY, Mr. HARKIN, Ms. MIKULSKI, Mr. KOHL, Mrs. MURRAY, Mr. DORGAN, Mrs. FEINSTEIN, Mr. DURBIN, Mr. JOHNSON, Ms. LANDRIEU, Mr. REED, Mr. LAUTENBERG, Mr. BEN NELSON, Mr. PRYOR, Mr. TESTER, Mr. SPECTER, Mr. COCHRAN, Mr. BOND, Mr. MCCONNELL, Mr. SHELBY, Mr. GREGG, Mr. BENNETT, Mrs. HUTCHISON, Mr. BROWNBACK, Mr. ALEXANDER, Ms. COLLINS, Mr. VOINOVICH, and Ms. MUKOWSKI.

OBJECTION TO CONSIDERATION OF BILL H.R. 4853

Mr. GRASSLEY asked unanimous consent that the Senate the proceed to consider the bill (H.R. 4853) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes; that an amendment (in the nature of a substitute) be proposed by him, and agreed to; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. BAUCUS objected.

OBJECTIONS TO EXECUTIVE SESSION

Mr. HARKIN asked unanimous consent, as in executive session, that the Senate proceed to executive session to consider certain nominations on the executive calendar; that the nominations be confirmed; that a motion to reconsider be made and laid on the table, en bloc; that the President be immediately notified of the Senate's action; and that the Senate then resume its legislative session.

Mr. MCCONNELL objected.

Mr. MCCONNELL asked unanimous consent, as in executive session, that the Senate proceed to executive session to consider certain nominations on the executive calendar; that the nominations be confirmed, en bloc; that a motion to reconsider be made and laid upon the table, en bloc; that no further motion be in order; and that the President be immediately notified of the Senate's action.

Mr. HARKIN objected.

EXTENDING OPERATION OF THE ANTITRUST CRIMINAL PENALTY ENHANCEMENT AND REFORM ACT OF 2004

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 5330) to amend the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to extend the operation of such Act, and for other purposes, received from the House of Representatives for concurrence on Tuesday, May 25, 2010, and remaining undisposed of; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by Mr. Williams, one of his secretaries:

REPORT ON THE NATIONAL SECURITY STRATEGY OF THE UNITED STATES OF AMERICA—PM 58

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

To the Congress of the United States:

Consistent with section 108 of the National Security Act of 1947, as amended (50 U.S.C. 404a), I am transmitting the National Security Strategy of the United States.

BARACK OBAMA.

THE WHITE HOUSE, *May 27, 2010.*

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5929. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Emerald Ash Borer; Addition of Quarantined Areas in Kentucky, Michigan, Minnesota, New York, Pennsylvania, West Virginia, and Wisconsin" (Docket No. APHIS-2009-0098), received in the Office of the President of the Senate on May 26, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5930. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Black Stem Rust; Additions of Rust-Resistant Varieties" (Docket No. APHIS-2010-0035), received in the Office of the President of the Senate on May 26, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5931. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled

"Importation of Tomatoes From Souss-Massa-Draa, Morocco; Technical Amendment" (Docket No. APHIS-2008-0017), received in the Office of the President of the Senate on May 20, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5932. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Coat Protein of Plum Pox Virus; Exemption from the Requirement of a Tolerance" (FRL No. 8826-9), received in the Office of the President of the Senate on May 24, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5933. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Prothioconazole; Pesticide Tolerances" (FRL No. 8828-6), received in the Office of the President of the Senate on May 25, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5934. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Boscalid; Pesticide Tolerances" (FRL No. 8826-4), received in the Office of the President of the Senate on May 25, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5935. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Novaluron; Pesticide Tolerances" (FRL No. 8825-3), received in the Office of the President of the Senate on May 25, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5936. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Diquat Dibromide; Pesticide Tolerances" (FRL No. 8827-7), received in the Office of the President of the Senate on May 25, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5937. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within the Department of the Navy and was assigned case number 09-01; to the Committee on Appropriations.

EC-5938. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (19) officers authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-5939. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Douglas E. Lute, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-5940. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the Army tactical ground network program; to the Committee on Armed Services.

EC-5941. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Trade Agreements Thresholds" (DFARS Case 2009-D040), received in the Office of the President of the Senate on May 25, 2010; to the Committee on Armed Services.

EC-5942. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Letter Contract Definitization Schedule" (DFARS Case 2007-D011), received in the Office of the President of the Senate on May 25, 2010; to the Committee on Armed Services.

EC-5943. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Contract Authority for Advanced Component Development or Prototype Units" (DFARS Case 2009-D034), received in the Office of the President of the Senate on May 21, 2010; to the Committee on Armed Services.

EC-5944. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Ground and Flight Risk Clause" (DFARS Case 2007-D009), received in the Office of the President of the Senate on May 21 2010; to the Committee on Armed Services.

EC-5945. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "New Designated Country--Taiwan" (DFARS Case 2009-D010), received in the Office of the President of the Senate on May 21, 2010; to the Committee on Armed Services.

EC-5946. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Limitations on Procurements with Non-Defense Agencies" (DFARS Case 2009-D027), received in the Office of the President of the Senate on May 21, 2010; to the Committee on Armed Services.

EC-5947. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report on the continuation of a national emergency declared in Executive Order 13222 with respect to the lapse of the Export Administration Act of 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC-5948. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month report on the national emergency that was originally declared in Executive Order 13159 relative to the risk of nuclear proliferation created by the accumulation of weapons-usable fissile material in the territory of the Russian Federation; to the Committee on Banking, Housing, and Urban Affairs.

EC-5949. A communication from the Deputy Secretary of the Treasury, transmitting, pursuant to law, the six-month periodic report on the national emergency with respect to North Korea that was declared in Executive Order 13466 of June 26, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-5950. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Nonprocurement Debarment and Suspension" (RIN3150-AI76), received in the Office of the President of the Senate on May 24, 2010; to the Committee on Energy and Natural Resources.

EC-5951. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Withdrawal of Federal Antidegradation Policy for all Waters of the United States within the Commonwealth of Pennsylvania" (FRL No. 9156-5), received in the Office of the President of the Senate on May 25, 2010; to the Committee on Environment and Public Works.

EC-5952. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revocation of Significant New Use Rule on a Certain Chemical Substance" (FRL No. 8819-3), received in the Office of the President of the

Senate on May 24, 2010; to the Committee on Environment and Public Works.

EC-5953. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plans; State of Colorado; Interstate Transport of Pollution Revisions for the 1997 8-hour Ozone NAAQS: 'Significant Contribution to Nonattainment' Requirement" (FRL No. 9155-5), received in the Office of the President of the Senate on May 25, 2010; to the Committee on Environment and Public Works.

EC-5954. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plan Revisions; State of North Dakota; Air Pollution Control Rules, and Interstate Transport of Pollution for the 1997 PM2.5 and 8-hour Ozone NAAQS: 'Significant Contribution to Nonattainment' and 'Interference with Prevention of Significant Deterioration' Requirements" (FRL No. 9155-6), received in the Office of the President of the Senate on May 25, 2010; to the Committee on Environment and Public Works.

EC-5955. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New York State Implementation Plan Revision" (FRL No. 9146-4), received in the Office of the President of the Senate on May 25, 2010; to the Committee on Environment and Public Works.

EC-5956. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans: Florida; Approval of Section 110(a)(1) Maintenance Plan for the 1997 8-Hour Ozone Standards for the Jacksonville, Tampa Bay, and Southeast Florida Areas" (FRL No. 9155-3), received in the Office of the President of the Senate on May 25, 2010; to the Committee on Environment and Public Works.

EC-5957. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Transportation Conformity Regulations" (FRL No. 9156-2), received in the Office of the President of the Senate on May 25, 2010; to the Committee on Environment and Public Works.

EC-5958. A communication from the Acting Fiscal Assistant Secretary, Department of the Treasury, transmitting, pursuant to law, the annual reports that appeared in the March 2010 Treasury Bulletin; to the Committee on Finance.

EC-5959. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Use of Delegation Order (DO) 4-25 on Appeals Settlement Position (ASP) for the IRC § 41 Research Credit - Intra-Group Receipts from Foreign Affiliates (IRM 4.46.5.6)" (LMSB-4-0510-0182), received in the Office of the President of the Senate on May 25, 2010; to the Committee on Finance.

EC-5960. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services to support the C-130 Air Crew Training Device Program for end use by the Royal Saudi Air Force in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-5961. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the proposed removal from the U.S. Munitions List of infrasound sensors that have both military and civil applications; to the Committee on Foreign Relations.

EC-5962. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010-0076 - 2010-0079); to the Committee on Foreign Relations.

EC-5963. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report relative to the implementation of the Age Discrimination Act of 1975 for fiscal year 2009; to the Committee on Health, Education, Labor, and Pensions.

EC-5964. A communication from the Acting Director, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Part 4022), received in the Office of the President of the Senate on May 26, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5965. A communication from the Office Manager, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Public Health Service Act, Rural Physician Training Grant Program, Definition of 'Underserved Rural Community'" (RIN0906-AA86), received in the Office of the President of the Senate on May 27, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-5966. A communication from the Deputy Archivist, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled "National Archives and Records Administration Facility Locations and Hours" (RIN3095-AB66), received in the Office of the President of the Senate on May 26, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5967. A communication from the Auditor of the District of Columbia, transmitting, pursuant to law, a report entitled "Auditor's Review of Compliance with the Living Wage Act and First Source Act Requirements Pursuant to the Compliance Unit Establishment Act of 2008"; to the Committee on Homeland Security and Governmental Affairs.

EC-5968. A communication from the Auditor of the District of Columbia, transmitting, pursuant to law, a report entitled "Auditor's Certification of Department of Mental Health's Fiscal Year 2008 Performance Accountability Report"; to the Committee on Homeland Security and Governmental Affairs.

EC-5969. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-401, "Unemployment Compensation Reform Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5970. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-402, "School Safe Passage Emergency Zone Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5971. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-404, "Tenant Opportunity to Purchase Preservation Clarification Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5972. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-405, "Stimulus Accountability Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5973. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-406, "Corrections Information Council Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5974. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-408, "Liquid PCP Possession Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5975. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-409, "Uniform Principal and Income Technical Amendments Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5976. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-407, "Residential Aid Discount Subsidy Stabilization Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5977. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-410, "Closing of Public Streets Adjacent to Square 1048-S (S.O. 09-11792) Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5978. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-411, "Keep D.C. Working Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5979. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-412, "Predatory Pawnbroker Regulation and Community Notification Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-5980. A communication from the Federal Co-Chair, Appalachian Regional Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2009, through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5981. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2009 through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5982. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2009 through March 31, 2010 and the 42nd report on audit final action by management; to the Committee on Homeland Security and Governmental Affairs.

EC-5983. A communication from the Chairman of the National Credit Union Administration, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2009 through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5984. A communication from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2009 through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-5985. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the South Carolina Advisory Committee; to the Committee on the Judiciary.

EC-5986. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Fiscal Year 2008 Annual Report to Congress for the Office of Justice Programs' Bureau of Justice Assistance; to the Committee on the Judiciary.

EC-5987. A communication from a Co-Chair, Abraham Lincoln Bicentennial Commission, transmitting, pursuant to law, the Commission's Final Report; to the Committee on the Judiciary.

EC-5988. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Ohio Advisory Committee; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

H.R. 553. A bill to require the Secretary of Homeland Security to develop a strategy to prevent the over-classification of homeland security and other information and to promote the sharing of unclassified homeland security and other information, and for other purposes (Rept. No. 111-200).

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

H.R. 4506. A bill to authorize the appointment of additional bankruptcy judges, and for other purposes.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mrs. BOXER:

S. 3432. A bill to establish a temporary Working Capital Express loan guarantee program for small business concerns, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. SANDERS:

S. 3433. A bill to prohibit the leasing of the Pacific, Atlantic, Eastern Gulf of Mexico, and Central Gulf of Mexico Regions of the outer Continental Shelf and to increase fuel economy standards; to the Committee on Energy and Natural Resources.

By Mr. BINGAMAN (for himself, Mr. WARNER, Mr. GRAHAM, Ms. SNOWE, Mr. MERKLEY, Mr. BROWN of Massachusetts, Ms. STABENOW, Mr. SANDERS, Mr. DODD, Mrs. GILLIBRAND, Mr. CARPER, Mr. PRYOR, Mr. BEGICH, Ms. KLOBUCHAR, Ms. CANTWELL, and Mr. HARKIN):

S. 3434. A bill to provide for the establishment of a Home Star Retrofit Rebate Program, and for other purposes; to the Committee on Finance.

By Mrs. GILLIBRAND:

S. 3435. A bill to amend the Federal Meat Inspection Act to revise the definition of the term "adulterated" to include contamination with E. Coli; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. LINCOLN:

S. 3436. A bill to amend the Energy Policy and Conservation Act to establish a motor efficiency rebate program; to the Committee on Energy and Natural Resources.

By Mrs. LINCOLN (for herself, Ms. KLOBUCHAR, Mr. FRANKEN, and Mr. PRYOR):

S. 3437. A bill to amend the Child Abuse Prevention and Treatment Act to establish grant programs for the development and implementation of model undergraduate and graduate curricula on child abuse and neglect at institutions of higher education throughout the United States and to assist States in developing forensic interview training

programs, to establish regional training centers and other resources for State and local child protection professionals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for himself, Mr. ENSIGN, Mr. HARKIN, Mr. TESTER, Mr. BENNET, and Ms. KLOBUCHAR):

S. 3438. A bill to promote clean energy infrastructure for rural communities; to the Committee on Finance.

By Mr. REID (for himself, Mr. ENSIGN, Mr. HARKIN, Mr. TESTER, Mr. BENNET, and Ms. KLOBUCHAR):

S. 3439. A bill to promote clean energy infrastructure for rural communities; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. GRASSLEY:

S. 3440. A bill to amend the Internal Revenue Code of 1986 to extend the incentives for biodiesel and renewable diesel; to the Committee on Finance.

By Mr. DURBIN (for himself and Mr. GREGG):

S. 3441. A bill to provide high-quality public charter school options for students by enabling such public charter schools to expand and replicate; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DORGAN (for himself, Mr. ALEXANDER, and Mr. MERKLEY):

S. 3442. A bill to promote the deployment of plug-in electric drive vehicles, and for other purposes; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 3443. A bill to amend the Outer Continental Shelf Lands Act to eliminate the 30-day time limit for exploration plans; to the Committee on Energy and Natural Resources.

By Ms. SNOWE (for herself, Mr. CARDIN, and Ms. LANDRIEU):

S. 3444. A bill to require small business training for contracting officers; to the Committee on Small Business and Entrepreneurship.

By Mr. HATCH:

S. 3445. A bill to amend the Internal Revenue Code of 1986 to allow an above-the-line deduction for certain professional development and other expenses of elementary and secondary school teachers and for certain certification expenses of individuals becoming science, technology, engineering, or math teachers; to the Committee on Finance.

By Mr. UDALL of New Mexico:

S. 3446. A bill to amend the Child Nutrition Act of 1966 to advance the health and wellbeing of schoolchildren in the United States through technical assistance, training, and support for healthy school foods, local wellness policies, and nutrition promotion and education, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. AKAKA:

S. 3447. A bill to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. UDALL of New Mexico:

S. 3448. A bill to amend the Richard B. Russell National School Lunch Act to permit certain service institutions in all States to provide year-round services; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HARKIN:

S. 3449. A bill to authorize the Secretary of Agriculture to enter into an interagency agreement with the Corporation for National and Community Service to support a Nutrition Corps; to the Committee on Agriculture, Nutrition, and Forestry.

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

S. 3450. A bill to require publicly traded coal companies to include certain safety records in their reports to the Commission, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. BOXER:

S. 3451. A bill to authorize assistance to Israel for Iron Dome anti-missile defense system; to the Committee on Foreign Relations.

By Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico):

S. 3452. A bill to designate the Valles Caldera National Preserve as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent and Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. CONRAD:

S. Res. 541. A resolution designating June 27, 2010, as "National Post-Traumatic Stress Disorder Awareness Day"; to the Committee on the Judiciary.

By Mr. ALEXANDER (for himself, Mr. BYRD, Mr. CORKER, Mrs. BOXER, Mr. CRAPO, Mrs. FEINSTEIN, Mr. GREGG, Ms. LANDRIEU, Mr. BROWNBACK, and Mr. BAYH):

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

By Mr. MENENDEZ (for himself, Mr. LEAHY, and Mr. CARDIN):

S. Res. 543. A resolution expressing support for the designation of a National Prader-Willi Syndrome Awareness Month to raise awareness of and promote research on the disorder; considered and agreed to.

By Mr. BAUCUS (for himself, Mr. JOHANNS, Mrs. LINCOLN, Mrs. MURRAY, Mr. NELSON of Nebraska, Ms. KLOBUCHAR, Mr. BENNET, Mr. BINGAMAN, and Mr. ROBERTS):

S. Res. 544. A resolution supporting increased market access for exports of United States beef and beef products; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 545. A resolution to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs; considered and agreed to.

By Mr. CASEY (for himself and Mr. SPECTER):

S. Con. Res. 64. A concurrent resolution honoring the 28th Infantry Division for serving and protecting the United States; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 455

At the request of Mr. ROBERTS, the name of the Senator from Alabama [Mr. SESSIONS] was added as a cosponsor of S. 455, a bill to require the Secretary of the Treasury to mint coins in recognition of 5 United States Army Five-Star Generals, George Marshall, Douglas MacArthur, Dwight Eisenhower, Henry "Hap" Arnold, and Omar Bradley, alumni of the United States Army Command and General Staff College, Fort Leavenworth, Kansas, to coincide with the celebration of the 132nd Anniversary of the founding of the United States Army Command and General Staff College.

S. 504

At the request of Mr. ROBERTS, the names of the Senator from Indiana [Mr. BAYH], the Senator from Washington [Ms. CANTWELL], the Senator from Tennessee [Mr. CORKER], the Senator from South Carolina [Mr. DEMINT], the Senator from North Dakota [Mr. DORGAN], the Senator from Wisconsin [Mr. KOHL], the Senator from Maryland [Ms. MIKULSKI] and the Senator from Alabama [Mr. SESSIONS] were added as cosponsors of S. 504, a bill to redesignate the Department of the Navy as the Department of the Navy and Marine Corps.

S. 510

At the request of Mr. DURBIN, the name of the Senator from Louisiana [Mr. VITTER] was added as a cosponsor of S. 510, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply.

S. 632

At the request of Mr. BAUCUS, the name of the Senator from Kentucky [Mr. BUNNING]

was added as a cosponsor of S. 632, a bill to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly.

S. 729

At the request of Mr. DURBIN, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 729, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

S. 941

At the request of Mr. CRAPO, the names of the Senator from Maine [Ms. SNOWE] and the Senator from Wyoming [Mr. ENZI] were added as cosponsors of S. 941, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearm laws and regulations, protect the community from criminals, and for other purposes.

S. 984

At the request of Mr. BOND, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 984, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 1102

At the request of Mr. LIEBERMAN, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 1102, a bill to provide benefits to domestic partners of Federal employees.

S. 1153

At the request of Mr. SCHUMER, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 1153, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible designated beneficiaries of employees.

S. 1334

At the request of Mrs. GILLIBRAND, the names of the Senator from Connecticut [Mr. DODD], the Senator from Hawaii [Mr. INOUYE] and the Senator from Illinois [Mr. BURRIS] were added as cosponsors of S. 1334, a bill to amend the Public Health Service Act to extend and improve protections and services to individuals directly impacted by the terrorist attack in New York City on September 11, 2001, and for other purposes.

S. 1360

At the request of Mr. BINGAMAN, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 1360, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes.

S. 1445

At the request of Mr. LAUTENBERG, the name of the Senator from Colorado [Mr. UDALL] was added as a cosponsor of S. 1445, a bill to amend the Public Health Service Act to improve the health of children and reduce the occurrence of sudden unexpected infant death and to enhance public health activities related to stillbirth.

S. 1589

At the request of Ms. CANTWELL, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 1589, a bill to amend the Internal Revenue Code of 1986 to modify the incentives for the production of biodiesel.

S. 1606

At the request of Mr. WHITEHOUSE, the name of the Senator from Massachusetts [Mr. BROWN] was added as a cosponsor of S. 1606, a bill to require foreign manufacturers of products imported into the United States to establish registered agents in the United States who are authorized to accept service of process against such manufacturers, and for other purposes.

S. 2862

At the request of Ms. SNOWE, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 2862, a bill to amend the Small Business Act to improve the Office of International Trade, and for other purposes.

S. 2869

At the request of Ms. LANDRIEU, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 2869, a bill to increase loan limits for small business concerns, to provide for low interest refinancing for small business concerns, and for other purposes.

S. 2989

At the request of Ms. LANDRIEU, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 2989, a bill to improve the Small Business Act, and for other purposes.

S. 3039

At the request of Mr. UDALL of New Mexico, the names of the Senator from California [Mrs. BOXER] and the Senator from New York [Mr. SCHUMER] were added as cosponsors of S. 3039, a bill to prevent drunk driving injuries and fatalities, and for other purposes.

S. 3065

At the request of Mr. LIEBERMAN, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 3065, a bill to amend title 10, United States Code, to enhance the readiness of the Armed Forces by replacing the current policy concerning homosexuality in the Armed Forces, referred to as "Don't Ask, Don't Tell", with a policy of nondiscrimination on the basis of sexual orientation.

S. 3199

At the request of Ms. SNOWE, the name of the Senator from Georgia [Mr. CHAMBLISS] was added as a cosponsor of S. 3199, a bill to amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss.

S. 3213

At the request of Mr. LEVIN, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 3213, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 3266

At the request of Mr. BENNET, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 3266, a bill to ensure the availability of loan guarantees for rural homeowners.

S. 3269

At the request of Mrs. GILLIBRAND, the names of the Senator from Connecticut [Mr. LIEBERMAN] and the Senator from Delaware [Mr. CARPER] were added as cosponsors of S. 3269, a bill to provide driver safety grants to States with graduated driver licensing laws that meet certain minimum requirements.

S. 3326

At the request of Ms. CANTWELL, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 3326, a bill to provide grants to States for low-income housing projects in lieu of low-income housing credits, and to amend the Internal Revenue Code of 1986 to allow a 5-year carryback of the low-income housing credit, and for other purposes.

S. 3339

At the request of Mr. KERRY, the names of the Senator from Michigan [Ms. STABENOW] and the Senator from Missouri [Mr. BOND] were added as cosponsors of S. 3339, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 3361

At the request of Mr. BROWNBACK, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 3361, a bill to require the Secretary of Defense to take illegal subsidization into account in evaluating proposals for contracts for major defense acquisition programs, and for other purposes.

S. 3389

At the request of Mrs. HAGAN, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 3389, a bill to

amend title 38, United States Code, to exempt individuals who receive certain educational assistance for service in the Selected Reserve from limitations on the receipt of assistance under Post-9/11 Educational Assistance Program for additional service in the Armed Forces, and for other purposes.

S. 3398

At the request of Mr. BAUCUS, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 3398, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans.

S. 3412

At the request of Mr. DODD, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 3412, a bill to provide emergency operating funds for public transportation.

S. 3431

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 3431, a bill to improve the administration of the Minerals Management Service, and for other purposes.

SENATE JOINT RESOLUTION 29

At the request of Mr. MCCONNELL, the names of the Senator from South Carolina [Mr. GRAHAM], the Senator from Texas [Mr. CORNYN] and the Senator from Nebraska [Mr. JOHANNS] were added as cosponsors of Senate Joint Resolution 29, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

At the request of Mrs. FEINSTEIN, the names of the Senator from Illinois [Mr. BURRIS], the Senator from New York [Mrs. GILLIBRAND] and the Senator from Vermont [Mr. SANDERS] were added as cosponsors of Senate Joint Resolution 29, supra.

SENATE RESOLUTION 519

At the request of Mr. DEMINT, the name of the Senator from Georgia [Mr. ISAKSON] was added as a cosponsor of Senate Resolution 519, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and children is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on May 27, 2010, at 9:30 a.m. in room 328A of the Russell Senate Office Building.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, May 27, 2010, at 9:30 a.m.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 27, 2010, at 10 a.m., in room 253 of the Russell Senate Office Building.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on May 27, 2010.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, to conduct a hearing entitled “Building a Secure Future for Multiemployer Pension Plans” on May 27, 2010. The hearing will commence at 2 p.m., in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on May 27, 2010, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on May 27, 2010.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on May 27, 2010, at 2:30 p.m.

SUBCOMMITTEE ON ANTITRUST, COMPETITION POLICY, AND CONSUMER RIGHTS

The Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy, and Consumer Rights, be authorized to meet during the session of the Senate, on May 27, 2010, at 2:15 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “The United/Continental Airlines Merger: How Will Consumers Fare?”

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 4:37 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 282. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

ENROLLED BILL SIGNED

The PRESIDENT pro tempore reported that he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 5139. An act to provide for the International Organizations Immunities Act to be extended to the Office of the High Representative in Bosnia and Herzegovina and the International Civilian Office in Kosovo.

DESIGNATING "AMERICAN EAGLE DAY"

On the request of Mr. DURBIN,

The PRESIDING OFFICER (Mr. WARNER in the chair) laid before the Senate the resolution (S. Res. 542) designating June 20, 2010, as "American Eagle Day", and celebrating the recovery and restoration of the bald eagle, the national symbol of the United States, submitted today by Mr. ALEXANDER (for himself, Mr. BYRD, Mr. CORKER, Mrs. BOXER, Mr. CRAPO, Mrs. FEINSTEIN, Mr. GREGG, Ms. LANDRIEU, Mr. BROWNBACK, and Mr. BAYH), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXPRESSING SUPPORT FOR THE DESIGNATION OF A NATIONAL PRADER-WILLI SYNDROME AWARENESS MONTH

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 543) expressing support for the designation of a National Prader-Willi Syndrome Awareness Month to

raise awareness of and promote research on the disorder, submitted today by Mr. MENENDEZ (for himself, Mr. LEAHY, and Mr. CARDIN) and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

SUPPORTING INCREASED MARKET ACCESS FOR EXPORTS OF UNITED STATES BEEF AND BEEF PRODUCTS

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 544) supporting increased market access for exports of United States beef and beef products, submitted today by Mr. BAUCUS (for himself, Mr. JOHANNS, Mrs. LINCOLN, Mrs. MURRAY, Mr. BEN NELSON, Ms. KLOBUCHAR, Mr. BENNET, Mr. BINGAMAN, and Mr. ROBERTS), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORIZING PRODUCTION OF RECORDS BY THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 545) to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs, submitted today by Mr. REID (for himself and Mr. MCCONNELL), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the concurrent resolution (H. Con. Res. 282) providing for an adjournment or recess of the two Houses, received from the House of Representatives for concurrence on today, and at the desk.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORIZING APPOINTMENTS DURING RECESS OR ADJOURNMENT

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, notwithstanding the recess or adjournment of the Senate, the President of the Senate, the PRESIDENT pro tempore, and the majority and minority leaders be authorized to make appointment to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, concurrent action of the two Houses, or by order of the Senate.

ORDERS FOR RECESS UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, when the Senate concludes its business on today, it recess until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, and the times for the two leaders be reserved; and that there then be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

RECESS

By unanimous consent, on the request of Mr. DURBIN,

At 9:53 p.m.,

The Senate recessed, under its order of today, until 10 a.m. on tomorrow.

FRIDAY, MAY 28, 2010

(Legislative day of Wednesday, May 26, 2010)

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, May 28, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

LEADER TIME RESERVED

Pursuant to the order of yesterday,

The times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

MESSAGE FROM THE HOUSE RECEIVED DURING RECESS

Under the order of January 6, 2009, the Secretary of the Senate, on May 27, 2010, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bills:

H.R. 2711. An act to amend title 5, United States Code, to provide for the transportation and moving expenses for the immediate family of certain Federal employees who die in the performance of their duties.

H.R. 3250. An act to designate the facility of the United States Postal Service located at 1210 West Main Street in Riverhead, New York, as the "Private First Class Garfield M. Langhorn Post Office Building".

H.R. 3634. An act to designate the facility of the United States Postal Service located at 109 Main Street in Swifton, Arkansas, as the "George Kell Post Office".

H.R. 3892. An act to designate the facility of the United States Postal Service located at 101 West Highway 64 Bypass in Roper, North Carolina, as the "E.V. Wilkins Post Office".

H.R. 4017. An act to designate the facility of the United States Postal Service located at 43 Maple Avenue in Shrewsbury, Massachusetts, as the "Ann Marie Blute Post Office".

H.R. 4095. An act to designate the facility of the United States Postal Service located at 9727 Antioch Road in Overland Park, Kansas, as the "Congresswoman Jan Meyers Post Office Building".

H.R. 4139. An act to designate the facility of the United States Postal Service located at 7464 Highway 503 in Hickory, Mississippi, as the "Sergeant Matthew L. Ingram Post Office".

H.R. 4214. An act to designate the facility of the United States Postal Service located at 45300 Portola Avenue in Palm Desert, California, as the "Roy Wilson Post Office".

H.R. 4238. An act to designate the facility of the United States Postal Service located at 930 39th Avenue in Greeley, Colorado, as the "W.D. Farr Post Office Building".

H.R. 4425 An act to designate the facility of the United States Postal Service located at 2-116th Street in North Troy, New York, as the "Martin G. 'Marty' Mahar Post Office".

H.R. 4547. An act to designate the facility of the United States Postal Service located at 119 Station Road in Cheyney, Pennsylvania, as the "Captain Luther H. Smith, U.S. Army Air Forces Post Office".

H.R. 4628. An act to designate the facility of the United States Postal Service located at 216 Westwood Avenue in Westwood, New Jersey, as the "Sergeant Christopher R. Hrbek Post Office Building".

H.R. 5128. An act to designate the United States Department of the Interior Building in Washington, District of Columbia, as the "Stewart Lee Udall Department of the Interior Building".

AUTHORIZING SIGNING OF ENROLLED BILL H.R. 5128

By unanimous consent, on the request of Mr. REID,

Ordered, That Mr. TOM UDALL be authorized to sign enrolled bill H.R. 5128.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. NELSON of Florida (for himself, Mr. CARPER, and Mr. CHAMBLISS):

S. 3453. A bill to provide an exception from the payout requirements established for certain section 501(c)(3) type III supporting organizations under section 1241(d) of the Pension Protection Act of 2006; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEAHY (for himself, Mr. COCHRAN, and Mr. DODD):

S.J. Res. 31. A joint resolution to authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct a facility and to enter into agreements relating to education programs at the National Zoological Park facility in Front Royal, Virginia; to the Committee on Rules and Administration.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. SPECTER (for himself and Mr. CASEY):

S. Res. 546. A resolution recognizing the National Museum of American Jewish History, an affiliate of the Smithsonian Institution, as the only museum in the United States dedicated exclusively to exploring and preserving the American Jewish experience; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 504

At the request of Mr. ROBERTS, the names of the Senator from Oregon [Mr. MERKLEY] and the Senator from Pennsylvania [Mr. SPECTER] were added as cosponsors of S. 504, a bill to redesignate the Department of the Navy as the Department of the Navy and Marine Corps.

S. 1216

At the request of Ms. KLOBUCHAR, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 1216, a bill to amend the Consumer Product Safety Act to require residential carbon monoxide detectors to meet the applicable ANSI/UL standard by treating that standard as a consumer product safety rule, to encourage States to require the installation of such detectors in homes, and for other purposes.

S. 2924

At the request of Mr. LEAHY, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 2924, a bill to reauthorize the Boys & Girls Clubs of America, in the wake of its Centennial, and its programs and activities.

S. 3262

At the request of Mr. MENENDEZ, the name of the Senator from Georgia [Mr. ISAKSON] was added as a cosponsor of S. 3262, a bill to amend the Internal Revenue Code of 1986 to provide that the volume cap for private activity bonds shall not apply to bonds for facilities for the furnishing of water and sewage facilities.

S. 3401

At the request of Mr. BURR, the name of the Senator from Wyoming [Mr. ENZI] was added as a cosponsor of S. 3401, a bill to provide for the use of unobligated discretionary stimulus dollars to address AIDS Drug Assistance Program waiting lists and other cost containment measures impacting State ADAP programs.

SENATE JOINT RESOLUTION 29

At the request of Mrs. FEINSTEIN, the names of the Senator from South Dakota [Mr. JOHNSON], the Senator from New Hampshire [Mrs. SHAHEEN] and the Senator from Colorado [Mr. UDALL] were added as cosponsors of Senate Joint Resolution 29, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

SENATE RESOLUTION 512

At the request of Mr. THUNE, his name was added as a cosponsor of Senate Resolution 512, a resolution designating June 2010 as "National Aphasia Awareness Month" and supporting efforts to increase awareness of aphasia.

ENROLLED BILL SIGNED

The following enrolled bill, signed by the Speaker on yesterday, was signed by the ACTING PRESIDENT pro tempore (Mr. TOM UDALL), as pursuant to the order of today:

H.R. 5128. An act to designate the United States Department of the Interior Building in Washington, District of Columbia, as the "Stewart Lee Udall Department of the Interior Building".

ORDER FOR EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

As in executive session,

Ordered, That, at 4:30 p.m. on Monday, June 7, 2010, the Senate proceed to executive session to consider the nominations of Audrey Goldstein Fleissig, of Missouri, to be United States District Judge for the Eastern District of Missouri; Lucy Haeran Koh, of California, to be United States District Judge for the Northern District of California; and Jane E. Magnus-Stinson, of Indiana, to be United States District Judge for the Southern District of Indiana; that the time until 5:30 p.m. be equally divided and controlled for concurrent debate between Mr. LEAHY and Mr. SESSIONS, or their designees; that, at 5:30 p.m., the Senate vote on confirmation of the nominations; that, following the vote, a motion to reconsider be considered made and laid on the table; that the President be

notified of the Senate's action; that, following the first vote, there be 2 minutes, equally divided and controlled, for debate; that each vote following the first be 10 minutes in duration; and that, following disposition of the nominations, the Senate resume its legislative session.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate resumed its legislative session.

AUTHORITY FOR INTRODUCTION OF LEGISLATION

By unanimous consent, on the request of Mr. REID,

Ordered, That the Record remain open until 1:30 p.m. for introduction of legislation, statements, and cosponsors.

AUTHORITY FOR COMMITTEES TO REPORT

By unanimous consent, on the request of Mr. REID,

Ordered, That, notwithstanding a recess or an adjournment, committees be authorized to "file" legislative and executive reports on Friday, June 4, 2010, from 12 noon until 2 p.m.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, JUNE 7, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn, under the provisions of concurrent resolution H. Con. Res. 282, until 2 p.m. on Monday, June 7, 2010; that, on Monday, June 7, 2010, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; and that, at 4:30 p.m., the Senate proceed to executive session, as pursuant to the order of today.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 12:11 p.m.,

The Senate adjourned, under its order of today, and pursuant to the provisions of concurrent resolution H. Con. Res. 282, until 2 p.m. on Monday, June 7, 2010.

MONDAY, JUNE 7, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, June 7, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of Friday, May 28, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Friday, May 28, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Friday, May 28, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 6, 2009, the Secretary of the Senate, on June 1, 2010, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

H.R. 5330. An act to amend the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to extend the operation of such Act, and for other purposes.

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 2009, the enrolled bill was signed on that day, during the adjournment of the Senate, by the PRESIDENT pro tempore.

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 6, 2009, the following enrolled bills, previously signed by the Speaker of the House, were signed on June 1, 2010, during the adjournment of the Senate, by the PRESIDENT pro tempore:

H.R. 2711. An act to amend title 5, United States Code, to provide for the transportation and moving expenses for the immediate family of certain Federal employees who die in the performance of their duties.

H.R. 3250. An act to designate the facility of the United States Postal Service located at 1210 West Main Street in Riverhead, New York, as the "Private First Class Garfield M. Langhorn Post Office Building".

H.R. 3634. An act to designate the facility of the United States Postal Service located at 109 Main Street in Swifton, Arkansas, as the "George Kell Post Office".

H.R. 3892. An act to designate the facility of the United States Postal Service located at 101 West Highway 64 Bypass in Roper, North Carolina, as the "E.V. Wilkins Post Office".

H.R. 4017. An act to designate the facility of the United States Postal Service located at 43 Maple Avenue in Shrewsbury, Massachusetts, as the "Ann Marie Blute Post Office".

H.R. 4095. An act to designate the facility of the United States Postal Service located at 9727 Antioch Road in Overland Park, Kansas, as the "Congresswoman Jan Meyers Post Office Building".

H.R. 4139. An act to designate the facility of the United States Postal Service located at 7464 Highway 503 in Hickory, Mississippi, as the "Sergeant Matthew L. Ingram Post Office".

H.R. 4214. An act to designate the facility of the United States Postal Service located at 45300 Portola Avenue in Palm Desert, California, as the "Roy Wilson Post Office".

H.R. 4238. An act to designate the facility of the United States Postal Service located at 930 39th Avenue in Greeley, Colorado, as the "W.D. Farr Post Office Building".

H.R. 4425. An act to designate the facility of the United States Postal Service located at 2-116th Street in North Troy, New York, as the "Martin G. 'Marty' Mahar Post Office".

H.R. 4547. An act to designate the facility of the United States Postal Service located at 119 Station Road in Cheyney, Pennsylvania, as the "Captain Luther H. Smith, U.S. Army Air Forces Post Office".

H.R. 4628. An act to designate the facility of the United States Postal Service located at 216 Westwood Avenue in Westwood, New Jersey, as the "Sergeant Christopher R. Hrbek Post Office Building".

REPORTS OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under the authority of the order of the Senate of May 28, 2010, the following reports of a committee were submitted on June 4, 2010:

By Mr. LEVIN, from the Committee on Armed Services, without amendment:

S. 3454. An original bill to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes (Rept. No. 111-201).

S. 3455. An original bill to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, to prescribe military personnel strengths for such fiscal year, and for other purposes.

S. 3456. An original bill to authorize appropriations for fiscal year 2011 for military construction, and for other purposes.

S. 3457. An original bill to authorize appropriations for fiscal year 2011 for defense activities of the Department of Energy, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-5989. A communication from the Director of the Regulatory Review Group, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Conservation Reserve Program; Transition Incentives Program" (RIN0560-AH80), received in the Office of the President of the Senate on May 26, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5990. A communication from the First Vice President, Controller and Chief Accounting Officer, Federal Home Loan Bank of Boston, transmitting, pursuant to law, the Bank's 2009 Management Report and statement on the system of internal control; to the Committee on Banking, Housing, and Urban Affairs.

EC-5991. A communication from the Deputy Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the Western Balkans that was declared in Executive Order 13219 of June 26, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-5992. A communication from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of San Francisco, transmitting, pursuant to law, the Bank's 2009 Management Report; to the Committee on Banking, Housing, and Urban Affairs.

EC-5993. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations (FEMA-B-1118)" ((44 CFR Part 65)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on May 26, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5994. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on May 26, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5995. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility (FEMA-8131)" ((44 CFR Part 64)-(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on May 26, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5996. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on May 26, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5997. A communication from the General Counsel, Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Affordable Housing Program Amendments: Federal Home Loan Bank Mortgage Refinancing Authority" (RIN2590-AA04), received in the Office of the President of the Senate on May 27, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-5998. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Patapsco River, Northwest and Inner Harbors, Baltimore, MD" ((RIN1625-AA00)-(Docket No. USCG-2010-0133)), received in the Office of the President of the Senate on May 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-5999. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Extended Debris Removal in the Lake Champlain Bridge Construction Zone (between Vermont and New York), Crown Point, NY" ((RIN1625-AA00)(Docket No. USCG-2010-0271)), received in the Office of the President of the Senate on May 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6000. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Lake Havasu Grand Prix, Lake Havasu, AZ" ((RIN1625-AA00)(Docket No. USCG-2010-0116)), received in the Office of the President of the Senate on May 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6001. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; FRONTIER DISCOVERER, Outer Continental Shelf Drillship, Chukchi and Beaufort Sea, Alaska" ((RIN1625-AA00)(Docket No. USCG-2009-0955)), received in the Office of the President of the Senate on May 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6002. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; BWRC Spring Classic, Parker, AZ" ((RIN1625-AA00)-(Docket No. USCG-2009-1111)), received in the Office of the President of the Senate on May 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6003. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Neuse River, New Bern, NC"

((RIN1625-AA00)(Docket No. USCG-2010-0256)), received in the Office of the President of the Senate on May 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6004. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; 2010 Veterans Tribute Fireworks, Lake Charlevoix, Boyne City, MI" ((RIN1625-AA00)(Docket No. USCG-2010-0177)), received in the Office of the President of the Senate on May 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6005. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fireworks Display, Patuxent River, Solomons Island Harbor, MD" ((RIN1625-AA00)(Docket No. USCG-2010-0179)), received in the Office of the President of the Senate on May 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6006. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Potomac River, Washington Channel, Washington, DC" ((RIN1625-AA87)(Docket No. USG-2010-0050)), received in the Office of the President of the Senate on May 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6007. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Calcasieu River and Ship Channel, LA" ((RIN1625-AA87)-(Docket No. USG-2009-0317)), received in the Office of the President of the Senate on May 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6008. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations for Marine Events; Chester River, Chestertown, MD" ((RIN1625-AA08)(Docket No. USG-2010-0081)), received in the Office of the President of the Senate on May 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6009. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Areas; Port of Portland Terminal 4, Willamette River, Portland, OR" ((RIN1625-AA11)-(Docket No. USG-2009-0370)), received in the Office of the President of the Senate on May 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6010. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Inland Navigation Rules" ((RIN1625-AB43)(Docket No. USG-2009-0948)), received in the Office of the President of the Senate on May 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6011. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures" (RIN0648-AY78; RIN0648-AY59), received in the Office of the President of the Senate on May 20, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6012. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Deep-Sea Red Crab Fisheries; 2010 Atlantic Deep-Sea Red Crab Specifications" (RIN0648-AY51), received in the Office of the President of the Senate on May 25, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6013. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska" (RIN0648-XW20), received in the Office of the President of the Senate on May 20, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6014. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Emergency Fisheries Closures in the Southeast Region Due to the Deepwater Horizon Oil Spill; Amendment 2" (RIN0648-AY90), received in the Office of the President of the Senate on May 25, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6015. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (204); Amdt. No. 3372" (RIN2120-AA65), received in the Office of the President of the Senate on May 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6016. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (13); Amdt. No. 3373" (RIN2120-AA65), received in the Office of the President of the Senate on May 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6017. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; CFM International, S.A. CFM56-5B1/P, -5B2/P, -5B3/P, -5B3/P1, -5B4/P, -5B5/P, -5B6/P, -5B7/P, -5B8/P, -5B9/P, -5B1/2P, -5B2/2P, -5B3/2P, -5B3/2P1, -5B4/2P, -5B4/P1, -5B6/2P, -5B4/2P1, and -5B9/2P Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2008-1353)), received in the Office of the President of the Senate on May 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6018. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE SYSTEMS (Operations) Limited Model BAe 146-100A, -200A, and -300A Series Airplanes, and Model Avro 146-RJ70A, 146-RJ85A, and 146-RJ100A Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1250)), received in the Office of the President of the Senate on May 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6019. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A300 B2-1C, B2-203, B2K-3C, B4-103, B4-203, B4-2C, Airplanes; Model A310 Series Airplanes; and Model A300 B4-601, B4-603, B4-605R, B4-620, B4-622, and B4-622R Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0789)), received in the Office of the President of the Senate on May 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6020. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; DASSAULT AVIATION Model FALCON 900EX and MYSTERE-FALCON 900 Airplanes" ((RIN2120-AA64)(Docket

No. FAA-2000-NM-418)), received in the Office of the President of the Senate on May 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6021. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; GA 8 Airvan (Pty) Ltd Models GA8 and GA8-TC320 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0463)), received in the Office of the President of the Senate on May 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6022. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Corporation Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30, DC-10-30F (KC-10A and KDC-10), DC-10-40, DC-10-40F, MD-10-10F, MD-10-30F, MD-11, and MD-11F Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0032)), received in the Office of the President of the Senate on May 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6023. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model DHC-8-400 Series Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2010-0435)), received in the Office of the President of the Senate on May 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6024. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Jet Route J-3; Spokane, WA" ((RIN2120-AA66)(Docket No. FAA-2010-0008)), received in the Office of the President of the Senate on May 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6025. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Part 95 Instrument Flight Rules (61); Amdt. No. 487" (RIN2120-AA63), received in the Office of the President of the Senate on May 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6026. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Emmetsburg, IA" ((RIN2120-AA66)(Docket No. FAA-2009-1153)), received in the Office of the President of the Senate on May 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6027. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Mapleton, IA" ((RIN2120-AA66)(Docket No. FAA-2009-1155)), received in the Office of the President of the Senate on May 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6028. A communication from the Assistant Chief Counsel for General Law, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Incorporation of Special Permits into Regulations" (RIN2137-AE39), received in the Office of the President of the Senate on May 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6029. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to funding made available under the American Recovery and Reinvestment Act of 2009; to the Committee on Commerce, Science, and Transportation.

EC-6030. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Acquisition Regulation: Subchapter E-General Contracting Requirements, Subchapter F-Special Categories of Contracting, and Subchapter G-Contract Management" (RIN1991-AB88), received in the Office of the President of the Senate on May 27, 2010; to the Committee on Energy and Natural Resources.

EC-6031. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife; Sea Turtle Conservation; 2010 Annual Determination for Sea Turtle Observer Requirement" (RIN0648-XP96), received in the Office of the President of the Senate on May 26, 2010; to the Committee on Environment and Public Works.

EC-6032. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Volkswagen Hybrid Vehicle Credit Phase Out" (Notice No. 2010-42), received in the Office of the President of the Senate on May 27, 2010; to the Committee on Finance.

EC-6033. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Qualifying Therapeutic Discovery Project Credit" (Notice No. 2010-45), received in the Office of the President of the Senate on May 27, 2010; to the Committee on Finance.

EC-6034. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Diversification Requirements for Certain Defined Contribution Plans" ((RIN1545-BH04)-(TD9484)), received in the Office of the President of the Senate on May 27, 2010; to the Committee on Finance.

EC-6035. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Examination of Dividends Received Deduction on Separate Accounts of Life Insurance Companies - Industry Director Directive" (LMSB-4-0510-015), received in the Office of the President of the Senate on May 27, 2010; to the Committee on Finance.

EC-6036. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, including, technical data, and defense services to Algeria to support the avionics modernization of seventeen C-130H simulators in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-121. A concurrent resolution adopted by the Legislature of the State of Louisiana urging Congress to work with the leadership of the United States dairy industry to identify measures, including change to federal policies and programs, to minimize price volatility risks now being experienced by dairy farmers across the United States; to the Committee on Agriculture, Nutrition, and Forestry.

SENATE CONCURRENT RESOLUTION NO. 25

Whereas, the current absence of profitable prices in the dairy industry for farmers, coupled with an outdated regulatory apparatus, is causing an economic crisis in the dairy industry; and

Whereas, dairy farm prices are at their lowest level in more than thirty years, while producers' operating costs have steadily risen, exacerbated by the rise in energy prices and feed costs; and

Whereas, milk and dairy products are considered to be essential food and beverage items and basic nutritional building blocks; and

Whereas, there is a need for an immediate examination of existing federal programs and policies impacting the dairy industry in order to develop approaches that better help to stabilize farm incomes, and hence benefit farmers as well as local communities and local infrastructure; and

Whereas, there is a renewed recognition by dairy farm and dairy industry leaders from all sections of the United States that the current pricing crisis is not of benefit to farmers or their customers, including cooperatives, processors, retailers, and consumers; and

Whereas, the Louisiana Legislature recognizes the importance of an economically viable dairy industry, and its benefit to local economies as well as the national economy: Therefore, be it

Resolved, That the Legislature of Louisiana Memorializes the Congress of the United States to work with the leadership of the United States dairy industry, including the leadership of its two major trade organizations, the National Milk Producers Federation and the International Dairy Foods Association, to take steps to bring all industry leaders together immediately to identify measures, including change to federal polices and programs, to minimize price volatility risks now being experienced by dairy farmers across the United States; be it further

Resolved, That Congressional leadership be urged to work cooperatively with the United States Secretary of Agriculture and his staff on these issues insomuch as federal policies and procedures have an impact on domestic and international dairy prices; be it further

Resolved, That a copy of this Resolution be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-122. A concurrent resolution adopted by the Legislature of the State of Louisiana urging Congress to support continued investment and progress in implementing the "Action Plan for Reducing Hypoxia in the North Gulf of Mexico" by expanding cooperative activities throughout the Mississippi River Basin; to the Committee on Environment and Public Works.

SENATE CONCURRENT RESOLUTION NO. 40

Whereas, the spread of a large annual hypoxia zone in the Gulf of Mexico poses a significant threat to the health of Louisiana's productive coastal fishery and the communities and parishes who depend on it; and

Whereas, the state of Louisiana has participated in the national effort to reduce the spread of Gulf hypoxia since the formation of the federal-state Mississippi River/Gulf of Mexico Watershed Nutrient Task Force in 1998; and

Whereas, the Louisiana Legislature has memorialized the Congress and the President of the United States to fulfill their commitment to address this problem through the cooperative framework of the Action Plan for Reducing Hypoxia in the Northern Gulf of Mexico, in House Concurrent Resolution 80 of the 2007 Regular Session of the Legislature of Louisiana and House Concurrent Resolution 148 of the 2009 Regular Session of the Legislature of Louisiana; and

Whereas, the launching of the Mississippi River Basin Healthy Watersheds Initiative by the United States Department of Agriculture in 2009, marks the first targeted federal funding for implementation activities of the Action Plan since it was signed in 2001; and

Whereas, Louisiana has joined the other states in the Mississippi River Basin who are participating in this initiative to engage partners and stakeholders in nominating watersheds to receive federal funding under this program; and

Whereas, the President's Budget for Fiscal Year 2011, also contains funding dedicated to Action Plan implementation activities under the budget of the United States Environmental Protection Agency; and

Whereas, our neighboring state of Mississippi has accepted the role of co-chair of the Mississippi River/Watershed Nutrient Task Force, continuing their active collaboration with Louisiana and federal and basin partners to address problems affecting each state's coast and the Gulf of Mexico; and

Whereas, these steps represent a significant acceleration of progress, while all parties involved recognize that much more remains to be done to reverse the spread of Gulf hypoxia, which requires Congressional participation and support: Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the Congress of the United States to support continued investment and progress in implementing the Action Plan for Reducing Hypoxia in the North Gulf of Mexico by expanding cooperative activities throughout the Mississippi River Basin; be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate, the clerk of the United States House of Representatives, each member of the Louisiana delegation to the Congress of the United States, and the presiding officers of the Senate and the House of Representatives of the Congress of the United States.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Ms. LANDRIEU (for herself and Mr. CARDIN):

S. 3458. A bill to improve the program under section 8(a) of the Small Business Act and to establish a surety bond pilot program; to the Committee on Small Business and Entrepreneurship.

By Mrs. SHAHEEN (for herself and Mr. COCHRAN):

S. 3459. A bill to amend the Workforce Investment Act of 1998 to authorize additional funding for on-the-job training; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SANDERS (for himself, Mr. SPECTER, Mr. CARDIN, Mr. WHITEHOUSE, Mr. KAUFMAN, Mrs. GILLIBRAND, Ms. STABENOW, Mr. LEAHY, Mrs. BOXER, Mr. CASEY, Mr. HARKIN, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. MERKLEY, and Mr. KERRY):

S. 3460. A bill to require the Secretary of Energy to provide funds to States for rebates, loans, and other incentives to eligible individuals or entities for the purchase and installation of solar energy systems for properties located in the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. VITTER:

S. 3461. A bill to create a fair and efficient system to resolve claims of victims for economic injury caused by the Deepwater Horizon incident, and to direct the Secretary of the Interior to renegotiate the terms of the lease known as "Mississippi Canyon 252" with respect to claims relating to the Deepwater Horizon explosion and oil spill that exceed existing applicable economic liability limitations; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 21

At the request of Mr. REID, the name of the Senator from Rhode Island [Mr. REED] was added as a cosponsor of S. 21, a bill to reduce unintended pregnancy, reduce abortions, and improve access to women's health care.

S. 46

At the request of Mr. ENSIGN, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 46, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 987

At the request of Mr. DURBIN, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 987, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 1353

At the request of Mr. LEAHY, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 1353, a bill to amend title 1 of the Omnibus Crime Control and Safe Streets Act of 1986 to include nonprofit and volunteer ground and air ambulance crew members and first responders for certain benefits.

S. 1743

At the request of Mr. SANDERS, his name was added as a cosponsor of S. 1743, a bill to amend the Internal Revenue Code of 1986 to expand the rehabilitation credit, and for other purposes.

S. 1788

At the request of Mr. FRANKEN, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 1788, a bill to direct the Secretary of Labor to issue an occupational safety and health standard to reduce injuries to patients, direct-care registered nurses, and all other health care workers by establishing a safe patient handling and injury prevention standard, and for other purposes.

S. 2778

At the request of Mrs. BOXER, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 2778, a bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes.

S. 2920

At the request of Mr. LAUTENBERG, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 2920, a bill to amend chapter 1 of title 23, United States Code, to condition the receipt of certain highway funding by States on the enactment and enforcement by States of certain laws to prevent repeat intoxicated driving.

S. 2947

At the request of Mr. CARPER, the name of the Senator from Kentucky [Mr. BUNNING] was added as a cosponsor of S. 2947, a bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation.

S. 3039

At the request of Mr. UDALL of New Mexico, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 3039, a bill to prevent drunk driving injuries and fatalities, and for other purposes.

S. 3058

At the request of Mr. DORGAN, the names of the Senator from Minnesota [Ms. KLOBUCHAR], the Senator from California [Mrs. BOXER] and the Senator from Washington [Mrs. MURRAY] were added as cosponsors of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3087

At the request of Mr. LUGAR, his name was added as a cosponsor of S. 3087, a bill to support revitalization and reform of the Organization of American States, and for other purposes.

S. 3102

At the request of Mr. MERKLEY, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 3102, a bill to amend the miscellaneous rural development provisions of the Farm Security and Rural Investment Act of 2002 to authorize the Secretary of Agriculture to make loans to certain entities that will use the funds to make loans to consumers to implement energy efficiency measures involving structural improvements and investments in cost-effective, commercial off-the-shelf technologies to reduce home energy use.

S. 3175

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 3175, a bill to amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, and for other purposes.

S. 3197

At the request of Mr. FEINGOLD, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 3197, a bill to require a plan for the safe, orderly, and expeditious redeployment of United States Armed Forces from Afghanistan.

S. 3201

At the request of Mr. UDALL of Colorado, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 3201, a bill to amend title 10, United States Code, to extend TRICARE coverage to certain dependents under the age of 26.

S. 3235

At the request of Mr. DORGAN, the name of the Senator from Montana [Mr. BAUCUS] was added as a cosponsor of S. 3235, a bill to amend the Act titled "An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases", approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior.

S. 3295

At the request of Mr. SCHUMER, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 3295, a bill to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes.

S. 3305

At the request of Mr. MENENDEZ, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 3305, a bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 3306

At the request of Mr. MENENDEZ, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 3306, a bill to amend the Internal Revenue Code of 1986 to require polluters to pay the full cost of oil spills, and for other purposes.

S. 3324

At the request of Mr. BROWN of Ohio, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 3324, a bill to amend the Internal Revenue Code of 1986 to extend the qualifying advanced energy project credit.

S. 3334

At the request of Mr. BURR, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 3334, a bill to amend the Internal Revenue Code of 1986 to exempt survivor benefit annuity plan payments from the individual alternative minimum tax.

S. 3339

At the request of Mr. KERRY, the names of the Senator from Colorado [Mr. UDALL] and the Senator from Georgia [Mr. CHAMBLISS] were added as cosponsors of S. 3339, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 3341

At the request of Mr. CARDIN, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 3341, a bill to amend title 5, United States Code, to extend eligibility for coverage under the Federal Employees Health Benefits Program with respect to certain adult dependents of Federal employees and annuitants, in conformance with amendments made by the Patient Protection and Affordable Care Act.

S. 3371

At the request of Mrs. MCCASKILL, the names of the Senator from Alaska [Mr. BEGICH] and the Senator from Pennsylvania [Mr. CASEY] were added as cosponsors of

S. 3371, a bill to amend title 10, United States Code, to improve access to mental health care counselors under the TRICARE program, and for other purposes.

S. 3393

At the request of Mr. BROWN of Ohio, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 3393, a bill to provide for extension of COBRA continuation coverage until coverage is available otherwise under either an employment-based health plan or through an American Health Benefit Exchange under the Patient Protection and Affordable Care Act.

S. 3401

At the request of Mr. BURR, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of S. 3401, a bill to provide for the use of unobligated discretionary stimulus dollars to address AIDS Drug Assistance Program waiting lists and other cost containment measures impacting State ADAP programs.

S. 3434

At the request of Mr. BINGAMAN, the names of the Senator from Vermont [Mr. LEAHY] and the Senator from New York [Mr. SCHUMER] were added as cosponsors of S. 3434, a bill to provide for the establishment of a Home Star Retrofit Rebate Program, and for other purposes.

SENATE JOINT RESOLUTION 29

At the request of Mr. MCCONNELL, the names of the Senator from Kansas [Mr. BROWNBACK] and the Senator from Massachusetts [Mr. BROWN] were added as cosponsors of Senate Joint Resolution 29, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

SENATE CONCURRENT RESOLUTION 63

At the request of Mr. JOHNSON, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of Senate Concurrent Resolution 63, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

COMMITTEE DISCHARGED; JOINT RESOLUTION PLACED ON CALENDAR

Pursuant to chapter 8 of title 5 of U.S.C., the Committee on Environment and Public Works was discharged from further consideration of the joint resolution (S.J. Res. 26) disapproving a rule submitted by the Environmental Protection Agency relating to the endangerment finding and the cause or contribute findings for greenhouse gases under section 202(a) of the Clean Air Act, and placed on the calendar.

EXECUTIVE SESSION

Pursuant to the order of Friday, May 28, 2010, as modified,

The Senate proceeded to executive session; and after the consideration of executive business (involving two rollcall Votes).

LEGISLATIVE SESSION

Pursuant to the order of Friday, May 28, 2010,

The Senate resumed its legislative session.

DESIGNATING "NATIONAL APHASIA AWARENESS MONTH"

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 512) designating June 2010 as "National Aphasia Awareness Month" and supporting efforts to increase awareness of aphasia.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

APPOINTMENT BY THE MINORITY LEADER

COMMISSION ON KEY NATIONAL INDICATORS

The PRESIDING OFFICER announced that the minority leader, pursuant to Public Law 111-148, had appointed the following individuals to serve as members of the Commission on Key National Indicators: Dr. Wade F. Horn, of Maryland, and Dr. Nicholas N. Eberstadt, of the District of Columbia.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate recess from 12:30 p.m. until 2:15 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mr. SHERROD BROWN,

At 6:44 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

TUESDAY, JUNE 8, 2010

Mrs. JEANNE SHAHEEN, from the State of New Hampshire, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mrs. SHAHEEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, June 8, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. SHAHEEN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

On the request of Mr. BAUCUS,

The ACTING PRESIDENT pro tempore laid before the Senate the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; and

The Senate proceeded to consider the House amendment.

The question being on agreeing to the amendment (in the nature of a substitute) of

the House to the amendment (in the nature of a substitute) of the Senate to the bill.

On motion by Mr. BAUCUS that the Senate concur in the amendment of the House of Representatives to the amendment of the Senate to the bill, with an amendment (Numbered 4301, in the nature of a substitute).

Pending debate,

The question being on agreeing to amendment No. 4301 (in the nature of a substitute) contained in the pending motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

On motion by Mr. SESSIONS (for himself and Mrs. MCCASKILL) to amend the pending amendment (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 4303).

Pending debate,

RECESS

Pursuant to the order of yesterday, as modified,

At 12:38 p.m.,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) declared the Senate recessed until 2:15 p.m.

AT 2:16 P.M.

The PRESIDING OFFICER (Mr. BEGICH in the chair) called the Senate to order.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

The Senate resumed consideration of the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to bill H.R. 4213.

The question being on agreeing to amendment No. 4303 to amendment No. 4301 (in the nature of a substitute) contained in the pending motion to concur, with an amendment, in the House amendment to the Senate amendment to the bill.

The pending amendment was laid aside, by unanimous consent.

The question being on agreeing to amendment No. 4301 (in the nature of a substitute) contained in the pending motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

On motion by Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. CASEY, Mr. KAUFMAN, Mrs. HAGAN, and Mr. BEGICH) to amend the pending amendment (in the nature of a substitute), at the appropriate place, by inserting certain words (being amendment No. 4304).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 4301 (in the nature of a substitute) contained in the pending motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

On motion by Mr. FRANKEN (for himself, Ms. SNOWE, and Mrs. MURRAY) to amend the pending amendment (in the nature of a substitute), at the appropriate place, by inserting certain words (being amendment No. 4311).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 4301 (in the nature of a substitute) contained in the pending motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

On motion by Mr. CORNYN (for himself and Mr. KYL) to amend the pending amendment (in the nature of a substitute), at the appropriate place, by inserting certain words (being amendment No. 4302).

Pending debate,

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

MESSAGES FROM THE PRESIDENT

The following messages from the President of the United States were transmitted to the Senate by Mr. Pate, one of his secretaries:

CONTINUATION OF NATIONAL EMERGENCY DECLARED WITH RESPECT TO BELARUS—PM 59

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency and related measures blocking the property of certain persons undermining democratic processes or institutions in Belarus are to continue in effect beyond June 16, 2010.

Despite the release of internationally recognized political prisoners in the fall of 2008 and our continuing efforts to press for further reforms related to democracy, human rights, and the rule of law in Belarus, serious challenges remain. The actions and policies of certain members of the Government of Belarus and other persons to undermine Belarus democratic processes or institutions, to commit human rights abuses related to political repression, and to engage in public corruption pose a continuing unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared to deal with this threat and the related measures blocking the property of certain persons.

BARACK OBAMA.

THE WHITE HOUSE, *June 8, 2010.*

CONTINUATION OF THE NATIONAL EMERGENCY DECLARED WITH RESPECT TO THE WESTERN BALKANS—PM 60

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the Western Balkans emergency is to continue in effect beyond June 26, 2010.

The crisis constituted by the actions of the persons engaged in, or assisting, sponsoring, or supporting (i) extremist violence in the Republic of Macedonia and elsewhere in the Western Balkans region, or (ii) acts obstructing implementation of the Dayton Accords in Bosnia, United Nations Security Council Resolution 1244 of June 10, 1999, in Kosovo, or the Ohrid Framework Agreement of 2001 in Macedonia, that led to the declaration of a national emergency on June 26, 2001, in Executive Order 13219, and to amendment of that order in Executive Order 13304 of May 28, 2003, has not been resolved. The acts of extremist violence and obstructionist activity outlined in Executive Order 13219, as amended, are hostile to U.S.

interests and pose a continuing unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to the Western Balkans and maintain in force the sanctions to respond to this threat.

BARACK OBAMA.

THE WHITE HOUSE, *June 8, 2010.*

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6037. A communication from the Acting Administrator, Rural Business-Cooperative Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Value-Added Producer Grant Program" (RIN0570-AA79), received during adjournment of the Senate in the Office of the President of the Senate on June 2, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6038. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2-Propenoic acid polymer, with 1,3-butadiene and ethenylbenzene; Tolerance Exemption" (FRL No. 8827-4), received during adjournment of the Senate in the Office of the President of the Senate on June 2, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6039. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Trifloxystrobin; Pesticide Tolerances" (FRL No. 8829-2), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6040. A communication from the Director of the Legislative Affairs Division, Natural Resources Conservation Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Conservation Stewardship Program" (RIN0578-AA43), received during adjournment of the Senate in the Office of the President of the Senate on June 2, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6041. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Finland-Public Interest Exception to the Buy American Act" (DFARS Case 2009-D022), received in the Office of the President of the Senate on May 28, 2010; to the Committee on Armed Services.

EC-6042. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Harold D. Starling II, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-6043. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General David P. Valcourt, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-6044. A communication from the Assistant Secretary of Defense (Logistics and Material Readiness), transmitting, pursuant to law, a report relative to the destruction of a commercial helicopter under contract with the Department of Defense by hostile fire; to the Committee on Armed Services.

EC-6045. A communication from the Under Secretary of Defense (Logistics and Material Readiness), transmitting, pursuant to law, the Defense Environmental Programs report for fiscal year 2009; to the Committee on Armed Services.

EC-6046. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the restructured DDG 1000 Zumwalt Class Destroyer program; to the Committee on Armed Services.

EC-6047. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the restructured Remote Minehunting System (RMS) program; to the Committee on Armed Services.

EC-6048. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the restructured Wideband Global SATCOM (WGS) program; to the Committee on Armed Services.

EC-6049. A communication from the Assistant Secretary (Reserve Affairs), Department of Defense, transmitting, pursuant to law, the annual National Guard and Reserve Equipment Report for fiscal year 2011; to the Committee on Armed Services.

EC-6050. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General David A. Deptula, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-6051. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, a report entitled "96th Annual Report of the Board of Governors of the Federal Reserve System"; to the Committee on Banking, Housing, and Urban Affairs.

EC-6052. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility (75 FR 14356)" ((44 CFR Part 64)(Docket No. FEMA-2010-000)), received during adjournment of the Senate in the Office of the President of the Senate on June 3, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6053. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Final Flood Elevation Determinations (75 FR 18088)" ((44 CFR Part 65)(Docket No. FEMA-2010-000)), received in the Office of the President of the Senate on June 7, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6054. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Final Flood Elevation Determinations (75 FR 18070)" ((44 CFR Part 65)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on June 7, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6055. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Final Flood Elevation Determinations (75 FR 29199)" ((44 CFR Part 65)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on June 7, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6056. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on June 7, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6057. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a

rule entitled "Changes in Final Flood Elevation Determinations (75 FR 18076)" ((44 CFR Part 65)(Docket No. FEMA-2010-0003)), received during adjournment of the Senate in the Office of the President of the Senate on June 3, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6058. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Singapore; to the Committee on Banking, Housing, and Urban Affairs.

EC-6059. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to the Kingdom of Saudi Arabia; to the Committee on Banking, Housing, and Urban Affairs.

EC-6060. A communication from the Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Municipal Securities Disclosure" (RIN3235-AJ66), received during adjournment of the Senate in the Office of the President of the Senate on June 2, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6061. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Export Administration Regulations: Technical Corrections" (RIN0694-AE69), received in the Office of the President of the Senate on May 26, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6062. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Implementation Changes from the 2009 Annual Review of the Entity List" (RIN0694-AE88), received in the Office of the President of the Senate on May 28, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6063. A communication from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of New York, transmitting, pursuant to law, the Bank's 2009 Management Report; to the Committee on Banking, Housing, and Urban Affairs.

EC-6064. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, South Coast Air Quality Management District" (FRL No. 9139-7), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Environment and Public Works.

EC-6065. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Reasonable Further Progress Plan, 2002 Base Year Emission Inventory, Contingency Measures, Reasonably Available Control Measures, and Transportation Conformity Budgets for the Philadelphia 1997 8-Hour Moderate Ozone Nonattainment Area" (FRL No. 9160-3), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Environment and Public Works.

EC-6066. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New Mexico; Interstate Transport of Pollution" (FRL No. 9160-2), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Environment and Public Works.

EC-6067. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Hazardous Waste Technical Corrections and Clarifications Rule" (FRL No. 9158-5), received in the Office of the President of the Senate on May 28, 2010; to the Committee on Environment and Public Works.

EC-6068. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Paints and Allied Products Manufacturing; Amendments" (FRL No. 9158-1), received in the Office of the President of the Senate on May 28, 2010; to the Committee on Environment and Public Works.

EC-6069. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Rhode Island; Determination of Attainment of the 1997 Ozone Standard" (FRL No. 9157-4), received in the Office of the President of the Senate on May 28, 2010; to the Committee on Environment and Public Works.

EC-6070. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Reasonable Further Progress Plan, 2002 Base Year Emission Inventory, Contingency Measures, Reasonably Available Control Measures, and Transportation Conformity Budgets for the Baltimore 1997 8-Hour Moderate Ozone Nonattainment Area" (FRL No. 9158-4), received in the Office of the President of the Senate on May 28, 2010; to the Committee on Environment and Public Works.

EC-6071. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Delaware; Control of Nitrogen Oxide Emissions from Industrial Boilers and Process Heaters at Petroleum Refineries" (FRL No. 9158-3), received in the Office of the President of the Senate on May 28, 2010; to the Committee on Environment and Public Works.

EC-6072. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Particulate Matter Standards; Withdrawal of Direct Final Rule" (FRL No. 9157-9), received during adjournment of the Senate in the Office of the President of the Senate on June 2, 2010; to the Committee on Environment and Public Works.

EC-6073. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Finding of Failure to Submit Section 110 State Implementation Plans for Interstate Transport for the 2006 National Ambient Air Quality Standards for Fine Particulate Matter" (FRL No. 9159-5), received during adjournment of the Senate in the Office of the President of the Senate on June 2, 2010; to the Committee on Environment and Public Works.

EC-6074. A communication from the Director of the Regulatory Management

Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Assistance from the Environmental Protection Agency" (FRL No. 9158-9), received during adjournment of the Senate in the Office of the President of the Senate on June 2, 2010; to the Committee on Environment and Public Works.

EC-6075. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report relative to the Status of State Small Business Compliance Assistance Programs for 2007-2008; to the Committee on Environment and Public Works.

EC-6076. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure: United States and Area Median Gross Income Figures" (Rev. Proc. 2010-23), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Finance.

EC-6077. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Modification of Rev. Proc. 2009-50" (Rev. Proc. 2010-24), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Finance.

EC-6078. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Prevention of Over-Withholding and U.S. Tax Avoidance with Respect to Certain Substitute Dividend Payments" (Notice No. 2010-46), received in the Office of the President of the Senate on June 7, 2010; to the Committee on Finance.

EC-6079. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Health Savings Accounts Inflation Adjustments for 2011" (Rev. Proc. 2010-22), received in the Office of the President of the Senate on June 7, 2010; to the Committee on Finance.

EC-6080. A communication from the Office Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid Program; Hospital Inpatient Prospective Payment Systems for Acute Care Hospitals and Fiscal Year 2010 Rates and to the Long Term Care Hospital Prospective Payment System and Rate Year 2010 Rates: Final Fiscal Year 2010 Wage Indices and Payment Rates Implementing the Affordable Care Act" (RIN0938-AQ03), received in the Office of the President of the Senate on May 28, 2010; to the Committee on Finance.

EC-6081. A communication from the Office Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid Program; Premiums and Cost Sharing (CMS-2244-FC)" (RIN0938-AP73), received in the Office of the President of the Senate on May 28, 2010; to the Committee on Finance.

EC-6082. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the transfer of technical data, defense services, and hardware to support the Proton launch of the Yamal 401 Commercial Communication Satellite from the Baikonur Cosmodrome in Kazakhstan in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-6083. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the transfer of technical data, defense services, and hardware to support the Proton launch of the Intelsat 23 Commercial Communication Satellite from the Baikonur Cosmodrome in Kazakhstan in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-6084. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the transfer of technical data, defense services, and hardware to support the Proton launch of the Yamal 402 Commercial Communication Satellite from the Baikonur Cosmodrome in Kazakhstan in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-6085. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the transfer of technical data, defense services, and hardware to support the NIMIQ 6 Commercial Communications Satellite Program of Canada in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-6086. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the transfer of technical data, defense services, and hardware to support the HYLAS 2 Commercial Communications Satellite Program of the United Kingdom in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-6087. A communication from the Executive Analyst, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of General Counsel of the Department of Health and Human Services, received during adjournment of the Senate in the Office of the President of the Senate on June 2, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6088. A communication from the Secretary of the Department of Health and Human Services, transmitting, pursuant to law, a report relative to animal drug user fees and related expenses for Fiscal Year 2009; to the Committee on Health, Education, Labor, and Pensions.

EC-6089. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "Auditor's Certification of the District Department of Transportation's Fiscal Year 2008 Performance Accountability Report"; to the Committee on Homeland Security and Governmental Affairs.

EC-6090. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-413, "Master Public Facilities Plan Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6091. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-416, "Old Naval Hospital Community Obligation Requirements Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6092. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-417, "Medicaid Resource Maximization Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6093. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-418, "Withholding of Tax on Lottery Winnings Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6094. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a

report on D.C. Act 18-419, "Third and H Streets, N.E., Economic Development Technical Clarification Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6095. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-429, "Legalization of Marijuana for Medical Treatment Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6096. A communication from the Secretary of the Department of Agriculture, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2009 through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6097. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2009 through March 31, 2010 and the Inspector General's Compendium of Unimplemented Recommendations; to the Committee on Homeland Security and Governmental Affairs.

EC-6098. A communication from the Administrator of the Agency for International Development (USAID), transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2009 through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6099. A communication from the Secretary of the Department of the Treasury, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2009 through March 31, 2010 and the Semi-Annual Report of the Treasury Inspector General for Tax Administration; to the Committee on Homeland Security and Governmental Affairs.

EC-6100. A communication from the Chairman of the Consumer Product Safety Commission, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2009 through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6101. A communication from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, the Management Report and the Semi-Annual Report of the Inspector General for the period from October 1, 2009 through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6102. A communication from the Chairman of the National Endowment for the Arts, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2009 through March 31, 2010 and the Chairman's Semi-Annual Report on Final Action Resulting from Audit Reports, Inspection Reports, and Evaluation Reports; to the Committee on Homeland Security and Governmental Affairs.

EC-6103. A communication from the Secretary of the Interior, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2009 through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6104. A communication from the Secretary of the Department of Energy, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2009 through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6105. A communication from the Secretary of the Department of Veterans Affairs, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2009 through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6106. A communication from the Chairman of the Railroad Retirement Board, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2009 through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6107. A communication from the Director, Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2009 through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6108. A communication from the Chief Executive Officer, Corporation for National and Community Service, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2009 through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6109. A communication from the Chair of the U.S. Equal Employment Opportunity Commission, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2009 through March 31, 2010 and the Semi-Annual Management Report for the period ending March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6110. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2009 through March 31, 2010 and the Attorney General's Semi-Annual Management Report; to the Committee on Homeland Security and Governmental Affairs.

EC-6111. A communication from the Section Chief, Federal Bureau of Investigation, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "FBI Records Management Division National Name Check Section User Fees" (RIN1110-AA29), received in the Office of the President of the Senate on May 28, 2010; to the Committee on the Judiciary.

EC-6112. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Automatic Dependent Surveillance - Broadcast (ADS-B) Equipage Mandate to Support Air Traffic Control Service" ((RIN2120-AI92)(Docket No. FAA-2007-29305)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6113. A communication from the Chairman, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, a report relative to the Credit Card Accountability Responsibility and Disclosure Act of 2009; to the Committee on Commerce, Science, and Transportation.

EC-6114. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Fees for the Unified Carrier Registration Plan and Agreement" (RIN2126-AB19), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6115. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Lake Champlain Bridge Construction Zone, NY and VT" ((RIN1625-AA11)(Docket No. USG-2010-0176)), received during adjournment of the Senate in the Office of the President of the Senate on June 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6116. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable

Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Amendment to Emergency Fisheries Closure in the Gulf of Mexico Due to the Deepwater Horizon Oil Spill" (RIN0648-AY87), received during adjournment of the Senate in the Office of the President of the Senate on June 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6117. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Jet Route J-120; Alaska" ((RIN2120-AA66)-(Docket No. FAA-2009-0007)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6118. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Marion, IL" ((RIN2120-AA66)(Docket No. FAA-2009-1154)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6119. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Claremore, OK" ((RIN2120-AA66)(Docket No. FAA-2009-0538)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6120. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca Arriel 1B, 1D, 1D1, and 1S1 Turboshaft Engines" ((RIN2120-AA64)(Docket No. FAA-2005-21242)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6121. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sikorsky Aircraft Corporation (Sikorsky) Model S-92A Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-0060)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6122. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Corporation Model DC-9-30, DC-9-40, and DC-9-50 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0685)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6123. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Hawker Beechcraft Corporation (Type Certificate No. A00010WI Previously Held by Raytheon Aircraft Company) Model 390 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0158)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6124. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135 and 145, 145ER, 145MR, 145LR, 145XR, 145MP, and 145EP Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0714)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6125. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2C10 (Regional Jet Series 700, 701, and 702) Airplanes, Model CL-600-2D15 (Regional Jet Series 705) Airplanes, and Model CL-600-2D24 (Regional Jet Series 900) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0792)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6126. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-300, 747SR, and 747SP Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1066)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6127. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model BD-100-1A10 (Challenger 300) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0475)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6128. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE SYSTEMS (Operations) Limited Model BAe 146 and Avro 146-RJ70A, 146-RJ85A, and 146-RJ100A Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1254)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6129. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sikorsky Aircraft Corporation Model S-76A, B, and C Helicopters" ((RIN2120-AA64)(Docket No. FAA-2006-24587)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6130. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 and Model ERJ 190 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0614)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6131. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A340-200 and A340-300 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-20-0476)), received during adjournment of the Senate in the Office of the President of the Senate on June

4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6132. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Special Issuance of Airman Medical Certificates to Applicants Being Treated with Certain Antidepressant Medications; Re-Opening of Comment Period" ((RIN2120-AJ37)(Docket No. FAA-2009-0773)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6133. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Civil Penalty Inflation Adjustment for Commercial Space Adjudications" ((RIN2120-AJ63)(Docket No. FAA-2009-1240)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6134. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Clarification of Parachute Packing Authorization" ((RIN2120-AJ08)(Docket No. FAA-2007-28518)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6135. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Marianna, AR" ((RIN2120-AA66)(Docket No. FAA-2009-1167)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6136. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Manila, AR" ((RIN2120-AA66)(Docket No. FAA-2009-1184)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6137. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Mountain View, AR" ((RIN2120-AA66)(Docket No. FAA-2009-1181)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6138. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Batesville, AR" ((RIN2120-AA66)(Docket No. FAA-2009-1177)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6139. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Beatrice, NE" ((RIN2120-AA66)(Docket No. FAA-2009-0697)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6140. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Restricted Area R-2502A; Fort Irwin, CA" ((RIN2120-AA66)(Docket No. FAA-2010-0471)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6141. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Area Navigation Route Q-15; California" ((RIN2120-AA66)(Docket No. FAA-2010-0028)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6142. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment and Establishment of Restricted Areas and Other Special Use Airspace, Avon Park Air Force Range; FL" ((RIN2120-AA66)(Docket No. FAA-2008-1261)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6143. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Teledyne Continental Motors (TCM) 240, 346, 360, 470, 520, and 550 Series and Rolls-Royce Motors, Ltd. (R-RM) IO-240-A Reciprocating Engines" ((RIN2120-AA64)(Docket No. FAA-2009-1156)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6144. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France (ECF) Model AS332L1 and AS332L2 Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-0489)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6145. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Model AS332L2 Helicopters" ((RIN2120-AA64)-(Docket No. FAA-2010-0491)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6146. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bell Helicopter Textron (Bell) Model 205A, 205A-1, 205B, 212, 412, 412EP, and 412CF and Agusta S.p.A. (Agusta) Model AB412, AB412EP Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-0487)), received during adjournment of the Senate in the Office of the President of the Senate on June 4, 2010; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 554. A bill to improve the safety of motorcoaches, and for other purposes (Rept. No. 111-202).

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. Res. 339. A resolution to express the sense of the Senate in support of permitting the televising of Supreme Court proceedings.

S. 446. A bill to permit the televising of Supreme Court proceedings.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mrs. SHAHEEN (for herself, Mrs. MURRAY, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. KERRY, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. BEGICH, Mr. CASEY, Mr. DORGAN, Mr. BENNET, Mr. SCHUMER, Mr. FRANKEN, Mrs. FEINSTEIN, Mr. KAUFMAN, and Mr. WHITEHOUSE):

S. 3462. A bill to provide subpoena power to the National Commission on the British Petroleum Oil Spill in the Gulf of Mexico, and for other purposes; to the Committee on the Judiciary.

By Mr. LEAHY (for himself, Mr. DURBIN, and Mr. WHITEHOUSE):

S. 3463. A bill to amend chapter 303 of title 46, United States Code, to provide fair treatment for the families of those killed on the high seas; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 504

At the request of Mr. ROBERTS, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 504, a bill to redesignate the Department of the Navy as the Department of the Navy and Marine Corps.

S. 732

At the request of Mr. AKAKA, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 732, a bill to amend the National Dam Safety Program Act to establish a program to provide grant assistance to States for the rehabilitation and repair of deficient dams.

S. 1011

At the request of Mr. AKAKA, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 1011, a bill to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity.

S. 1204

At the request of Mrs. MURRAY, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 1204, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers, and for other purposes.

S. 1445

At the request of Mr. LAUTENBERG, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 1445, a bill to amend the Public Health Service Act to improve the health of children and reduce the occurrence of sudden unexpected infant death and to enhance public health activities related to stillbirth.

S. 1619

At the request of Mr. DODD, the name of the Senator from Rhode Island [Mr. REED] was added as a cosponsor of S. 1619, a bill to establish the Office of Sustainable Housing and Communities, to establish the Interagency Council on Sustainable Communities, to establish a comprehensive planning grant program, to establish a sustainability challenge grant program, and for other purposes.

S. 1836

At the request of Mr. MCCAIN, the names of the Senator from North Carolina [Mr. BURR] and the Senator from Utah [Mr. HATCH] were added as cosponsors of S. 1836, a bill to prohibit the Federal Communications Commission from further regulating the Internet.

S. 1966

At the request of Mr. DODD, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 1966, a bill to provide assistance to improve the health of newborns, children, and mothers in developing countries, and for other purposes.

S. 2765

At the request of Mr. KERRY, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 2765, a bill to amend the Small Business Act to authorize loan guarantees for health information technology.

S. 3112

At the request of Ms. KLOBUCHAR, the name of the Senator from Delaware [Mr. CARPER] was added as a cosponsor of S. 3112, a bill to remove obstacles to legal sales of United States agricultural commodities to Cuba and to end certain travel restrictions to Cuba.

S. 3234

At the request of Mrs. MURRAY, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 3234, a bill to improve employment, training, and placement services furnished to veterans, especially those serving in Operation Iraqi Freedom and Operation Enduring Freedom, and for other purposes.

S. 3235

At the request of Mr. DORGAN, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 3235, a bill to amend the Act titled "An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases", approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior.

S. 3246

At the request of Mr. WYDEN, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of S. 3246, a bill to exclude from consideration as income under the Native American Housing Assistance and Self-Determination Act of 1996 amounts received by a family from the Department of Veterans Affairs for service-related disabilities of a member of the family.

S. 3266

At the request of Mr. BENNET, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 3266, a bill to ensure the availability of loan guarantees for rural homeowners.

S. 3278

At the request of Mr. BENNET, the name of the Senator from Georgia [Mr. ISAKSON] was added as a cosponsor of S. 3278, a bill to establish the Meth Project Prevention Campaign Grant Program.

S. 3324

At the request of Mr. BROWN of Ohio, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 3324, a bill to amend the Internal Revenue Code of 1986 to extend the qualifying advanced energy project credit.

S. 3326

At the request of Ms. CANTWELL, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3326, a bill to provide grants to States for low-income housing projects in lieu of low-income housing credits, and to amend the Internal Revenue Code of 1986 to allow a 5-year carryback of the low-income housing credit, and for other purposes.

S. 3339

At the request of Mr. KERRY, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 3339, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 3341

At the request of Mr. CARDIN, the names of the Senator from Pennsylvania [Mr. CASEY], the Senator from Alaska [Mr. BEGICH] and the Senator from Illinois [Mr. DURBIN] were added as cosponsors of S. 3341, a bill to amend title 5, United States Code, to extend eligibility for coverage under the Federal Employees Health Benefits Program with respect to certain adult dependents of Federal employees and annuitants, in conformance with amendments made by the Patient Protection and Affordable Care Act.

S. 3419

At the request of Mr. MERKLEY, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 3419, a bill to exclude from consumer

credit reports medical debt that has been in collection and has been fully paid or settled, and for other purposes.

S. 3434

At the request of Mr. BINGAMAN, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 3434, a bill to provide for the establishment of a Home Star Retrofit Rebate Program, and for other purposes.

SENATE JOINT RESOLUTION 29

At the request of Mr. MCCONNELL, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of Senate Joint Resolution 29, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

At the request of Mrs. FEINSTEIN, the names of the Senator from Colorado [Mr. BENNET], the Senator from Pennsylvania [Mr. CASEY], the Senator from Vermont [Mr. LEAHY] and the Senator from Pennsylvania [Mr. SPECTER] were added as cosponsors of Senate Joint Resolution 29, supra.

SENATE RESOLUTION 519

At the request of Mr. DEMINT, the name of the Senator from South Carolina [Mr. GRAHAM] was added as a cosponsor of Senate Resolution 519, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and children is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. CARDIN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on June 8, 2010, at 10 a.m., to hold a hearing entitled "The New START Treaty (Treaty Doc. 111-5): The Negotiations."

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "The State of the American Child" on June 8, 2010. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on June 8, 2010, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "The Risky Business of Big Oil: Have Recent Court Decisions and Liability Caps Encouraged Irresponsible Corporate Behavior?"

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on June 8, 2010, at 2:30 p.m.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on June 8, 2010, at 3 p.m., to hold a Near Eastern subcommittee hearing entitled "Assessing the Strength of Hezbollah."

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 10:04 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House agrees to the amendment of the Senate to the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; with an amendment to the Senate amendment to the bill, in which it requests concurrence of the Senate.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of the House amendment (in the nature of a substitute) to the Senate amendment (in the nature of a substitute) to bill H.R. 4213.

ADJOURNMENT

By unanimous consent, on the request of Mr. BAUCUS,

At 6:10 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

WEDNESDAY, JUNE 9, 2010

Mr. MICHAEL F. BENNET, from the State of Colorado, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mr. BENNET led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, June 9, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MICHAEL F. BENNET, a Senator from the State of Colorado, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. BENNET took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

The question being on agreeing to amendment No. 4302, proposed by Mr. CORNYN (for himself Mr. KYL, Mr. HATCH, and Mr. SCOTT BROWN), to amendment No. 4301 (in the nature of a substitute) contained

in the motion, by Mr. BAUCUS, that the Senate concur, with amendment, in the House amendment to the Senate amendment to the bill.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 4301 (in the nature of a substitute) contained in the pending motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

On motion by Mr. ROBERTS to amend the pending amendment (in the nature of a substitute), in title VI, at the end thereof, by adding certain words (being amendment No. 4325).

Pending debate,

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That, at 4 p.m. on today, the Senate vote in "stacked" sequence in relation to the following amendments in the following order: amendment No. 4304, amendment No. 4325, and amendment No. 4303; that amendment No. 4303 be modified; that, following the first vote, there be two minutes, equally divided and controlled in the usual form, for debate prior to each vote; that no amendment be in order to the amendments prior to the votes; and that each vote following the first be 10 minutes in duration.

The question being on agreeing to amendment No. 4325 to amendment 4301 (in the nature of a substitute) contained in the pending motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

Pending debate,

The hour of 4 p.m. having passed,

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 4304, proposed by Mr. CARDIN (for himself, Ms. MIKULSKI, Mr. CASEY, Mr. KAUFMAN, Mrs. HAGAN, Mr. BEGICH, and Mr. WARNER), to amendment No. 4301 (in the nature of a substitute) contained in the pending motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

After debate,

Mr. HATCH raised a point of order, viz, that the pending amendment violates section 311 of the Congressional Budget Act, and therefore is not in order.

On motion by Mr. CARDIN, under section 904 of the Congressional Budget Act, to waive provisions of the Act for consideration of the pending amendment.

On motion by Mr. CARDIN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

The question being taken.

It was determined in the negative---
yeas... 57, nays... 42

[Rollcall Vote No. 179 Leg.]

YEAS --- 57

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 42

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The question recurring on the point of order raised by Mr. HATCH.

The PRESIDING OFFICER (Mr. FRANKEN in the chair) held the point of order well-taken, and the amendment not in order.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 4325 to amendment No. 4301 (in the nature of a substitute) contained in the pending motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

After debate,

On motion by Mr. BAUCUS to lay the pending amendment on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 55, nays... 44

[Rollcall Vote No. 180 Leg.]

YEAS --- 55

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 44

Alexander, Barrasso, Bennett, Bond, Boxer, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Klobuchar, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 4303, as modified, proposed by Mr. SESSIONS (for himself and Mr. MCCASKILL), to amendment No. 4301 (in the nature of a substitute) contained in the pending motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

After debate,

Mr. BAUCUS raised a point of order, viz, that the pending amendment, as modified, violates section 306 of the Congressional Budget Act, and therefore is not in order.

On motion by Mr. SESSIONS, under section 904 of the Congressional Budget Act, to waive provisions of the Act for consideration of the pending amendment, as modified.

On motion by Mr. SESSIONS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

The question being taken.

It was determined in the negative---
yeas... 57, nays... 41

[Rollcall Vote No. 181 Leg.]

YEAS --- 57

Alexander, Barrasso, Bayh, Begich, Bennet, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Cantwell, Carper, Casey, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Isakson, Johanns, Klobuchar, Kyl, LeMieux, Lieberman, Lincoln, Lugar, McCain, McCaskill, McConnell, Murkowski, Nelson (NE), Nelson (FL), Risch, Sessions, Shaheen, Shelby, Snowe, Thune, Udall (CO), Vitter, Voinovich, Warner, Webb, Wicker.

NAYS --- 41

Akaka, Baucus, Bingaman, Boxer, Brown (OH), Burris, Cardin, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Harkin, Inouye, Johnson, Kaufman, Kerry, Kohl, Landrieu, Lautenberg, Leahy, Levin, Menendez, Merkley, Mikulski, Murray, Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Specter, Stabenow, Tester, Udall (NM), Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The question recurring on the point of order raised by Mr. BAUCUS.

The PRESIDING OFFICER held the point of order well-taken, and the amendment, as modified, not in order.

The question recurring on agreeing to amendment No. 4302 to amendment No. 4301 (in the nature of a substitute) contained in the pending motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That the pending amendment be modified; that Mr. BAUCUS be recognized to propose an amendment relative to the pending amendment, as modified; that there be 20 minutes for concurrent debate on said amendment and the pending amendment, as modified; that no intervening amendment be in order; that, upon conclusion of debate, the Senate vote in relation to the amendment to be proposed by Mr. BAUCUS; that, following the vote, there be two minutes, equally divided and controlled in the usual form, for debate on amendment No. 4302, as modified; that, upon conclusion of debate, the Senate vote in relation to the amendment, as modified; and that the second vote be 10 minutes in duration.

Ordered further, That, following the vote, the next amendment to be proposed be of a majority-party Senator; and that, following said amendment, a minority-party Senator next be recognized to propose an amendment.

Pursuant to the foregoing order,

The question being on agreeing to amendment No. 4302, as modified, to amendment No. 4301 (in the nature of a substitute) contained in the pending motion to concur, with an amendment, in the House amendment to the Senate amendment to the bill.

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 4301 (in the nature of a substitute) contained in the pending motion to concur, with amendment, the House amendment to the Senate amendment to the bill.

Pursuant to the order of today,

On motion by Mr. BAUCUS (for himself, Mr. KERRY, and Mr. DODD) to amend the pending amendment (in the nature of a substitute), at the appropriate place, by inserting certain words (being amendment No. 4326).

After debate,

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

Pursuant to the order of today,

The question being taken.

It was determined in the affirmative---

yeas... 58, nays... 41

[Rollcall Vote No. 182 Leg.]

YEAS --- 58

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 41

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the amendment was agreed to.

On motion by Mr. FEINGOLD to reconsider the vote agreeing to the amendment.

On motion by Mr. FEINGOLD,

The motion to reconsider was laid on the table.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 4302, as modified, to amendment No. 4301 (in the nature of a substitute), as amended, contained in the pending motion to concur, with amendment, the House amendment to the Senate amendment to the bill.

On motion by Mr. BAUCUS to lay the pending amendment, as modified, on the table.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the negative---

yeas... 38, nays... 61

[Rollcall Vote No. 183 Leg.]

YEAS --- 38

Akaka, Baucus, Bayh, Bingaman, Burris, Cardin, Carper, Casey, Dodd, Durbin, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Kohl, Landrieu, Lautenberg, Leahy, Levin, McCaskill, Menendez, Mikulski, Pryor, Reed, Rockefeller, Sanders, Schumer, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Whitehouse.

NAYS --- 61

Alexander, Barrasso, Begich, Bennet, Bennett, Bond, Boxer, Brown (MA), Brown (OH), Brownback, Bunning, Burr, Cantwell, Chambliss, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dorgan, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Klobuchar, Kyl, LeMieux, Lieberman, Lincoln, Lugar, McCain, McConnell, Merkley, Murkowski, Murray, Nelson (NE), Nelson (FL), Reid, Risch, Roberts, Sessions, Shaheen, Shelby, Snowe, Specter, Thune, Vitter, Voinovich, Webb, Wicker, Wyden.

So the motion was not agreed to.

The question being on agreeing to amendment No. 4302, as modified, to amendment No. 4301 (in the nature of a substitute), as amended, contained in the pending motion to concur, with amendment, the House amendment to the Senate amendment to the bill.

The amendment, as modified, was agreed to.

The question recurring on agreeing to amendment No. 4311, proposed by Mr. FRANKEN (for himself, Ms. SNOWE, Mrs. MURRAY, Mr. DODD, Mr. ROCKEFELLER, Mrs. GILLIBRAND, and Mrs. SHAHEEN), to amendment No. 4301 (in the nature of a substitute), as amended, contained in the pending motion to concur, with amendment, the House amendment to the Senate amendment to the bill.

The pending amendment was laid aside, by unanimous consent.

The question being on agreeing to amendment No. 4301 (in the nature of a substitute), as amended, contained in the pending motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

On motion by Mr. SANDERS (for himself, Mr. WHITEHOUSE, Mr. WYDEN, Mr. MENENDEZ, Mr. LAUTENBERG, and Mr. SCHUMER) to further amend the pending amendment (in the nature of a substitute), in subtitle D of title IV, at the end of thereof, by adding certain words (being amendment No. 4318).

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 4301 (in the nature of a substitute), as amended, contained in the pending motion to concur, with amendment, the House amendment to the Senate amendment to the bill.

On motion by Mr. VITTER (for himself, Mr. GREGG, Mr. CORNYN, Mr. ENZI, Mr. ALEXANDER, Mrs. HUTCHISON, Ms. MURKOWSKI, Mr. SESSIONS, Mr. COBURN, Mr. RISCH, Mr. WICKER, Mr. CRAPO, Mr. SHELBY, and Mr. BEGICH) to further amend the pending amendment (in the nature of a substitute), in subtitle D of title IV, at the end thereof, by adding certain words (being amendment No. 4312).

Pending debate,

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. SANDERS,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by Mr. Williams, one of his secretaries:

REPORT RELATIVE TO TERMINATION OF CERTAIN SUSPENSIONS UNDER THE FOREIGN RELATIONS AUTHORIZATION ACT, -- PM 61

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Pursuant to the authority vested in me by section 902(b)(2) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101-246)(the "Act"), and as President of the United States, I hereby report to the Congress that it is in the national interest of the United States to terminate the suspensions under section 902(a)(3) of the Act with respect to the issuance of permanent munitions export licenses for exports to the People's Republic of China insofar as such restrictions pertain to the LightScanner 32 System used for gene mutation genotyping for individualized cancer treatment. License requirements remain in place for these exports and require review on a case-by-case basis by the United States Government.

BARACK OBAMA.

THE WHITE HOUSE, *June 9, 2010.*

REPORT OF A COMMITTEE

The following report of committee was submitted:

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

S. 1507. A bill to amend chapter 89 of title 5, United States Code, to reform Postal Service retiree health benefits funding, and for other purposes (Rept. No. 111-203).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. LUGAR (for himself, Mr. GRAHAM, and Ms. MURKOWSKI):

S. 3464. A bill to establish an energy and climate policy framework to reach measurable gains in reducing dependence on foreign oil, saving Americans money, improving energy security, and cutting greenhouse gas emissions, and for other purposes; to the Committee on Finance.

By Mr. KERRY (for himself and Mr. BROWN of Massachusetts):

S. 3465. A bill to designate the facility of the United States Postal Service located at 15 South Main Street in Sharon, Massachusetts, as the "Michael C. Rothberg Post Office"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEAHY:

S. 3466. A bill to require restitution for victims of criminal violations of the Federal Water Pollution Control Act, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHUMER (for himself, Ms. COLLINS, and Mrs. GILLIBRAND):

S. 3467. A bill to require a Northern Border Counternarcotics Strategy; to the Committee on the Judiciary.

By Mr. CORNYN (for himself and Ms. KLOBUCHAR):

S. 3468. A bill to amend chapter 87 of title 18, United States Code, to end the terrorizing effects of the sale of murderabilia on crime victims and their families; to the Committee on the Judiciary.

By Mr. BENNET (for himself and Mr. BROWN of Ohio):

S. 3469. A bill to build capacity and provide support at the leadership level for successful school turnaround efforts; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ALEXANDER (for himself and Mr. CORKER):

S. 3470. A bill to designate as wilderness certain public land in the Cherokee National Forest in the State of Tennessee, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DORGAN (for himself, Mr. JOHNSON, and Mr. BEGICH):

S. 3471. A bill to improve access to capital, bonding authority, and job training for Native Americans and promote native community development financial institutions and Native American small business opportunities, and for other purposes; to the Committee on Indian Affairs.

By Mr. MENENDEZ (for himself, Mr. NELSON of Florida, Mr. LAUTENBERG, Mr. SCHUMER, Mr. WHITEHOUSE, Mr. SANDERS, Mr. BROWN of Ohio, Mrs. GILLIBRAND, Mr. KAUFMAN, Mrs. MURRAY, Mr. REED, Mrs. FEINSTEIN, Mr. FEINGOLD, Mr. DURBIN, Mr. MERKLEY, Mr. CASEY, Mr. LEAHY, Ms. MIKULSKI, Mr. FRANKEN, Mr. HARKIN, Ms. KLOBUCHAR, Mrs. SHAHEEN, and Ms. STABENOW):

S. 3472. A bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full costs of oil spills, and for other purposes; to the Committee on Environment and Public Works.

By Mr. REID:

S. 3473. A bill to amend the Oil Pollution Act of 1990 to authorize advances from Oil Spill Liability Trust Fund for the Deepwater Horizon oil spill; considered and passed.

By Mr. FEINGOLD (for himself, Mr. CARPER, Mr. MCCAIN, Mr. GREGG, Mrs. MCCASKILL, Mr. COBURN, Mr. WHITEHOUSE, Mr. BENNET, and Mr. UDALL of Colorado):

S. 3474. A bill to provide an optional fast-track procedure the President may use when submitting rescission requests, and for other purposes; to the Committee on the Budget.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. CRAPO (for himself and Mr. MENENDEZ):

S. Res. 547. A resolution supporting National Men's Health Week; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORNYN:

S. Res. 548. A resolution to express the sense of the Senate that Israel has an undeniable right to self-defense, and to condemn the recent destabilizing actions by extremists aboard the ship Mavi Marmara; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 941

At the request of Mr. CRAPO, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 941, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearm laws and regulations, protect the community from criminals, and for other purposes.

S. 981

At the request of Mr. REID, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 981, a bill to support research and public awareness activities with respect to inflammatory bowel disease, and for other purposes.

S. 1319

At the request of Mr. CORNYN, his name was added as a cosponsor of S. 1319, a bill to require Congress to specify the source of authority under the United States Constitution for the enactment of laws, and for other purposes.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from Colorado [Mr. UDALL] was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 2800

At the request of Mrs. MURRAY, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 2800, a bill to amend subtitle B of title VII of the McKinney-Vento Homeless Assistance Act to provide education for homeless children and youths, and for other purposes.

S. 3000

At the request of Mr. ROCKEFELLER, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 3000, a bill to extend the increase in the FMAP provided in the American Recovery and Reinvestment Act of 2009 for an additional 6 months.

S. 3058

At the request of Mr. DORGAN, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3072

At the request of Mr. ROCKEFELLER, the name of the Senator from Virginia [Mr. WEBB] was added as a cosponsor of S. 3072, a bill to suspend, during the 2-year period beginning on the date of enactment of this Act, any Environmental Protection Agency action under the Clean Air Act with respect to carbon dioxide or methane pursuant to certain proceedings, other than with respect to motor vehicle emissions, and for other purposes.

S. 3171

At the request of Mrs. LINCOLN, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 3171, a bill to amend title 38, United States Code, to provide for the approval of certain programs of education for purposes of the Post-9/11 Educational Assistance Program.

S. 3231

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 3231, a bill to amend the Internal Revenue Code of 1986 to extend certain tax incentives for alcohol used as fuel and to amend the Harmonized Tariff Schedule of the United States to extend additional duties on ethanol.

S. 3278

At the request of Mr. BENNET, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 3278, a bill to establish the Meth Project Prevention Campaign Grant Program.

S. 3311

At the request of Mr. KERRY, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 3311, a bill to improve and enhance the capabilities of the Department of Defense to prevent and respond to sexual assault in the Armed Forces, and for other purposes.

S. 3345

At the request of Mr. WHITEHOUSE, the name of the Senator from Delaware [Mr. KAUFMAN] was added as a cosponsor of S. 3345, a bill to amend title 46, United States Code, to remove the cap on punitive damages established by the Supreme Court in Exxon Shipping Company v. Baker.

S. 3346

At the request of Mr. WHITEHOUSE, the name of the Senator from Delaware [Mr. KAUFMAN] was added as a cosponsor of S. 3346, a bill to increase the limits on liability under the Outer Continental Shelf Lands Act.

S. 3412

At the request of Mr. DODD, the names of the Senator from Oregon [Mr. WYDEN] and the Senator from Alaska [Mr. BEGICH] were added as cosponsors of S. 3412, a bill to provide emergency operating funds for public transportation.

S. 3430

At the request of Ms. SNOWE, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 3430, a bill to amend the Internal Revenue Code of 1986 to expand the tip tax credit to employers of cosmetologists and to promote tax compliance in the cosmetology sector.

S. 3462

At the request of Mrs. SHAHEEN, the name of the Senator from Florida [Mr. NELSON] was added as a cosponsor of S. 3462, a bill to provide subpoena power to the National Commission on the British Petroleum Oil Spill in the Gulf of Mexico, and for other purposes.

SENATE JOINT RESOLUTION 29

At the request of Mr. MCCONNELL, the names of the Senator from Massachusetts [Mr. KERRY] and the Senator from Oregon [Mr. MERKLEY] were added as cosponsors of Senate Joint Resolution 29, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

SENATE JOINT RESOLUTION 30

At the request of Mr. ISAKSON, the names of the Senator from Oklahoma [Mr. INHOFE] and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of Senate Joint Resolution 30, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Mediation Board relating to representation election procedures.

SENATE CONCURRENT RESOLUTION 39

At the request of Mr. MENENDEZ, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of Senate Concurrent Resolution 39, a concurrent resolution expressing the sense of the Congress that stable and affordable housing is an essential component of an effective strategy for the prevention, treatment, and care of human immunodeficiency virus, and that the United States should make a commitment to providing adequate funding for the development of housing as a response to the acquired immunodeficiency syndrome pandemic.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 9, 2010, at 10 a.m. to conduct a hearing entitled "Local Perspectives on the Livable Communities Act."

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 9, 2010, in room SR-253 of the Russell Senate Office Building.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on June 9, 2010, 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works be authorized to meet during the session of the Senate on June 9, 2010, at 10:30 a.m. in room 406 of the Dirksen Office Building.

SUBCOMMITTEE ON ANTITRUST, COMPETITION POLICY, AND CONSUMER RIGHTS

The Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy, and Consumer Rights, be authorized to meet during the session of the Senate, on June 9, 2010, at 2 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Oversight of the Enforcement of the Antitrust Laws."

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

The Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on June 9, 2010, at 2:30 p.m. to conduct a hearing entitled "The National Security Personnel System and

Performance Management in the Federal Government."

SUBCOMMITTEE ON WATER AND POWER

The Subcommittee on Water and Power be authorized to meet during the session of the Senate to conduct a hearing on June 9, 2010, at 3 p.m., in room SD-366 of the Dirksen Senate Office Building.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10:20 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1601. An act to transfer certain land to the United States to be held in trust for the Hoh Indian Tribe, to place land into trust for the Hoh Indian Tribe, and for other purposes.

H.R. 4349. An act to further allocate and expand the availability of hydroelectric power generated at Hoover Dam, and for other purposes.

At 12:43 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5136. An act to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

At 5:21 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2008. An act to authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project.

H.R. 5116. An act to invest in innovation through research and development, to improve the competitiveness of the United States, and for other purposes.

HOUSE BILLS REFERRED

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

H.R. 2008. An act to authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project; to the Committee on Energy and Natural Resources.

H.R. 4349. An act to further allocate and expand the availability of hydroelectric power generated at Hoover Dam, and for other purposes; to the Committee on Energy and Natural Resources.

HOUSE BILLS PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1061. An act to transfer certain land to the United States to be held in trust for the Hoh Indian Tribe, to place land into trust for the Hoh Indian Tribe, and for other purposes.

H.R. 5136. To authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AUTHORIZING ADVANCES FROM OIL SPILL LIABILITY TRUST FUND FOR THE DEEPWATER HORIZON OIL SPILL

On the request of Mr. SANDERS,

The PRESIDING OFFICER (Mr. BEGICH in the chair) laid before the Senate the bill (S. 3473) to amend the Oil Pollution Act of 1990 to authorize advances from Oil Spill Liability Trust Fund for the Deepwater Horizon oil spill, introduced on today by Mr. REID, and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDER RELATIVE TO JOINT RESOLUTION S.J. RES. 26

By unanimous consent, on the request of Mr. SANDERS,

Ordered, That, at 9:45 a.m. on tomorrow, the Senate proceed to consider a motion to proceed to consider the joint resolution (S.J. Res. 26) disapproving a rule submitted by the Environmental Protection Agency relating to the endangerment finding and the cause or contribute findings for greenhouse gases under section 202(a) of the Clean Air Act, as pursuant to the order of Tuesday, May 25, 2010; that the first 30 minutes therein be controlled by Ms. MURKOWSKI; that the second 30 minutes therein be controlled by the majority party; and that each 30 minutes thereafter be controlled in like alternating fashion.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. SANDERS,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then proceed to consider a motion to proceed to consider joint resolution S.J. Res. 26, as pursuant to the order of Tuesday, May 25, 2010, as modified today.

ADJOURNMENT

By unanimous consent, on the request of Mr. SANDERS,

At 6:48 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

THURSDAY, JUNE 10, 2010

Mrs. KIRSTEN E. GILLIBRAND, from the State of New York, called the Senate to order at 9:30 a.m., the Reverend Dr. Joseph Castleberry, President of Northwest University, Kirkland, Washington, offered a prayer, and Mrs. GILLIBRAND led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, June 10, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. GILLIBRAND took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

JOINT RESOLUTION DISAPPROVING AN EPA RULE RELATING TO GREENHOUSE GASES

Pursuant to the order of Tuesday, May 25, 2010, as modified,

On motion by Ms. MURKOWSKI that the Senate proceed to consider joint resolution (S.J. Res. 26) disapproving a rule submitted by the Environmental Protection Agency relating to the endangerment finding and the cause or contribute findings for greenhouse gases under section 202(a) of the Clean Air Act.

The question being on agreeing to the motion to proceed.

After debate,

On motion by Mrs. BOXER,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion.

The question being taken.

It was determined in the negative---
yeas... 47, nays... 53

[Rollcall Vote No. 184 Leg.]

YEAS --- 47

Alexander, Barrasso, Bayh, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, Landrieu, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Pryor, Risch, Roberts, Rockefeller, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

NAYS --- 53

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Reed, Reid, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to.

On motion by Mrs. BOXER to reconsider the vote disagreeing to the motion.

On motion by Mr. MENENDEZ,

The motion to reconsider was laid on the table.

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mrs. BOXER,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; and that she be recognized to speak.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6147. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (5) officers authorized to wear the insignia of the grade of rear admiral in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-6148. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the restructured Advanced Threat Infrared Countermeasures/Common Missile Warning System (ATIRCM/CMWS) program; to the Committee on Armed Services.

EC-6149. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the restructured F-35 Joint Strike Fighter (JSF) program; to the Committee on Armed Services.

EC-6150. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the restructured Apache Block III (AB3) program; to the Committee on Armed Services.

EC-6151. A communication from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank of Atlanta, transmitting, pursuant to law, the Bank's management reports and statements on system of internal controls for fiscal year 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-6152. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010-0080 - 2010-0088); to the Committee on Foreign Relations.

EC-6153. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including, technical data, and defense services to King Abdullah II Design and Development Bureau (KADDB) in Jordan for the assembly and distribution of JAWS (Jordan Arms and Weapons Systems) Viper multi-caliber semi-automatic handguns to various countries in the amount of $1,000,000 or more; to the Committee on Foreign Relations.

EC-6154. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the status of the Government of Cuba's compliance with the United States-Cuba September 1994 "Joint Communique" and on the treatment of persons returned to Cuba in accordance with the United States-Cuba May 1995 "Joint Statement"; to the Committee on Foreign Relations.

EC-6155. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report on the Secretary's recommendation to continue a waiver of application of a section of the Trade Act of 1974 with respect to Belarus; to the Committee on Foreign Relations.

EC-6156. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the extension of waiver authority for Turkmenistan; to the Committee on Foreign Relations.

EC-6157. A communication from the Director, Office of Labor-Management Standards, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Notification of Employee Rights Under Federal Labor Laws" (RIN1215-AB70; RIN1245-AA00), received in the Office of the President of the Senate on June 8, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6158. A communication from the Secretary of Labor, transmitting, pursuant to law, the Semiannual Report of the Office of Inspector General of the Department of Labor for the period from October 1, 2009, through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6159. A communication from the Chairman of the Federal Maritime Commission, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2009, to March 31, 2010; to the Committee on

Homeland Security and Governmental Affairs.

EC-6160. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Annual Privacy Activity Report for 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-6161. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Office's Federal Equal Opportunity Recruitment Program Report for Fiscal Year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-6162. A communication from the Chief Executive Officer, Millennium Challenge Corporation, transmitting, pursuant to law, the Semiannual Report of the Corporation's Inspector General for the six-month period from October 1, 2009, to March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6163. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-414, "Job Growth Incentive Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6164. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-415, "Health Insurance for Dependents Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6165. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-420, "Adoption and Guardianship Subsidy Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6166. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-428, "Healthy Schools Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6167. A communication from the Program Manager, Bureau of Alcohol, Tobacco, Firearms and Explosives, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Decision-Making Authority Regarding the Denial, Suspension, or Revocation of a Federal Firearms License, or Imposition of a Civil Fine" (Docket No. ATF 17F), received in the Office of the President of the Senate on June 7, 2010; to the Committee on the Judiciary.

EC-6168. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Colorado Advisory Committee; to the Committee on the Judiciary.

EC-6169. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Louisiana Advisory Committee; to the Committee on the Judiciary.

EC-6170. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Oregon Advisory Committee; to the Committee on the Judiciary.

EC-6171. A communication from the Director of Regulation Policy and Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Copayment for Medications" (RIN2900-AN50), received in the Office of the President of the Senate on June 9, 2010; to the Committee on Veterans' Affairs.

EC-6172. A communication from the Director of Regulation Policy and Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Copayment for Medications After June 30, 2010" (RIN2900-AN65), received in the Office of the President of the Senate on June 9, 2010; to the Committee on Veterans' Affairs.

EC-6173. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Chehalis River, Aberdeen, WA, Schedule Change" ((RIN1625-AA09)(Docket No. USG-2009-0959)), received in the Office of the President of the Senate on June 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6174. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Port of Coos Bay Railroad Bridge, Coos Bay, North Bend, OR" ((RIN1625-AA09)(Docket No. USG-2009-0840)), received in the Office of the President of the Senate on June 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6175. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Lower Grand River, Iberville Parish, LA" ((RIN1625-AA09)(Docket No. USG-2009-0686)), received in the Office of the President of the Senate on June 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6176. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; CSX Railroad, Trout River, mile 0.9, Jacksonville, FL" ((RIN1625-AA09)-(Docket No. USG-2009-0249)), received in the Office of the President of the Senate on June 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6177. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Red River, MN" ((RIN1625-AA00)-(Docket No. USCG-2010-0198)), received in the Office of the President of the Senate on June 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6178. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Blasting Operations and Movement of Explosives, St. Marys River, Sault Sainte Marie, MI" ((RIN1625-AA00)(Docket No. USCG-2010-0290)), received in the Office of the President of the Senate on June 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6179. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; St. Louis River, Tallas Island, Duluth, MN" ((RIN1625-AA00)(Docket No. USCG-2010-0124)), received in the Office of the President of the Senate on June 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6180. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Desert Storm, Lake Havasu, AZ" ((RIN1625-AA00)-(Docket No. USCG-2009-0809)), received in the Office of the President of the Senate on June 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6181. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; United Portuguese SES Centennial Festa, San Diego Bay, San Diego, CA" ((RIN1625-AA00)(Docket No. USCG-2010-0065)), received in the Office of the President of the Senate on June 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6182. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security,

transmitting, pursuant to law, the report of a rule entitled "Safety Zone; BW PIONEER at Walker Ridge 249, Outer Continental Shelf FPSO, Gulf of Mexico" ((RIN1625-AA00)-(Docket No. USCG-2009-0571)), received in the Office of the President of the Senate on June 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6183. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; APBA National Tour, Parker, AZ" ((RIN1625-AA00)(Docket No. USCG-2009-1110)), received in the Office of the President of the Senate on June 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6184. A communication from the Administrator of the National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, a report relative to The National Initiative for Increasing Seat Belt Use: Buckle Up America campaign; to the Committee on Commerce, Science, and Transportation.

EC-6185. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Annual Report for Fiscal Year 2009 of the Department of Commerce's Bureau of Industry and Security; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DORGAN, from the Committee on Indian Affairs, without amendment:

S. 1388. A bill to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam, and for other purposes (Rept. No. 111-204).

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 3087. A bill to support revitalization and reform of the Organization of American States, and for other purposes (Rept. No. 111-205).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. BENNET:

S. 3475. A bill to provide tighter control over and additional public disclosure of earmarks; to the Committee on Rules and Administration.

By Mr. CASEY (for himself and Mr. SPECTER):

S. 3476. A bill to direct the Secretary of Homeland Security to establish national emergency centers on military installations; to the Committee on Armed Services.

By Mr. WEBB (for himself, Mr. WARNER, Mrs. MCCASKILL, Mr. BURRIS, Mr. BAYH, Mr. NELSON of Nebraska, Mr. TESTER, Mr. MCCAIN, Mr. BROWN of Massachusetts, and Mr. INHOFE):

S. 3477. A bill to ensure that the right of an individual to display the Service Flag on residential property not be abridged; to the Committee on Armed Services.

By Mr. SCHUMER (for himself, Mr. LEAHY, and Mr. WHITEHOUSE):

S. 3478. A bill to amend title 46, United States Code, to repeal certain limitations of liability and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. HAGAN (for herself, Mr. CASEY, and Ms. LANDRIEU):

S. 3479. A bill to authorize the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to establish and implement a birth defects prevention, risk reduction, and public awareness program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LIEBERMAN (for himself, Ms. COLLINS, and Mr. CARPER):

S. 3480. A bill to amend the Homeland Security Act of 2002 and other laws to enhance the security and resiliency of the cyber and communications infrastructure of the United States; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CARDIN:

S. 3481. A bill to amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution; to the Committee on Environment and Public Works.

By Mr. REID:

S. 3482. A bill to provide for the development of solar pilot project areas on public land in Lincoln County, Nevada; to the Committee on Energy and Natural Resources.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. DURBIN (for himself and Mr. BURRIS):

S. Res. 549. A resolution congratulating the Chicago Blackhawks on winning the 2010 Stanley Cup; to the Committee on the Judiciary.

By Ms. STABENOW (for herself and Ms. SNOWE):

S. Res. 550. A resolution designating the week beginning on June 14, 2010, and ending on June 18, 2010, as "National Health Information Technology Week" to recognize the value of health information technology to improving health quality; considered and agreed to.

ADDITIONAL COSPONSORS

S. 260

At the request of Mr. DORGAN, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 260, a bill to amend the Internal Revenue Code of 1986 to provide for the taxation of income of controlled foreign corporations attributable to imported property.

S. 663

At the request of Mr. NELSON of Nebraska, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 663, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish the Merchant Mariner Equity Compensation Fund to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II.

S. 1011

At the request of Mr. AKAKA, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 1011, a bill to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1090

At the request of Mr. WYDEN, the name of the Senator from Alaska [Ms. MURKOWSKI] was added as a cosponsor of S. 1090, a bill to amend the Internal Revenue Code of 1986 to provide tax credit parity for electricity produced from renewable resources.

S. 1091

At the request of Mr. WYDEN, the name of the Senator from Alaska [Ms. MURKOWSKI] was added as a cosponsor of S. 1091, a bill to amend the Internal Revenue Code of 1986 to provide for an energy investment credit for energy storage property connected to the grid, and for other purposes.

S. 1345

At the request of Mr. REED, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 1345, a bill to aid and

support pediatric involvement in reading and education.

S. 1352

At the request of Mr. DODD, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 1352, a bill to provide for the expansion of Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme and other tick-borne diseases, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. 1548

At the request of Mr. CARDIN, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 1548, a bill to improve research, diagnosis, and treatment of musculoskeletal diseases, conditions, and injuries, to conduct a longitudinal study on aging, and for other purposes.

S. 1619

At the request of Mr. DODD, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 1619, a bill to establish the Office of Sustainable Housing and Communities, to establish the Interagency Council on Sustainable Communities, to establish a comprehensive planning grant program, to establish a sustainability challenge grant program, and for other purposes.

S. 1620

At the request of Mr. BINGAMAN, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 1620, a bill to amend the Internal Revenue Code of 1986 to provide tax incentives and fees for increasing motor vehicle fuel economy, and for other purposes.

S. 1674

At the request of Mr. WYDEN, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 1674, a bill to provide for an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 2899

At the request of Mrs. FEINSTEIN, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 2899, a bill to amend the American Recovery and Reinvestment Act of 2009 and the Internal Revenue Code of 1986 to provide incentives for the development of solar energy.

S. 3036

At the request of Mr. BAYH, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 3036, a bill to establish the National Alzheimer's Project.

S. 3072

At the request of Mr. ROCKEFELLER, the name of the Senator from Nebraska [Mr. NELSON] was added as a cosponsor of S. 3072, a bill to suspend, during the 2-year period beginning on the date of enactment of this Act, any Environmental Protection Agency action under the Clean Air Act with respect to carbon dioxide or methane pursuant to certain proceedings, other than with respect to motor vehicle emissions, and for other purposes.

S. 3122

At the request of Mr. ENSIGN, the name of the Senator from Ohio [Mr. VOINOVICH] was added as a cosponsor of S. 3122, a bill to require the Attorney General of the United States to compile, and make publicly available, certain data relating to the Equal Access to Justice Act, and for other purposes.

S. 3238

At the request of Mr. SCHUMER, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 3238, a bill to provide for a medal of appropriate design to be awarded by the President to the next of kin or other representative of those individuals killed as a result of the terrorist attacks of September 11, 2001, and to the memorials established at the 3 sites that were attacked on that day.

S. 3324

At the request of Mr. BROWN of Ohio, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 3324, a bill to amend the Internal Revenue Code of 1986 to extend the qualifying advanced energy project credit.

S. 3335

At the request of Mr. COBURN, the names of the Senator from Delaware [Mr. KAUFMAN], the Senator from Maine [Ms. SNOWE] and the Senator from Maine [Ms. COLLINS] were added as cosponsors of S. 3335, a bill to require Congress to establish a unified and searchable database on a public website for congressional earmarks as called for by the President in his 2010 State of the Union Address to Congress.

S. 3411

At the request of Mrs. GILLIBRAND, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 3411, a bill to provide for the adjustment of status for certain Haitian orphans paroled into the United States after the earthquake of January 12, 2010.

S. 3434

At the request of Mr. BINGAMAN, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 3434, a bill to provide for the establishment of a Home Star Retrofit Rebate Program, and for other purposes.

S. 3447

At the request of Mr. AKAKA, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 3447, a bill to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes.

S. 3461

At the request of Mr. VITTER, the name of the Senator from Alaska [Ms. MURKOWSKI] was added as a cosponsor of S. 3461, a bill to create a fair and efficient system to resolve claims of victims for economic injury caused by the Deepwater Horizon incident, and to direct the Secretary of the Interior to renegotiate the terms of the lease known as "Mississippi Canyon 252" with respect to claims relating to the Deepwater Horizon explosion and oil spill that exceed existing applicable economic liability limitations.

S. 3462

At the request of Mrs. SHAHEEN, the names of the Senator from Oregon [Mr. MERKLEY] and the Senator from Washington [Ms. CANTWELL] were added as cosponsors of S. 3462, a bill to provide subpoena power to the National Commission on the British Petroleum Oil Spill in the Gulf of Mexico, and for other purposes.

SENATE JOINT RESOLUTION 29

At the request of Mr. MCCONNELL, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of Senate Joint Resolution 29, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

SENATE RESOLUTION 519

At the request of Mr. DEMINT, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of Senate Resolution 519, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and children is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent.

SENATE RESOLUTION 548

At the request of Mr. CORNYN, the name of the Senator from Arizona [Mr. KYL] was added as a cosponsor of Senate Resolution 548, a resolution to express the sense of the Senate that Israel has an undeniable right to self-defense, and to condemn the recent destabilizing actions by extremists aboard the ship Mavi Marmara.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mrs. BOXER,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 10, 2010, at 10 a.m. in room 253 of the Russell Senate Office Building.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on June 10, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "The U.S.-China Economic Relationship: A New Approach for A New China."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on June 10, 2010, at 10 a.m., to hold a hearing entitled "Strategic Arms Control and National Security (Treaty Doc. 111-5)."

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, to conduct a hearing entitled "Production over Protections: A Review of Process Safety Management in the Oil and Gas Industry" on June 10, 2010. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 10, 2010, at 2:30 p.m.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs be authorized to meet during the session of the Senate on June 10, 2010, at 3 p.m. in room 628 of the Dirksen Senate Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on June 10, 2010, at 10 a.m. in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

AD HOC SUBCOMMITTEE ON STATE, LOCAL, AND PRIVATE SECTOR PREPAREDNESS AND INTEGRATION

The Ad Hoc Subcommittee on State, Local, and Private Sector Preparedness and Integration of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 10, 2010, at 10 a.m. to conduct a hearing entitled, "Deep Impact: Assessing the Effects of the Deepwater Horizon Oil Spill on States, Localities and the Private Sector."

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on June 10, 2010, at 2:30 p.m.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 9:58 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5026. An act to amend the Federal Power Act to protect the bulk-power system and electric infrastructure critical to the defense of the United States against cybersecurity and other threats and vulnerabilities.

H.R. 5133. An act to designate the facility of the United States Postal Service located at 331 1st Street in Carlstadt, New Jersey, as the "Staff Sergeant Frank T. Carvill and Lance Corporal Michael A. Schwarz Post Office Building".

H.R. 5278. An act to designate the facility of the United States Postal Service located at 405 West Second Street in Dixon, Illinois, as the "President Ronald W. Reagan Post Office Building".

The message also announced that the House disagrees to the amendments of the Senate to the bill (H.R. 4173) entitled "An Act to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes", and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints the following Members as managers of the conference on the part of the House:

From the Committee on Financial Services, for consideration of the House bill and the Senate amendment, and modifications committed to conference: Messrs. FRANK of Massachusetts, KANJORSKI, Ms. WATERS, Mrs. MALONEY, Messrs. GUTIERREZ, WATT, MEEKS of New York, MOORE of Kansas, Ms. KILROY, Messrs. PETERS, BACHUS, ROYCE, Mrs. BIGGERT, Mrs. CAPITO, Messrs. HENSARLING, and GARRETT of New Jersey.

From the Committee on Agriculture, for consideration of subtitles A and B of title I, sections 1303, 1609, 1702, 1703, title III (except sections 3301 and 3302), sections 4205(c), 4804(b)(8)(B), 5008, and 7509 of the House bill, and section 102, subtitle A of title I, sections 406, 604(h), title VII, title VIII, sections 983, 989E, 1027(j), 1088(a)(8), 1098, and 1099 of the Senate amendment, and modifications committed to conference: Messrs. PETERSON, BOSWELL; and LUCAS.

From the Committee on Energy and Commerce, for consideration of sections 3009, 3102(a)(2), 4001, 4002, 4101-4114, 4201, 4202, 4204-4210, 4301-4311, 4314, 4401-4403, 4410, 4501-4509, 4601-4606, 4815, 4901, and that portion of section 8002(a)(3) which adds a new section 313(d) to title 31, United States Code, of the House bill, and that portion of section 502(a)(3) which adds a new section 313(d) to title 31, United States Code, sections 722(e), 1001, 1002, 1011-1018, 1021-1024, 1027-1029, 1031-1034, 1036, 1037, 1041, 1042, 1048, 1051-1058, 1061-1067, 1101, and 1105 of the Senate amendment, and modifications committed to conference: Messrs. WAXMAN, RUSH, and BARTON of Texas.

From the Committee on the Judiciary, for consideration of sections 1101(e)(2), 1103(e)(2), 1104(i)(5) and (i)(6), 1105(h) and (i), 1110(c) and (d), 1601, 1605, 1607, 1609, 1610, 1612(a), 3002(c)(3) and (c)(4), 3006, 3119, 3206, 4205(n), 4306(b), 4501-4509, 4603, 4804(b)(8)(A), 4901(c)(8)(D) and (e), 6003, 7203(a), 7205, 7207, 7209, 7210, 7213-7216, 7220, 7302, 7507, 7508, 9004, 9104, 9105, 9106(a), 9110(b), 9111, 9118, 9203(c), and 9403(b) of the House bill, and sections 112(b)(5)(B), 113(h), 153(f), 201, 202, 205, 208-210, 211(a) and (b), 316, 502(a)(3), 712(c), 718(b), 723(a)(3), 724(b), 725(c), 728, 731, 733, 735(b), 744, 748, 753, 763(a), (c) and (i), 764, 767, 809(f), 922, 924, 929B, 932, 991(b)(5), (c)(2)(G) and (c)(3)-(H), 1023(c)(7) and (c)(8), 1024(c)(3)(B), 1027(e), 1042, 1044(a), 1046(a), 1047, 1051-1058, 1063, 1088(a)(7)(A), 1090, 1095, 1096, 1098, 1104, 1151(b), and 1156(c) of the Senate amendment, and modifications committed to conference: Messrs. CONYERS, BERMAN, and SMITH of Texas.

From the Committee on Oversight and Government Reform, for consideration of sections 1000A, 1007, 1101(e)(3), 1203(d), 1212, 1217, 1254(c), 1609(h)(8)(B), 1611(d), 3301, 3302, 3304, 4106(b)(2) and (g)(4)(D), 4604, 4801, 4802, 5004, 7203(a), 7409, and 8002(a)(3) of the House bill, and sections 111(g), (i) and (j), 152(d)(2), (g) and (k), 210(h)(8), 319, 322, 404, 502(a)(3), 723(a)-(3), 748, 763(a), 809(g), 922(a), 988, 989B, 989C, 989D, 989E, 1013(a), 1022(c)(6), 1064, 1152, and 1159(a) and (b) of the Senate amendment, and modifications committed to conference: Messrs. TOWNS, CUMMINGS, and ISSA.

From the Committee on Small Business, for consideration of sections 1071 and 1104 of the Senate amendment, and modifications committed to conference: Ms. VELAZQUEZ, Messrs. SHULER, and GRAVES.

At 5:05 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the

House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5072. An act to improve the financial safety and soundness of the FHA mortgage insurance program.

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

S. 3473. An act to amend the Oil Pollution Act of 1990 to authorize advances from Oil Spill Liability Trust Fund for the Deepwater Horizon oil spill.

HOUSE BILLS REFERRED

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

H.R. 5026. An act to amend the Federal Power Act to protect the bulk-power system and electric infrastructure critical to the defense of the United States against cybersecurity and other threats and vulnerabilities; to the Committee on Energy and Natural Resources.

H.R. 5072. An act to improve the financial safety and soundness of the FHA mortgage insurance program; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 5133. An act to designate the facility of the United States Postal Service located at 331 1st Street in Carlstadt, New Jersey, as the "Staff Sergeant Frank T. Carvill and Lance Corporal Michael A. Schwarz Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5278. An act to designate the facility of the United States Postal Service located at 405 West Second Street in Dixon, Illinois, as the "President Ronald W. Reagan Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. DORGAN,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. DORGAN,

The Senate resumed its legislative session.

ORDER FOR EXECUTIVE SESSION

By unanimous consent, on the request of Mr. DORGAN,

As in executive session,

Ordered, That, at 11:30 a.m. on Tuesday, June 15, 2010, the Senate proceed to executive session to consider the nominations of Tanya Walton Pratt, of Indiana, to be United States District Judge for the Southern District of Indiana; Brian Anthony Jackson, of Louisiana, to be United States District Judge for the Middle District of Louisiana; and Elizabeth Erny Foote, of Louisiana, to be United States District Judge for the Western District of Louisiana; that there be 20 minutes, equally divided and controlled, for concurrent debate between Mr. LEAHY and Mr. SESSIONS, or their designees; that, upon conclusion of debate, the Senate vote on confirmation of the nominations; that each vote following the first be 10 minutes in duration; that, upon confirmation, a motion to reconsider be considered made and laid on the table; that the President be notified of the Senate's action; and that, following disposition of the nominations, the Senate resume its legislative session.

CRUISE VESSEL SECURITY AND SAFETY ACT

By unanimous consent, on the request of Mr. DORGAN,

The Senate proceeded to consider the bill (H.R. 3360) to amend title 46, United States Code, to establish requirements to ensure the security and safety of passengers and crew on cruise vessels, and for other purposes.

The question being on the passage of the bill.

On motion by Mr. DORGAN (for Mr. ROCKEFELLER) to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 4339, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL HEALTH INFORMATION TECHNOLOGY WEEK"

On the request of Mr. DORGAN,

The PRESIDING OFFICER (Mr. MERKLEY in the chair) laid before the Senate the resolution (S. Res. 550) designating the week beginning on June 14, 2010, and ending on June 18, 2010, as "National Health Information Technology Week" to recognize the value of health information technology to improving health quality, submitted today by Ms. STABENOW (for herself and Ms. SNOWE), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

The PRESIDING OFFICER announced that the PRESIDENT pro tempore, on recommendation of the minority leader, pursuant to Public Law 105-292, as amended by Public Law 106-55 and Public Law 107-228, had appointed the following individual to the United States Commission on International Religious Freedom: Leonard A. Leo, of Virginia.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, JUNE 14, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DORGAN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2 p.m. on Monday, June 14, 2010; that, on Monday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 3 p.m., with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; and that, following morning business, the Senate resume consideration of the House message on the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

ADJOURNMENT

By unanimous consent, on the request of Mr. DORGAN,

At 6:05 p.m.,

The Senate adjourned, under its order of today, until 2 p.m. on Monday, June 14, 2010.

MONDAY, JUNE 14, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, June 14, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of Thursday, June 10, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Thursday, June 10, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Thursday, June 10, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 6, 2009, the Secretary of the Senate, on June 14, 2010, during the adjournment of the Senate, received a message from the House announcing that the Speaker has signed the following enrolled bill:

S. 3473. An act to amend the Oil Pollution Act of 1990 to authorize advances from Oil Spill Liability Trust Fund for the Deepwater Horizon oil spill.

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 2009, the enrolled bill was subsequently signed, during the adjournment of the Senate, by the PRESIDENT pro tempore.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, Monday, June 14, 2010, she had presented to the President of the United States the following enrolled bill:

S. 3473. A bill to amend the Oil Pollution Act of 1990 to authorize advances from Oil Spill Liability Trust Fund for the Deepwater Horizon oil spill.

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by Mrs. Neiman, one of his secretaries:

CONTINUATION OF NATIONAL EMERGENCY DECLARED WITH RESPECT TO CERTAIN FISSILE MATERIAL ON THE KOREAN PENINSULA -- PM 62

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the Federal Register for publication the enclosed notice stating that the national emergency declared in Executive Order 13466 of June 26, 2008, is to continue in effect beyond June 26, 2010.

The existence and the risk of proliferation of weapons-usable fissile material on the Korean Peninsula constitute a continuing unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency and maintain certain restrictions with respect to North Korea and North Korean nationals.

BARACK OBAMA.
THE WHITE HOUSE, *June 14, 2010.*

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6186. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Sodium 1,4-Dialkyl Sulfosuccinates; Exemption from the Requirement of a Tolerance" (FRL No. 8825-2), received in the Office of the President of the Senate on June 9, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6187. A communication from the Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Competitive and Noncompetitive Nonformula Federal Assistance Programs - Administrative Provisions and Subpart K for Biomass Research and Development Initiative" (RIN0524-AA61), received in the Office of the President of the Senate on June 9, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6188. A communication from the General Counsel of the Department of Defense, transmitting proposed legislation entitled "Procedures for Judicial Review of Certain Military Personnel Decisions"; to the Committee on Armed Services.

EC-6189. A communication from the General Counsel of the Department of Defense, transmitting proposed legislation relative to Extension of Maximum Age for Appointment to Service Academies for Limited Number of Exceptional Candidates; to the Committee on Armed Services.

EC-6190. A communication from the General Counsel of the Department of Defense, transmitting proposed legislation relative to Authority to Expedite Background Investigations for Hiring of Wounded Warriors and Spouses by Department of Defense and Defense Contractors; to the Committee on Armed Services.

EC-6191. A communication from the General Counsel of the Department of Defense, transmitting proposed legislation relative to Exception to Full and Open Competition to Permit Consideration of Supply Chain Risk in the Interest of National Security; to the Committee on Armed Services.

EC-6192. A communication from the General Counsel of the Department of Defense, transmitting proposed legislation relative to Expansion of Authority Relating to Phase II of Three-Phase Approach to Joint Professional Military Education; to the Committee on Armed Services.

EC-6193. A communication from the Secretary of Energy, transmitting proposed legislation relative to Elimination of Requirement for Annual Update and Report to Congress on Workforce Restructuring Plans; to the Committee on Armed Services.

EC-6194. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Docket No.

FEMA-2010-0003)), received in the Office of the President of the Senate on June 9, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6195. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants: Final Rulemaking to Establish Take Prohibitions for the Threatened Southern Distinct Population Segment of North American Green Sturgeon" (RIN0648-AV94), received in the Office of the President of the Senate on June 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6196. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Amendment 10; Correction" (RIN0648-AY00), received in the Office of the President of the Senate on June 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6197. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery of the Gulf of Mexico and South Atlantic; Revisions to Allowable Bycatch Reduction Devices" (RIN0648-AY58), received in the Office of the President of the Senate on June 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6198. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Revisions to Framework Adjustment 44 to the Northeast Multispecies Fishery Management Plan and Sector Annual Catch Entitlements: Updated Annual Catch Limits for Sectors and the Common Pool for Fishing Year 2010" (RIN0648-AY29), received in the Office of the President of the Senate on June 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6199. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeastern Multispecies Fishery; Reductions to Trip Limits for Five Groundfish Stocks" (RIN0648-AY52), received in the Office of the President of the Senate on June 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6200. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus A318, A319, A320, A321 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0129)), received in the Office of the President of the Senate on June 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6201. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company CF34-1A, -3A, -3A1, -3A2, -3B and -3B1 Turbofan Engines; Correction" ((RIN2120-AA64)-(Docket No. FAA-2007-27687)), received in the Office of the President of the Senate on June 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6202. A communication from the Deputy Associate General Counsel for General Law, Office of the General Counsel, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the Department of Homeland Security in the position of Assistant Secretary/Administrator of the Transportation Security Administration, received in the Office of the President of the Senate on June 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6203. A communication from the Assistant General Counsel for Legislation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Weatherization Assistance for Low-Income Persons: Maintaining the Privacy of Applicants for and Recipients of Services" (RIN1904-AC16), received in the Office of the President of the Senate on June 9, 2010; to the Committee on Energy and Natural Resources.

EC-6204. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Withdrawal of the Emission-Comparable Fuel Exclusion under RCRA" (FRL No. 9160-9), received in the Office of the President of the Senate on June 9, 2010; to the Committee on Environment and Public Works.

EC-6205. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Primary National Ambient Air Quality Standard for Sulfur Dioxide" (FRL No. 9160-4), received in the Office of the President of the Senate on June 9, 2010; to the Committee on Environment and Public Works.

EC-6206. A communication from the Deputy Associate Commissioner, Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Consultative Examination - Annual Onsite Review of Medical Providers" (RIN0960-AH17), received in the Office of the President of the Senate on June 9, 2010; to the Committee on Finance.

EC-6207. A communication from the Deputy Associate Commissioner, Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Revised Medical Criteria for Evaluating Hearing Loss--2862F" (RIN0960-AG20), received in the Office of the President of the Senate on June 9, 2010; to the Committee on Finance.

EC-6208. A communication from the Secretary of Labor, transmitting proposed legislation entitled "Unemployment Compensation Program Integrity Act of 2010"; to the Committee on Finance.

EC-6209. A communication from the General Counsel of the Department of Defense, transmitting proposed legislation entitled "Consolidation and Modification of Semiannual Reports on Progress Toward Security and Stability in Afghanistan and Pakistan; to the Committee on Foreign Relations.

EC-6210. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the Department's Office of Inspector General's Semiannual Report for the period of October 1, 2009 through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6211. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Department of Health and Human Services Office of Inspector General's Semiannual Report for the period of October 1, 2009 through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6212. A communication from the Chairman, Postal Regulatory Commission, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report to Congress for the period of October 1, 2009, through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6213. A communication from the Secretary of the Department of Education, transmitting, pursuant to law, the Semiannual Report from the Office of the Inspector General for the period from October 1, 2009, through March 31, 2010; to the Committee

on Homeland Security and Governmental Affairs.

EC-6214. A communication from the General Counsel, National Labor Relations Board, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2009 through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6215. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2009, through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6216. A communication from the General Counsel of the Department of Defense, transmitting proposed legislation entitled "Enhanced Retirement Benefits for Certain Employees of the Pentagon Force Protection Agency"; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 2852. A bill to establish, within the National Oceanic and Atmospheric Administration, an integrated and comprehensive ocean, coastal, Great Lakes, and atmospheric research, prediction, and environmental information program to support renewable energy (Rept. No. 111-206).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 3951. A bill to designate the facility of the United States Postal Service located at 2000 Louisiana Avenue in New Orleans, Louisiana, as the "Roy Rondeno, Sr. Post Office Building".

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Ms. SNOWE (for herself and Ms. KLOBUCHAR):

S. 3483. A bill to amend section 139 of title 49, United States Code, to increase the effectiveness of Federal oversight of motor carriers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. McCASKILL (for herself and Mr. BENNETT):

S. 3484. A bill to require the Director of the Office of Management and Budget to issue guidance on the use of peer-to-peer file sharing software to prohibit the personal use of such software by Government employees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. KAUFMAN (for himself, Mr. CASEY, Mr. LIEBERMAN, Mr. MCCAIN, Mrs. SHAHEEN, Mr. KYL, Mr. FEINGOLD, Mr. BROWNBACK, Mr. MENENDEZ, Mr. GRAHAM, and Mr. LEVIN):

S. Res. 551. A resolution marking the one year anniversary of the June 12, 2009, presidential election in Iran, and condemning ongoing human rights abuses in Iran; considered and agreed to.

ADDITIONAL COSPONSORS

S. 332

At the request of Mrs. FEINSTEIN, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 332, a bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner.

S. 616

At the request of Mr. HARKIN, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 616, a bill to amend the Public Health Service Act to authorize medical simulation enhancement programs, and for other purposes.

S. 686

At the request of Ms. MIKULSKI, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 686, a bill to establish the Social Work Reinvestment Commission to advise Congress and the Secretary of Health and Human Services on policy issues associated with the profession of social work, to authorize the Secretary to make grants to support recruitment for, and retention, research, and reinvestment in, the profession, and for other purposes.

S. 941

At the request of Mr. CRAPO, the name of the Senator from Iowa [Mr. GRASSLEY] was added as a cosponsor of S. 941, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearm laws and regulations, protect the community from criminals, and for other purposes.

S. 1112

At the request of Mr. DODD, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 1112, a bill to make effective the proposed rule of the Food and Drug Administration relating to sunscreen drug products, and for other purposes.

S. 1335

At the request of Mrs. MURRAY, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 1335, a bill to require reports on the effectiveness and impacts of the implementation of the Western Hemisphere Travel Initiative, and for other purposes.

S. 1580

At the request of Mrs. MURRAY, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 1580, a bill to amend the Occupational Safety and Health Act of 1970 to expand coverage under the Act, to increase protections for whistleblowers, to increase penalties for certain violators, and for other purposes.

S. 3102

At the request of Mr. MERKLEY, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 3102, a bill to amend the miscellaneous rural development provisions of the Farm Security and Rural Investment Act of 2002 to authorize the Secretary of Agriculture to make loans to certain entities that will use the funds to make loans to consumers to implement energy efficiency measures involving structural improvements and investments in cost-effective, commercial off-the-shelf technologies to reduce home energy use.

S. 3181

At the request of Mr. BROWNBACK, the name of the Senator from Georgia [Mr. ISAKSON] was added as a cosponsor of S. 3181, a bill to protect the rights of consumers to diagnose, service, maintain, and repair their motor vehicles, and for other purposes.

S. 3184

At the request of Mrs. BOXER, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 3184, a bill to provide United States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes.

S. 3211

At the request of Mrs. SHAHEEN, the names of the Senator from Nebraska [Mr. NELSON] and the Senator from North Carolina [Mr. BURR] were added as cosponsors of S. 3211, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by designating certain certified diabetes educators as certified providers for purposes of outpatient diabetes self-management training services under part B of the Medicare Prorgram.

S. 3225

At the request of Mr. BEGICH, the name of the Senator from New York [Mrs.

GILLIBRAND] was added as a cosponsor of S. 3225, a bill to direct the Secretary of Commerce to establish a comprehensive grant program to promote domestic regional tourism.

S. 3276

At the request of Mr. WYDEN, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 3276, a bill to provide an election to terminate certain capital construction funds without penalties.

S. 3302

At the request of Mr. ROCKEFELLER, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 3302, a bill to amend title 49, United States Code, to establish new automobile safety standards, make better motor vehicle safety information available to the National Highway Traffic Safety Administration and the public, and for other purposes.

S. 3326

At the request of Ms. CANTWELL, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 3326, a bill to provide grants to States for low-income housing projects in lieu of low-income housing credits, and to amend the Internal Revenue Code of 1986 to allow a 5-year carryback of the low-income housing credit, and for other purposes.

S. 3339

At the request of Mr. KERRY, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 3339, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 3345

At the request of Mr. WHITEHOUSE, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 3345, a bill to amend title 46, United States Code, to remove the cap on punitive damages established by the Supreme Court in Exxon Shipping Company v. Baker.

S. 3412

At the request of Mr. DODD, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 3412, a bill to provide emergency operating funds for public transportation.

S. 3463

At the request of Mr. LEAHY, the names of the Senator from Minnesota [Ms. KLOBUCHAR], the Senator from Wisconsin [Mr. FEINGOLD] and the Senator from New York [Mr. SCHUMER] were added as cosponsors of S. 3463, a bill to amend chapter 303 of title 46, United States Code, to provide fair treatment for the families of those killed on the high seas.

S. 3478

At the request of Mr. SCHUMER, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 3478, a bill to amend title 46, United States Code, to repeal certain limitations of liability and for other purposes.

SENATE JOINT RESOLUTION 30

At the request of Mr. ISAKSON, the names of the Senator from Arizona [Mr. KYL] and the Senator from Idaho [Mr. RISCH] were added as cosponsors of Senate Joint Resolution 30, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Mediation Board relating to representation election procedures.

SENATE RESOLUTION 519

At the request of Mr. DEMINT, the names of the Senator from Missouri [Mr. BOND] and the Senator from Texas [Mr. CORNYN] were added as cosponsors of Senate Resolution 519, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and children is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent.

SENATE RESOLUTION 548

At the request of Mr. CORNYN, the names of the Senator from Kansas [Mr. BROWNBACK] and the Senator from Oklahoma [Mr. INHOFE] were added as cosponsors of Senate Resolution 548, a resolution to express the sense of the Senate that Israel has an undeniable right to self-defense, and to condemn the recent destabilizing actions by extremists aboard the ship Mavi Marmara.

OBJECTION TO CONSIDERATION OF BILL S. 3421

Mr. MCCONNELL asked unanimous consent that the Senate proceed to consider the bill (S. 3421) to provide a temporary extension of certain programs, and for other purposes; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. REID objected.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

Pursuant to the order of Thursday, June 10, 2010,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; and

The Senate resumed consideration of the House amendment.

The question being on agreeing to amendment No. 4312, proposed by Mr. VITTER (for himself, Mr. GREGG, Mr. CORNYN, Mr. ENZI, Mr. ALEXANDER, Mrs. HUTCHISON, Ms. MURKOWSKI, Mr. SESSIONS, Mr. COBURN, Mr. RISCH, Mr. WICKER, Mr. CRAPO, Mr. SHELBY, and Mr. BEGICH), to amendment No. 4301 (in the nature of a substitute), as amended, contained in the motion, by Mr. BAUCUS, that the Senate concur, with amendment, in the House amendment to the Senate amendment to the bill.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 4301 (in the nature of a substitute), as amended, contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

On motion by Mr. REID to further amend the pending amendment (in the nature of a substitute) in title II, subtitle B, part I, at the end thereof, by adding certain words (being amendment No. 4344).

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 4301 (in the nature of a substitute), as amended, contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

On motion by Mr. THUNE (for himself, Mr. ISAKSON, Mr. MCCONNELL, Mr. MCCAIN, Mr. ROBERTS, Mr. BOND, Mr. COBURN, Mr. SCOTT BROWN, and Mr. CORNYN) to further amend (perfect) the pending amendment (in the nature of a substitute) by striking all after the first word, and inserting in lieu thereof other words (being amendment No. 4333).

Pending debate,

Mr. REID presented a motion to bring to a close debate on the motion to concur, with amendment, in the House amendment to the Senate amendment to bill H.R. 4213; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment (in the nature of a substitute) to the Senate amendment (in the nature of a substitute) to bill H.R. 4213, with an amendment

(numbered 4301, in the nature of a substitute), as amended:

HARRY REID, MAX BAUCUS, DICK DURBIN, ROLAND W. BURRIS, BEN CARDIN, JAY ROCKEFELLER, JOHN KERRY, TOM CARPER, JEFF BINGAMAN, BILL NELSON, TOM HARKIN, JACK REED, JEANNE SHAHEEN, BYRON L. DORGAN, FRANK LAUTENBERG, ROBERT P. CASEY, TOM UDALL.

The question being on agreeing to amendment No. 4333 to amendment No. 4301 (in the nature of a substitute), as amended, contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

Pending debate,

FORMALDEHYDE STANDARDS FOR COMPOSITE WOOD PRODUCTS ACT

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (S. 1660) to amend the Toxic Substances Control Act to reduce the emissions of formaldehyde from composite wood products.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. REID (for Ms. KLOBUCHAR) to insert, in lieu of the language proposed to be inserted by the pending reported amendment (in the nature of a substitute), other words (being amendment No. 4347, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The reported amendment (in the nature of a substitute), as amended, was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

SUPPORTING NATIONAL MEN'S HEALTH WEEK

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on Health, Education, Labor, and Pensions, be discharged from the further consideration of the resolution (S. Res. 547) supporting National Men's Health Week.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

MARKING THE ANNIVERSARY OF THE PRESIDENTIAL ELECTION IN IRAN

On the request of Mr. REID,

The PRESIDING OFFICER (Mrs. SHAHEEN in the chair) laid before the Senate the resolution (S. Res. 551) marking the 1-year anniversary of the June 12, 2009 presidential election in Iran, and condemning ongoing human rights abuses in Iran, submitted today by Mr. KAUFMAN (for himself, Mr. BROWNBACK, Mr. CASEY, Mr. FEINGOLD, Mr. GRAHAM, Mr. KYL, Mr. LEVIN, Mr. LIEBERMAN, Mr. MCCAIN, Mr. MENENDEZ, and Mrs. SHAHEEN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 11:30 a.m., with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; that the majority control the first 30 minutes therein, and the minority control the second 30 minutes therein; and that, following morning business, the Senate proceed to executive session, as pursuant to the order of Thursday, June 10, 2010.

Ordered further, That, upon disposition of the nominations on tomorrow, the Senate recess until 2:15 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 6:27 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

TUESDAY, JUNE 15, 2010

Mrs. JEANNE SHAHEEN, from the State of New Hampshire, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mrs. SHAHEEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, June 15, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. SHAHEEN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6217. A communication from the General Counsel of the Department of Defense, transmitting legislative proposals relative to the National Defense Authorization Bill for fiscal year 2011; to the Committee on Armed Services.

EC-6218. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports

to South Korea; to the Committee on Banking, Housing, and Urban Affairs.

EC-6219. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of Homeland Security, transmitting a legislative proposal "To Amend the Federal Water Pollution Control Act to Disestablish the National Response Unit"; to the Committee on Environment and Public Works.

EC-6220. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Application of Section 469 to the Section 45D New Markets Tax Credit" (Rev. Rul. 2010-16), received in the Office of the President of the Senate on June 11, 2010; to the Committee on Finance.

EC-6221. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice No. 2010-47), received in the Office of the President of the Senate on June 11, 2010; to the Committee on Finance.

EC-6222. A communication from the Office Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid Program; Final Fiscal Year 2008, Revised Preliminary Fiscal Year 2009, and Preliminary Fiscal Year 2010 Disproportionate Share Hospital Allotments and Final Fiscal Year 2008, Revised Preliminary Fiscal Year 2009, and Preliminary Fiscal Year 2010 Disproportionate Share Hospital Institutions for Mental Disease Limits" (RIN0938-AP66), received in the Office of the President of the Senate on June 10, 2010; to the Committee on Finance.

EC-6223. A communication from the Department of State, transmitting, pursuant to law, a report relative to the classified annex to the Nuclear Proliferation Assessment Statement (OSS Control No. 2010-0734); to the Committee on Foreign Relations.

EC-6224. A communication from the Department of State, transmitting, pursuant to law, a report relative to U.S. Assistance for the Government of Kenya (OSS Control No. 2010-0906); to the Committee on Foreign Relations.

EC-6225. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, including, technical data, and defense services for the upgrade of the Iraqi Ministry of Defense communication systems in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-6226. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, including, technical data, and defense services for the delivery, integration, and maintenance of the RF5800V-HH VHF Handheld, RF-5800V-MP VHF Manpack, RF-5800H-MP HF Manpack and the RF-7800S Secure Personnel Radio for end-use by the Sudan's People's Liberation Army Special Operations Command in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-6227. A communication from the Chief Executive Officer, Millennium Challenge Corporation, transmitting, proposed legislation relative to the Millennium Challenge Act of 2003; to the Committee on Foreign Relations.

EC-6228. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Federal Long Term Care Insurance Program: Eligibility Changes" (RIN3206-AL92), received in the Office of the President of the Senate on June 10, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6229. A communication from the Director, Office of Personnel Management, transmitting, proposed legislation relative to permitting certain General Schedule Department of the Navy employees to earn an overtime rate that exceeds the overtime hourly rate cap that is normally applicable; to the Committee on Homeland Security and Governmental Affairs.

EC-6230. A communication from the Administrator of the Small Business Administration, transmitting, pursuant to law, the Semiannual Report from the Office of the Inspector General for the period from October 1, 2009, through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6231. A communication from the Director, Peace Corps, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2009, through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6232. A communication from the Chairman, Board of Governors, U.S. Postal Service, transmitting, pursuant to law, the Semiannual Report on the Audit, Investigative, and Security Activities of the U.S. Postal Service for the period of October 1, 2009 through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6233. A communication from the Director of Regulations Policy and Management, National Cemetery Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "State Cemetery Grants" (RIN2900-AM96), received in the Office of the President of the Senate on June 10, 2010; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

H.R. 4275. To designate the annex building under construction for the Elbert P. Tuttle United States Court of Appeals Building in Atlanta, Georgia, as the "John C. Godbold Federal Building".

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

S. 1508. A bill to amend the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) in order to prevent the loss of billions in taxpayer dollars.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. BARRASSO (for himself, Mr. CONRAD, Mr. CRAPO, Mr. RISCH, Mr. JOHNSON, Mr. THUNE, Ms. MURKOWSKI, Mr. BEGICH, Mr. SANDERS, Mr. TESTER, Mr. DORGAN, Mr. ENZI, and Mrs. SHAHEEN):

S. 3485. A bill to amend title 23, United States Code, to improve highway mobility in rural States for the benefit of all States; to the Committee on Environment and Public Works.

By Mr. BROWN of Ohio (for himself, Mr. SANDERS, Mr. ROCKEFELLER, Mr. SPECTER, Mr. BEGICH, Mr. FRANKEN, and Ms. MIKULSKI):

S. 3486. A bill to amend title 38, United States Code, to repeal the prohibition on collective bargaining with respect to matters and questions regarding compensation of employees of the Department of Veterans Affairs other than rates of basic pay, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. UDALL of Colorado:

S. 3487. A bill to amend the Public Utility Regulatory Policies Act of 1978 to provide electric consumers the right to access certain electric energy information, and for other

purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 3488. A bill to amend the Wild and Scenic Rivers Act to make technical corrections to the segment designations for the Chetco River, Oregon; to the Committee on Energy and Natural Resources.

By Mr. VITTER (for himself and Mr. WICKER):

S. 3489. A bill to terminate the moratorium on deepwater drilling issued by the Secretary of the Interior; to the Committee on Energy and Natural Resources.

By Mr. WARNER (for himself and Mr. WICKER):

S. 3490. A bill to clarify the rights and responsibilities of Federal entities in the spectrum relocation process, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. INOUYE:

S. 3491. A bill to amend title XVIII of the Social Security Act to provide for patient protection by establishing safe nurse staffing levels at certain Medicare providers, and for other purposes; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 3492. A bill to amend the Outer Continental Shelf Lands Act to require the drilling of emergency relief wells, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SPECTER (for himself, Ms. STABENOW, and Mr. MENENDEZ):

S. 3493. A bill to reauthorize and enhance Johanna's Law to increase public awareness and knowledge with respect to gynecologic cancers; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND (for herself and Mr. KOHL):

S. 3494. A bill to prevent mail, telemarketing, and Internet fraud targeting seniors in the United States, to promote efforts to increase public awareness of the enormous impact that mail, telemarketing, and Internet fraud have on seniors, to educate the public, seniors, their families, and their caregivers about how to identify and combat fraudulent activity, and for other purposes; to the Committee on the Judiciary.

By Mr. DORGAN (for himself and Mr. MERKLEY):

S. 3495. A bill to promote the deployment of plug-in electric drive vehicles, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. BENNET (for himself, Mr. HATCH, Mr. ISAKSON, and Ms. KLOBUCHAR):

S. Res. 552. A resolution designating June 23, 2010, as "Olympic Day"; to the Committee on the Judiciary.

By Ms. STABENOW (for herself and Mr. LIEBERMAN):

S. Res. 553. A resolution expressing the sense of the Senate that Congress should unwaveringly uphold the dignity and independence of older Americans; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 362

At the request of Mr. ROCKEFELLER, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 362, a bill to amend title 38, United States Code, to improve the collective bargaining rights and procedures for review of adverse actions of certain employees of the Department of Veterans Affairs, and for other purposes.

S. 384

At the request of Mr. LUGAR, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 384, a bill to authorize appropriations for fiscal years 2010 through 2014 to provide assistance to foreign countries to promote food security, to stimulate rural economies, and to improve emergency response to food crises, to amend the Foreign Assistance Act of 1961, and for other purposes.

S. 592

At the request of Ms. CANTWELL, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 592, a bill to implement the recommendations of the Federal Communications Commission report to the Congress regarding low-power FM service.

S. 752

At the request of Mr. DURBIN, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 752, a bill to reform the financing of Senate elections, and for other purposes.

S. 1158

At the request of Ms. STABENOW, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 1158, a bill to authorize the Secretary of Health and Human Services to conduct activities to rapidly advance treatments for spinal muscular atrophy, neuromuscular disease, and other pediatric diseases, and for other purposes.

S. 1345

At the request of Mr. REED, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 1345, a bill to aid and support pediatric involvement in reading and education.

S. 1698

At the request of Mr. BINGAMAN, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 1698, a bill to provide grants to the States to improve high schools and raise graduation rates while ensuring rigorous standards, to develop and implement effective school models for struggling students and dropouts, and to improve State policies to raise graduation rates, and for other purposes.

S. 3033

At the request of Mr. DURBIN, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 3033, a bill to amend title 11, United States Code, to improve protections for employees and retirees in business bankruptcies.

S. 3084

At the request of Ms. KLOBUCHAR, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 3084, a bill to increase the competitiveness of United States businesses, particularly small and medium-sized manufacturing firms, in interstate and global commerce, foster job creation in the United States, and assist United States businesses in developing or expanding commercial activities in interstate and global commerce by expanding the ambit of the Hollings Manufacturing Extension Partnership program and the Technology Innovation Program to include projects that have potential for commercial exploitation in nondomestic markets, providing for an increase in related resources of the Department of Commerce, and for other purposes.

S. 3295

At the request of Mr. SCHUMER, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 3295, a bill to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes.

S. 3311

At the request of Mr. KERRY, the names of the Senator from West Virginia [Mr. BYRD] and the Senator from South Dakota [Mr. JOHNSON] were added as cosponsors of S. 3311, a bill to improve and enhance the capabilities of the Department of Defense to prevent and respond to sexual assault in the Armed Forces, and for other purposes.

S. 3460

At the request of Mr. SANDERS, the names of the Senator from New Hampshire [Mrs. SHAHEEN] and the Senator from Washington [Ms. CANTWELL] were added as cosponsors of S. 3460, a bill to require the Secretary of Energy to provide funds to States for rebates,

loans, and other incentives to eligible individuals or entities for the purchase and installation of solar energy systems for properties located in the United States, and for other purposes.

S. 3466

At the request of Mr. LEAHY, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 3466, a bill to require restitution for victims of criminal violations of the Federal Water Pollution Control Act, and for other purposes.

S. 3472

At the request of Mr. MENENDEZ, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 3472, a bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full costs of oil spills, and for other purposes.

SENATE JOINT RESOLUTION 29

At the request of Mrs. FEINSTEIN, the names of the Senator from New Mexico [Mr. BINGAMAN], the Senator from Washington [Ms. CANTWELL] and the Senator from Montana [Mr. TESTER] were added as cosponsors of Senate Joint Resolution 29, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

SENATE RESOLUTION 548

At the request of Mr. CORNYN, the name of the Senator from Oklahoma [Mr. COBURN] was added as a cosponsor of Senate Resolution 548, a resolution to express the sense of the Senate that Israel has an undeniable right to self-defense, and to condemn the recent destabilizing actions by extremists aboard the ship Mavi Marmara.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. SANDERS,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on June 15, 2010, at 9:30 a.m.

COMMITTEE ON FOREIGN RELATION

The Committee on Foreign Relations be authorized to meet during the session of the Senate on June 15, 2010, at 2:30 p.m., to hold a hearing entitled "The New START Treaty (Treaty Doc. 111-5): The Negotiations."

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "Evaluating the Health Impacts of the Gulf of Mexico Oil Spill" on June 15, 2010. The hearing will commence at 2:30 p.m. in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and governmental Affairs be authorized to meet during the session of the Senate on June 15, 2010, at 3 p.m. to conduct a hearing entitled "Protecting Cyberspace as a National Asset: Comprehensive Legislation for the 21st Century."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on June 15, 2010, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Executive Nomination."

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on June 15, 2010, at 2:30 p.m.

SUBCOMMITTEE ON ENERGY

The Subcommittee on Energy be authorized to meet during the session of the Senate to conduct a hearing on June 15, 2010, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 2:45 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5502. An act to amend the effective date of the gift card provisions of the Credit Card Accountability Responsibility and Disclosure Act of 2009.

HOUSE BILL REFERRED

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

H.R. 5502. An act to amend the effective date of the gift card provisions of the Credit Card Accountability Responsibility and Disclosure Act of 2009; to the Committee on Banking, Housing, and Urban Affairs.

EXECUTIVE SESSION

The hour of 11:30 a.m. having passed,

Pursuant to the order of Thursday, June 10, 2010, as modified,

The Senate proceeded to executive session; and after the consideration of executive business (involving two rollcall Votes).

LEGISLATIVE SESSION

Pursuant to the order of Thursday, June 10, 2010,

The Senate resumed its legislative session.

OBJECTION RELATIVE TO AMENDMENT NO. 4318 TO BILL H.R. 4213

Mr. SANDERS asked unanimous consent that amendment No. 4318 to amendment No. 4301 (in the nature of a substitute), as amended, contained in the motion to concur in the House amendment to the Senate amendment to the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes, be the pending question; that there be 30 minutes, equally divided and controlled in the usual form, for debate thereon; and that, upon conclusion of debate, the Senate vote in relation to the amendment.

Mr. INHOFE objected.

RECESS

Pursuant to the order of yesterday, as modified,

At 1:01 p.m.,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) declared the Senate recessed until 2:15 p.m.

AT 2:15 P.M.

The PRESIDING OFFICER (Mr. BEGICH in the chair) called the Senate to order.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

The PRESIDING OFFICER laid before the Senate its pending business, viz, the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; and

The Senate resumed consideration of the House amendment.

The question being on agreeing to amendment No. 4333, proposed by Mr. THUNE (for himself, Mr. ISAKSON, Mr. MCCONNELL, Mr. MCCAIN, Mr. ROBERTS, Mr. BOND, Mr. COBURN, Mr. SCOTT BROWN, Mr. CORNYN, Mr. ENZI, and Mr. CHAMBLISS), to amendment No. 4301 (in the nature of a substitute), as amended, contained in the motion, by Mr. BAUCUS, that the Senate concur, with amendment, in the House amendment to the Senate amendment to the bill.

Pending debate,

By unanimous consent, on the request of Mr. BEGICH,

Ordered, That the question recur on agreeing to amendments Numbered 4318, 4312, and 4311; that amendment No. 4311 be modified; that there a limitation of 1 hour for concurrent debate on the amendments, divided and controlled, as follows: 20

minutes, equally divided and controlled, for debate between Mr. SANDERS and Mr. INHOFE, or their designees, on amendment No. 4318; 20 minutes, equally divided and controlled, for debate between Mr. BAUCUS and Mr. VITTER, or their designees, on amendment No. 4312; and 20 minutes, equally divided and controlled, for debate between Mr. FRANKEN and Mr. VITTER, or their designees, on amendment No. 4311.

Ordered further, That no amendment be in order to the amendments; that, upon conclusion of said concurrent debate, the Senate vote in relation to the amendments in "stacked" sequence in the aforementioned order; that there be two minutes, equally divided and controlled in the usual form, for debate prior to each vote; that each vote following the first vote be 10 minutes in duration; that each amendment, as may be modified, receive a minimum of 60 yea votes to be agreed to; that, if an amendment so receives 60 yea votes, a motion to reconsider be considered made and laid on the table; and that, if the Senate fails to agree to an amendment with a minimum of 60 yea votes, the amendment be withdrawn.

Pursuant to the foregoing order,

The question being on agreeing to amendment No. 4318, proposed by Mr. SANDERS (for himself, Mr. WHITEHOUSE, Mr. WYDEN, Mr. MENENDEZ, Mr. LAUTENBERG, and Mr. SCHUMER), to amendment No. 4301 (in the nature of a substitute), as amended, contained in the motion to concur, with an amendment, in the House amendment to the Senate amendment to the bill.

After debate,

On motion by Mr. VITTER,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the negative---
yeas... 35, nays... 61

[Rollcall Vote No. 187 Leg.]

YEAS --- 35

Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Durbin, Feingold, Feinstein, Franken, Gillibrand, Harkin, Kaufman, Klobuchar, Kohl, Lautenberg, Leahy, Levin, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Whitehouse, Wyden.

NAYS --- 61

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dodd, Dorgan, Ensign, Enzi, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Kerry, Kyl, Landrieu, Lieberman, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Pryor, Risch, Sessions, Shelby, Snowe, Tester, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Wicker.

So the amendment was not agreed to.

Pursuant to the order of today,

The amendment, not having received 60 yea votes, was withdrawn.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 4312, proposed Mr. VITTER (for himself, Mr. GREGG, Mr. CORNYN, Mr. ENZI, Mr. ALEXANDER, Mrs. HUTCHISON, Ms. MURKOWSKI, Mr. SESSIONS, Mr. COBURN, Mr. RISCH, Mr. WICKER, Mr. CRAPO, Mr. SHELBY, and Mr. BEGICH), to amendment No. 4301 (in the nature of a substitute), as amended, contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

After debate,

On motion by Mr. VITTER,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the negative---
yeas... 48, nays... 49

[Rollcall Vote No. 188 Leg.]

YEAS --- 48

Alexander, Barrasso, Begich, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dorgan, Ensign, Enzi, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, Landrieu, Lieberman, Lugar, McCain, McConnell, Merkley, Murkowski, Nelson (NE), Nelson (FL), Risch, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

NAYS --- 49

Akaka, Baucus, Bayh, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Dodd, Durbin, Feingold, Feinstein, Franken, Gillibrand, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Lautenberg, Leahy, Levin, Lincoln, McCaskill, Menendez, Mikulski, Murray, Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the amendment was not agreed to.

Pursuant to the order of today,

The amendment, not having received 60 yea votes, was withdrawn.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 4311, as modified, proposed by Mr. FRANKEN (for himself, Ms. SNOWE, Mrs. MURRAY, Mr. DODD, Mr. ROCKEFELLER, Mrs. GILLIBRAND, and Mrs. SHAHEEN), to amendment No. 4301 (in the nature of a substitute), as amended, contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

After debate,

On motion by Mr. SHELBY,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment, as modified.

The question being taken.

It was determined in the affirmative---
yeas... 63, nays... 33

[Rollcall Vote No. 189 Leg.]

YEAS --- 63

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Brown (MA), Brown (OH), Burr, Burris, Cantwell, Cardin, Carper, Casey, Collins, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Graham, Grassley, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Vitter, Warner, Webb, Whitehouse, Wyden.

NAYS --- 33

Alexander, Barrasso, Bennett, Bond, Brownback, Bunning, Chambliss, Coburn, Cochran, Conrad, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, Lugar, McCain, McConnell, Nelson (NE), Risch, Sessions, Shelby, Thune, Voinovich, Wicker.

So the amendment, as modified, was agreed to.

The question recurring on agreeing to amendment No. 4333 to amendment No. 4301 (in the nature of a substitute), as amended, contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

Pending debate,

By unanimous consent, on the request of Mr. REID,

Ordered, That, following morning business on tomorrow, the Senate resume consideration of the House amendment to the Senate amendment to bill H.R. 4213; that there be 5 minutes, equally divided and controlled, for debate between Mr. BAUCUS and Mr. GRASSLEY, or their designees; that, upon conclusion of said debate, Mr. MCCONNELL, or his designee, be recognized to raise a Budget point of order against the pending motion to concur with amendment No. 4301 (in the nature of a substitute), as amended; that Mr. BAUCUS then be recognized to move to waive for consideration of his motion; that, if the motion is not agreed to, said pending motion to concur with amendment be withdrawn; that Mr. BAUCUS then be recognized to move to concur with an amendment; that, notwithstanding the motion to concur with amendment No. 4301 having been withdrawn, amendments Numbered 4302, as modified, 4326, and 4311, as modified, be incorporated in the motion, to be made by

Mr. BAUCUS; and that Mr. REID be recognized to propose an amendment (being the text of amendment No. 4344).

Ordered further, That, on Thursday, June 17, 2010, at 10 a.m., Mr. THUNE be recognized to propose an amendment (in the nature of a substitute, being the text of amendment No. 4333); that there be two hours, equally divided and controlled, for debate between Mr. BAUCUS and Mr. THUNE, or their designees; that, upon conclusion of debate, Mr. BAUCUS be recognized to raise a Budget point of order against said amendment to be proposed by Mr. THUNE; that Mr. THUNE, or his designee, then be recognized to move to waive for consideration of his amendment; and that, if the motion is not agreed to, said amendment to be proposed by Mr. THUNE be withdrawn.

Ordered further, That, if either motion to waive is agreed to, the amendment remain pending.

Ordered further, That the motion to bring to a close debate on the motion to concur with amendment No. 4301, be withdrawn.

DESIGNATING THE "ROY RONDENO, SR. POST OFFICE BUILDING"

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (H.R. 3951) to designate the facility of the United States Postal Service located at 2000 Louisiana Avenue in New Orleans, Louisiana, as the "Roy Rondeno, Sr. Post Office Building".

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

APPOINTMENT BY THE MINORITY LEADER

HEALTH INFORMATION TECHNOLOGY POLICY COMMITTEE

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) announced that the minority leader, pursuant to Public Law 111-5, had appointed the following individual to the Health Information Technology Policy Committee: Richard Chapman of Kentucky.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period of one hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; that the time be equally divided and controlled for debate between the two leaders, or their designees; that the minority control the first 30 minutes therein, and the majority control the second 30 minutes therein; and that, following morning business, the Senate resume consideration of the House amendment to the Senate amendment to bill H.R. 4213, as pursuant to the order of today.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 7:38 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

WEDNESDAY, JUNE 16, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, June 16, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. TOM UDALL took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6234. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "17 CFR Part 190 (75 FR 17297, April 6, 2010), Account Class" (RIN3038-AC94), received in the Office of the President of the Senate on June 10, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6235. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Bacillus thuringiensis eCry3.1Ab Protein in Corn; Temporary Exemption from the Requirement of a Tolerance" (FRL No. 8829-9), received in the Office of the President of the Senate on June 15, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6236. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pesticide Management and Disposal; Standards for Pesticide Containers and Containment; Change to Labeling Compliance Date" (FRL No. 8830-7), received in the Office of the President of the Senate on June 15, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6237. A communication from the Assistant Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, a quarterly report relative to withdrawals or diversions of equipment from Reserve component units from January 1, 2010 to March 31, 2010; to the Committee on Armed Services.

EC-6238. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral

Robert T. Moeller, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-6239. A communication from the Acting Director of the Acquisition Policy and Legislation Branch, Office of the Chief Procurement Officer, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Revision of Department of Homeland Security Acquisition Regulations; Restrictions on Foreign Acquisition" (RIN1601-AA57), received in the Office of the President of the Senate on June 10, 2010; to the Committee on Armed Services.

EC-6240. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Final Rule Amending Appendix A to the Iranian Transactions Regulations" (31 CFR Part 560), received in the Office of the President of the Senate on June 15, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6241. A communication from the Division Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Local Number Portability Porting Interval and Validation Requirements; Telephone Number Portability" (FCC 10-85), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6242. A communication from the Deputy Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Facilitating the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands" (FCC 10-107), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6243. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to obligations and unobligated balances of funds provided for Federal-aid highway and safety construction programs during fiscal year 2008; to the Committee on Commerce, Science, and Transportation.

EC-6244. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of the Clean Air Act, Section 112(I), Authority for Hazardous Air Pollutants: Air Emission Standards for Halogenated Solvent Cleaning Machines: State of Rhode Island Department of Environmental Management" (FRL No. 9163-2), received in the Office of the President of the Senate on June 15, 2010; to the Committee on Environment and Public Works.

EC-6245. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Transportation Conformity Regulations" (FRL No. 9164-5), received in the Office of the President of the Senate on June 15, 2010; to the Committee on Environment and Public Works.

EC-6246. A communication from the Director, Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Extension of Expiration Dates for Several Body System Listings" (RIN0960-AH20), received in the Office of the President of the Senate on June 15, 2010; to the Committee on Finance.

EC-6247. A communication from the Deputy Associate Commissioner, Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Technical Amendment Language Change from 'Wholly' to 'Fully'" (RIN0960-AH16), received during adjournment of the Senate in the Office of the President of the Senate on June 11, 2010; to the Committee on Finance.

EC-6248. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 41 Research Credit - Intra-Group Receipts from Foreign Affiliates" (UIL No. 41.51-11), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Finance.

EC-6249. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Built-in Gains and Losses under Section 382(h)" ((TD9487)-(RIN1545-BG03)), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Finance.

EC-6250. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 382 Segregation Rules" (Notice No. 2010-49), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Finance.

EC-6251. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 382(I)(3)(C) Fluctuations in Values" (Notice No. 2010-50), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Finance.

EC-6252. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Indoor Tanning Services; Cosmetic Services; Excise Taxes" (RIN1545-BJ41), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Finance.

EC-6253. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to U.S. military personnel and U.S. civilian contractors involved in the anti-narcotics campaign in Colombia; to the Committee on Foreign Relations.

EC-6254. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to provisions of Section 7072 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010, as they relate to restrictions on assistance to the central government of Serbia; to the Committee on Foreign Relations.

EC-6255. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a notification of the Department's intent to obligate Fiscal Year 2010 Nonproliferation, Antiterrorism, Demining and Related Programs funds to be used for the Export Control and Related Border Security Program; to the Committee on Foreign Relations.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-123. A resolution adopted by the Senate of the State of Alaska relative to the mining and processing of rare earth elements in Alaska and to the stockpiling of rare earth elements; and urging Congress to pass H.R. 4866; to the Committee on Energy and Natural Resources.

SENATE RESOLVE NO. 8

Whereas the United States once was largely self-sufficient in rare earth elements; and

Whereas mineable concentrations of rare earth elements are not commonly found; and

Whereas rare earth elements are exceptionally valuable because of their unique chemical, electrical, and physical properties; and

Whereas the unique chemical, electrical, and physical properties of rare earth elements

make them indispensable for a wide variety of emerging critical technologies, and, in particular, technologies needed for defense and clean energy applications; and

Whereas the United States has become almost entirely dependent on foreign sources of yttrium, niobium, and rare earth elements, as well as associated elements of tantalum and zirconium; and

Whereas dysprosium and terbium are among the scarcest, most valuable, and most sought after rare earth metals needed for green technology and military applications; and

Whereas the value-added technology and skill to allow both the recovery of rare earth elements from mineral forms in ore and the manufacture of finished products, such as magnets, from rare earth elements has almost entirely migrated to China, as has the actual mining of rare earth ores; and

Whereas China currently accounts for 97 percent of the world's production of rare earth elements; and

Whereas China has reduced its exports of rare earth elements; and

Whereas a future in which manufacturing of wind turbines, solar panels, advanced batteries, and geothermal steam turbines are produced only outside of the United States poses a risk to the country; and

Whereas, after extraction of rare earth ores, processing, refining, and production are needed to provide the United States with self-reliance in these technologies; and

Whereas, in contrast to rare earth element deposits found elsewhere in the United States, Bokan Mountain discoveries on the southern end of Prince of Wales Island are rich in the heavy rare earth elements of europium, gadolinium, terbium, dysprosium, thulium, holmium, erbium, ytterbium, lutetium, and yttrium; and

Whereas continued exploration, together with the establishment of secondary processing and research facilities in Alaska, would result in new career opportunities for Alaskans; and

Whereas current economic opportunities on Prince of Wales Island and throughout Alaska have significantly decreased; and

Whereas the federal Tongass National Forest Land and Resource Management Plan has been completed and the Bokan Mountain area zoned for mineral development; and

Whereas the state's Prince of Wales Island Area Plan has been completed and the Kendrick Bay area classified for mineral and forestry access and development; and

Whereas overland access and transport requirements in the Tongass National Forest are mitigated by immediate access to the mining property by ocean transport; and

Whereas H.R. 4866 has been introduced in the United States Congress to reestablish a competitive domestic rare earth elements production industry, a domestic rare earth processing, refining, purification, and metals production industry, a domestic rare earth metals alloying industry, and a domestic rare earth-based magnet production industry and supply chain in the United States; Be it

Resolved, That the Senate urges the United States Congress expeditiously to pass H.R. 4866; and be it further

Resolved, That the Senate recommends continued exploration of rare earth deposits in Alaska, the issuance of permits, as promptly as allowed by law, for extraction, processing, and production of rare earth materials on the Bokan Mountain properties, and commencement of planning for extraction, processing, and production of rare earth materials by industry.

Copies of this resolution shall be sent to the Honorable Ike Skelton, Chair of the Armed Services Committee of the U.S. House of Representatives; the Honorable Sander M. Levin, Acting Chair of the Ways and Means Committee of the U.S. House of Representatives; the Honorable Barney Frank, Chair of the Financial Services Committee of the U.S. House of Representatives; the Honorable Lisa Murkowski and the Honorable Mark Begich, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress; and all other members of the 111th United States Congress.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. McCAIN:

S. 3496. A bill to amend the Internal Revenue Code of 1986 to allow individuals to designate that up to 10 percent of their income tax liability be used to reduce the national debt, and to require spending reductions equal to the amounts so designated; to the Committee on Finance

By Mr. BROWN of Massachusetts (for himself and Mrs. FEINSTEIN):

S. 3497. A bill to amend the Outer Continental Shelf Lands Act to require leases entered into under that Act to include a plan that describes the means and timeline for containment and termination of an ongoing discharge of oil, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LIEBERMAN (for himself and Mr. DODD):

S. 3498. A bill to support the establishment and operation of Teachers Professional Development Institutes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. AKAKA:

S. 3499. A bill to amend title 38, United States Code, to require fiduciaries of individuals receiving benefits under laws administered by the Secretary of Veterans Affairs to authorize the Secretary to obtain financial records with respect to such individuals for purposes of administering such laws, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BROWN of Ohio (for himself, Mr. FRANKEN, and Mr. BEGICH):

S. 3500. A bill to provide funds to States, units of general local government, and community-based organizations to save and create local jobs through the retention, restoration, or expansion of services needed by local communities, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BURR (for himself, Mr. KERRY, Mr. LUGAR, Mr. BROWN of Massachusetts, Mr. BEGICH, Mr. ROBERTS, Mr. BOND, Mr. AKAKA, Mr. SPECTER, Mrs. MCCASKILL, and Mr. DURBIN):

S.J. Res. 32. A joint resolution recognizing the 60th anniversary of the outbreak of the Korean War and reaffirming the United States-Korea alliance; considered and passed.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. ENZI (for himself, Mr. BARRASSO, Mr. BAUCUS, Mr. BINGAMAN, Mr. CONRAD, Mr. CRAPO, Mr. JOHANNS, Mr. JOHNSON, Mr. REID, and Mr. ROBERTS):

S. Res. 554. A resolution designating July 24, 2010, as "National Day of the American Cowboy"; to the Committee on the Judiciary.

By Ms. STABENOW (for herself, Mr. VOINOVICH, Mr. SPECTER, Mrs. MURRAY, Mr. BAYH, Mrs. FEINSTEIN, Mr. COCHRAN, Mrs. BOXER, Mr. CARDIN, Mr. MENENDEZ, and Ms. KLOBUCHAR):

S. Res. 555. A resolution supporting the goals and ideals of National Ovarian Cancer Awareness Month; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY (for herself, Mr. BOND, and Ms. CANTWELL):

S. Res. 556. A resolution recognizing the important role that fathers play in the lives of their children and families and designating 2010 as "The Year of the Father"; to the Committee on the Judiciary.

By Mr. NELSON of Nebraska (for himself and Mr. ISAKSON):

S. Res. 557. A resolution commending EyeCare America for its volunteerism and efforts to preserve eyesight throughout the previous 25 years; considered and agreed to.

By Mr. NELSON of Nebraska (for himself, Mr. KERRY, Mr. BROWNBACK, Mr. DODD, Mr. BINGAMAN, Mr. JOHANNS, Ms. COLLINS, Mr. BUNNING, Mr. CARPER, Mr. BROWN of Ohio, and Mr. UDALL of Colorado):

S. Res. 558. A resolution designating the week beginning September 12, 2010, as "National Direct Support Professionals Recognition Week"; considered and agreed to.

By Mr. BURRIS (for himself, Mr. DURBIN, Mrs. GILLIBRAND, Mr. LEVIN, Mr. LUGAR, Mr. HARKIN, Ms. MIKULSKI, Mrs. LINCOLN, Ms. LANDRIEU, and Mr. CARDIN):

S. Res. 559. A resolution observing the historical significance of Juneteenth Independence Day; considered and agreed to.

ADDITIONAL COSPONSORS

S. 353

At the request of Mr. BROWN of Ohio, the names of the Senator from Washington [Ms. CANTWELL] and the Senator from Massachusetts [Mr. KERRY] were added as cosponsors of S. 353, a bill to amend title IV of the Public Health Service Act to provide for the establishment of pediatric research consortia.

S. 510

At the request of Mr. DURBIN, the name of the Senator from Nebraska [Mr. NELSON] was added as a cosponsor of S. 510, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply.

S. 535

At the request of Mr. NELSON of Florida, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 535, a bill to amend title 10, United States Code, to repeal requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 649

At the request of Mr. GRASSLEY, his name was added as a cosponsor of S. 649, a bill to require an inventory of radio spectrum bands managed by the National Telecommunications and Information Administration and the Federal Communications Commission.

S. 678

At the request of Mr. LEAHY, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 678, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 866

At the request of Mr. REED, the name of the Senator from Delaware [Mr. KAUFMAN] was added as a cosponsor of S. 866, a bill to amend the Elementary and Secondary Education Act of 1965 regarding environmental education, and for other purposes.

S. 941

At the request of Mr. CRAPO, the names of the Senator from Tennessee [Mr. ALEXANDER] and the Senator from Tennessee [Mr. CORKER] were added as cosponsors of S. 941, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearm laws and regulations, protect the community from criminals, and for other purposes.

S. 1055

At the request of Mrs. BOXER, the names of the Senator from Kansas [Mr. ROBERTS] and the Senator from Iowa [Mr. HARKIN] were added as cosponsors of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1072

At the request of Mrs. LINCOLN, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 1072, a bill to amend chapter 1606 of title 10, United States Code, to modify the basis utilized for annual adjustments in amounts of educational assistance for members of the Selected Reserve.

S. 1445

At the request of Mr. LAUTENBERG, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 1445, a bill to amend the Public Health Service Act to improve the health of children and reduce the occurrence of sudden unexpected infant death and to enhance public health activities related to stillbirth.

S. 1674

At the request of Mr. WYDEN, the name of the Senator from Kansas [Mr. BROWNBACK] was added as a cosponsor of S. 1674, a bill to provide for an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 3036

At the request of Mr. BAYH, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 3036, a bill to establish the National Alzheimer's Project.

S. 3084

At the request of Ms. KLOBUCHAR, the name of the Senator from Florida [Mr. NELSON] was added as a cosponsor of S. 3084, a bill to increase the competitiveness of United States businesses, particularly small and medium-sized manufacturing firms, in interstate and global commerce, foster job creation in the United States, and assist United States businesses in developing or expanding commercial activities in interstate and global commerce by expanding the ambit of the Hollings Manufacturing Extension Partnership program and the Technology Innovation Program to include projects that have potential for commercial exploitation in nondomestic markets, providing for an increase in related resources of the Department of Commerce, and for other purposes.

S. 3141

At the request of Mr. BINGAMAN, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 3141, a bill to amend the Internal Revenue Code of 1986 to provide special rules for treatment of low-income housing credits, and for other purposes.

S. 3211

At the request of Mrs. SHAHEEN, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 3211, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by designating certain certified diabetes educators as certified providers for purposes of outpatient diabetes self-management training services under part B of the Medicare Prorgram.

S. 3238

At the request of Mr. SCHUMER, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 3238, a bill to provide for a medal of appropriate design to be awarded by the President to the next of kin or other representative of those individuals killed as a result of the terrorist attacks of September 11, 2001, and to the memorials established at the 3 sites that were attacked on that day.

S. 3320

At the request of Mr. WHITEHOUSE, the names of the Senator from Ohio [Mr. BROWN] and the Senator from Oklahoma [Mr. INHOFE] were added as cosponsors of S. 3320, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 3363

At the request of Mr. CARDIN, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 3363, a bill to amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under that Act.

S. 3405

At the request of Mr. MENENDEZ, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 3405, a bill to amend the Internal Revenue Code of 1986 to eliminate oil and gas company preferences.

S. 3447

At the request of Mr. AKAKA, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3447, a bill to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes.

S. 3466

At the request of Mr. LEAHY, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 3466, a bill to require restitution for victims of criminal violations of the Federal Water Pollution Control Act, and for other purposes.

S. 3472

At the request of Mr. MENENDEZ, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 3472, a bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full costs of oil spills, and for other purposes.

S. 3479

At the request of Mrs. HAGAN, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 3479, a bill to authorize the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to establish and implement a birth defects prevention, risk reduction, and public awareness program.

S. 3481

At the request of Mr. CARDIN, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 3481, a bill to amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution.

S. 3486

At the request of Mr. BROWN of Ohio, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 3486, a bill to amend title 38, United States Code, to repeal the prohibition on collective bargaining with respect to matters and questions regarding compensation of employees of the Department of Veterans Affairs other than rates of basic pay, and for other purposes.

SENATE JOINT RESOLUTION 30

At the request of Mr. ISAKSON, the name of the Senator from South Carolina [Mr. GRAHAM] was added as a cosponsor of Senate Joint Resolution 30, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Mediation Board relating to representation election procedures.

SENATE RESOLUTION 546

At the request of Mr. SPECTER, the names of the Senator from New York [Mr. SCHUMER], the Senator from New Jersey [Mr. MENENDEZ] and the Senator from California [Mrs. FEINSTEIN] were added as cosponsors of Senate Resolution 546, a resolution recognizing the National Museum of American Jewish History, an affiliate of the Smithsonian Institution, as the only museum in the United States dedicated exclusively to exploring and preserving the American Jewish experience.

SENATE RESOLUTION 548

At the request of Mr. CORNYN, the names of the Senator from Nevada [Mr. ENSIGN], the Senator from South Carolina [Mr. DEMINT], the Senator from Mississippi [Mr. WICKER], the Senator from Texas [Mrs. HUTCHISON], the Senator from Missouri [Mr. BOND], the Senator from Idaho [Mr. RISCH], the Senator from Arizona [Mr. MCCAIN], the Senator from Florida [Mr. LEMIEUX] and the Senator from North Carolina [Mr. BURR] were added as cosponsors of Senate Resolution 548, a resolution to express the sense of the Senate that Israel has an undeniable right to self-defense, and to condemn the recent destabilizing actions by extremists aboard the ship Mavi Marmara.

SENATE RESOLUTION 552

At the request of Mr. BENNET, the names of the Senator from Ohio [Mr. BROWN] and the Senator from Illinois [Mr. DURBIN] were added as cosponsors of Senate Resolution 552, a resolution designating June 23, 2010, as "Olympic Day".

SENATE RESOLUTION 553

At the request of Ms. STABENOW, the names of the Senator from Pennsylvania [Mr. CASEY] and the Senator from Oregon [Mr. MERKLEY] were added as cosponsors of Senate Resolution 553, a resolution expressing the sense of the Senate that Congress should unwaveringly uphold the dignity and independence of older Americans.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on June 16, 2010.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on June 16, 2010, at 9 a.m.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a business meeting on June 16, 2010, at 11 a.m., in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on June 16, 2010, at 9:30 a.m., to hold a hearing entitled "The New START Treaty (Treaty Doc. 111-5): Views from the Pentagon."

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs be authorized to meet during the session of the Senate on June 16, 2010. The Committee will meet in room 418 of the Russell Senate Office Building beginning at 9:30 a.m.

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging be authorized to meet during the session of the Senate on June 16, 2010, from 2 p.m. until 5 p.m. in Dirksen 562 for the purpose of conducting a hearing.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

The Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on June 16, 2010, at 3 p.m. to conduct a hearing entitled, "The Gulf of Mexico Oil Spill: Ensuring a Financially Responsible Recovery."

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

The Subcommittee on Public Lands and Forests be authorized to meet during the session of the Senate to conduct a hearing on June 16, 2010, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 7:57 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3951. An act to designate the facility of the United States Postal Service located at 2000 Louisiana Avenue in New Orleans, Louisiana, as the "Roy Rondeno, Sr. Post Office Building".

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 4213) to amend the Internal Revenue

Code of 1986 to extend certain expiring provisions, and for other purposes; and

The Senate resumed consideration of the House amendment.

The question being on agreeing to amendment No. 4333, proposed by Mr. THUNE (for himself, Mr. ISAKSON, Mr. MCCONNELL, Mr. MCCAIN, Mr. ROBERTS, Mr. BOND, Mr. COBURN, Mr. SCOTT BROWN, Mr. CORNYN, Mr. ENZI, Mr. CHAMBLISS, and Mr. BARRASSO), to amendment No. 4301 (in the nature of a substitute), as amended, contained in the motion, by Mr. BAUCUS, that the Senate concur, with amendment, in the House amendment to the Senate amendment to the bill.

Pending debate,

Pursuant to the order of yesterday,

Mr. GREGG raised a point of order, viz, that the amendment No. 4301 (in the nature of a substitute), as amended, contained in the pending motion to concur with amendment, violates section 311(a)(2) of the Congressional Budget Act of 1974, and therefore is not in order.

On motion by Mr. BAUCUS, under section 904 of the Congressional Budget Act of 1974 and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and law, and Budget resolutions, for consideration of the pending motion.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

The question being taken.

It was determined in the negative---
yeas... 45, nays... 52

[Rollcall Vote No. 190 Leg.]

YEAS --- 45

Akaka, Baucus, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Lautenberg, Leahy, Levin, Merkley, Mikulski, Murray, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Whitehouse, Wyden.

NAYS --- 52

Alexander, Barrasso, Bayh, Begich, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kohl, Kyl, Landrieu, LeMieux, Lieberman, Lugar, McCain, McCaskill, McConnell, Menendez, Murkowski, Nelson (NE), Nelson (FL), Pryor, Risch, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Webb, Wicker.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn having not voted in the affirmative.

Pursuant to the order of yesterday,

The motion to concur in the House amendment to the Senate amendment with an amendment (No. 4301, in the nature of a substitute), as amended, was withdrawn (taking with it amendments Numbered 4333 and 4344 thereto).

The question being on agreeing to the amendment (in the nature of a substitute) of the House to the amendment (in the nature of a substitute) of the Senate to the bill.

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That the time until 12:30 p.m. on today be equally divided and controlled, for debate only between the two leaders, or their designees; that Senators be permitted to speak for 10 minutes each therein; that no amendment or motion be in order during time for said debate; that the order for the recognition of Mr. BAUCUS remain in effect; and that the Senate recess from 1 p.m. until 2 p.m. on today.

The question being on agreeing to the amendment (in the nature of a substitute) of the House to the amendment (in the nature of a substitute) of the Senate to the bill.

Pending debate,

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That the time for debate continue until 1 p.m. on today.

The question being on agreeing to the amendment (in the nature of a substitute) of the House to the amendment (in the nature of a substitute) of the Senate to the bill.

Pending debate,

RECESS

By unanimous consent, on the request of Mr. BOND,

At 12:56 p.m.,

The Senate recessed until 2 p.m.

AT 2 P.M.

The ACTING PRESIDENT pro tempore called the Senate to order.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

The Senate resumed consideration of the House amendment (in the nature of a substitute) to the Senate amendment (in the nature of a substitute) to bill H.R. 4213.

The question being on agreeing to the amendment (in the nature of a substitute) of the House to the amendment (in the nature of a substitute) of the Senate to the bill.

By unanimous consent, on the request of Mr. CARDIN,

Ordered, That the time until 3:30 p.m. be equally divided and controlled for debate only between the leaders, or their designees; that no amendment or motion be in order therein; that Senators be permitted to speak for 10 minutes each therein; and that the order for recognition of Mr. BAUCUS remain in effect.

Pending debate,

The question being on agreeing to the amendment (in the nature of a substitute) of the House to the amendment (in the nature of a substitute) of the Senate to the bill.

By unanimous consent, on the request of Mr. REID,

Ordered, That, notwithstanding the impendency of a motion to concur with amendment with amendment, and notwithstanding the order of yesterday, it be in order for amendment No. 4344 (withdrawn on today) to be considered pending to an amendment to be contained in such motion to concur with amendment, intended to be made; that there be a period for concurrent debate until 2:45 p.m. on said amendment and on an amendment (Numbered 4351), intended to be proposed by Mr. ISAKSON; that, at 2:45 p.m., the Senate vote in "stacked" sequence first in relation to amendment No. 4344, and then in relation to the amendment to be proposed by Mr. ISAKSON; that there be 4 minutes, equally divided and controlled, for debate between the votes; that each amendment receive a minimum of 60 yea votes to be agreed to; that, if the Senate fails to agree to either amendment with a minimum of 60 yea votes, the amendment be withdrawn; that, if the Senate agrees to an amendment with a minimum of 60 yea votes, a motion to reconsider be deemed made and laid on the table; and that, when a motion to concur with amendment is made by Mr. BAUCUS, an amendment, if agreed to, be incorporated in the amendment to be contained in the motion to concur with amendment.

Pursuant to the foregoing order,

The question being on agreeing to amendment No. 4344, proposed by Mr. REID (for himself, Mr. DODD, and Mr. MENENDEZ), to an amendment to be contained in a motion, to be made by Mr. BAUCUS, to concur, with amendment, in the House amendment to the Senate amendment to the bill.

After debate,

On motion by Mr. ISAKSON,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the affirmative---
yeas... 60, nays... 37

[Rollcall Vote No. 191 Leg.]

YEAS --- 60

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Ensign, Feingold, Feinstein, Franken, Gillibrand, Gregg, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar,

Kohl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Webb, Whitehouse, Wyden.

NAYS --- 37

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Enzi, Graham, Grassley, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the amendment was agreed to.

On motion by Mr. DURBIN to reconsider the vote agreeing to the amendment.

On motion by Mr. DURBIN,

The motion to reconsider was laid on the table.

Pursuant to the order of today,

The question being on agreeing to amendment No. 4351, considered to have been proposed by Mr. ISAKSON (for himself, Mr. ALEXANDER, and Mr. CORKER) to an amendment to be contained in a motion, to be made by Mr. BAUCUS, to concur, with amendment, in the House amendment to the Senate amendment to the bill.

After debate,

On motion by Mr. ISAKSON,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the negative---
yeas... 45, nays... 52

[Rollcall Vote No. 192 Leg.]

YEAS --- 45

Alexander, Barrasso, Bayh, Bennett, Bond, Brown (MA), Brownback, Burr, Chambliss, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, Dorgan, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Klobuchar, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Nelson (FL), Risch, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Webb, Wicker.

NAYS --- 52

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (OH), Bunning, Burris, Cantwell, Cardin, Carper, Casey, DeMint, Dodd, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Kohl, Kyl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Whitehouse, Wyden.

So the amendment was not agreed to.

On motion by Mr. REID to reconsider the vote disagreeing to the amendment.

On motion by Mr. REID,

The motion to reconsider was laid on the table.

Pursuant to the order of today,

The amendment, not having received 60 yea votes, was withdrawn.

The question being on agreeing to the amendment (in the nature of a substitute) of the House to the amendment (in the nature of a substitute) of the Senate to the bill.

By unanimous consent, on the request of Mr. REID,

Ordered, That, notwithstanding the order of today, time for only-debate continue until 4:30 p.m. on today; that time during any quorum call be counted equally; and that the other provisions of the order of today remain in effect.

The question being on agreeing to the amendment (in the nature of a substitute) of the House to the amendment (in the nature of a substitute) of the Senate to the bill.

On motion by Mr. BAUCUS to concur in the House amendment (in the nature of a substitute) to the Senate amendment (in the nature of a substitute), with an amendment (Numbered 4369, in the nature of a substitute).

Pending debate,

Mr. REID presented a motion to bring to a close debate on the pending motion to concur with amendment; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur, with amendment, in the House amendment to the Senate amendment to bill H.R. 4213:

HARRY REID, MAX BAUCUS, PATRICK J. LEAHY, JEANNE SHAHEEN, BYRON L. DORGAN, SHERROD BROWN, TED KAUFMAN, DANIEL K. AKAKA, CHRISTOPHER DODD, JEFF BINGAMAN, ROBERT P. CASEY, JR., JACK REED, B.A. MIKULSKI, ROLAND W. BURRIS, JON TESTER, D.K. INOUYE, TOM HARKIN.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

The question being on agreeing to amendment No. 4369 (in the nature of a substitute) contained in the pending motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

RECOGNIZING THE 60TH ANNIVERSARY OF THE OUTBREAK OF THE KOREAN WAR AND REAFFIRMING THE UNITED STATES-KOREA ALLIANCE

On the request of Mr. DURBIN,

The PRESIDING OFFICER (Mr. BEGICH in the chair) laid before the Senate the joint resolution (S.J. Res. 32) recognizing the 60th anniversary of the outbreak of the Korean War and reaffirming the United States-Korea alliance, introduced on today by Mr. BURR (for himself, Mr. KERRY, Mr. LUGAR, Mr. SCOTT BROWN, Mr. BEGICH, Mr. ROBERTS, Mr. BOND, Mr. AKAKA, Mr. SPECTER, and Mrs. MCCASKILL), and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the joint resolution.

The question being on the passage of the joint resolution.

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That he be added as cosponsor of the pending joint resolution.

The question being on the passage of the joint resolution; and

No amendment being proposed,

The joint resolution was read the third time, by unanimous consent.

Resolved, That it pass; and that the Senate agree to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

COMMENDING EYECARE AMERICA FOR ITS VOLUNTEERISM AND EFFORTS TO PRESERVE EYESIGHT

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 557) commending EyeCare America for its volunteerism and efforts to preserve eyesight throughout the previous 25 years, submitted today by Mr. BEN NELSON (for himself and Mr. ISAKSON), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK"

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 558) designating the week beginning September 12, 2010, as "National Direct Support Professionals Recognition Week", submitted today by Mr. BEN NELSON (for himself, Mr. KERRY, Mr. BROWNBACK, Mr. DODD, Mr. BINGAMAN, Mr. JOHANNS, Ms. COLLINS, Mr. BUNNING, Mr. CARPER, Mr. SHERROD BROWN, and Mr. MARK UDALL), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

OBSERVING THE HISTORICAL SIGNIFICANCE OF JUNETEENTH INDEPENDENCE DAY

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 559) observing the historical significance of Juneteenth Independence Day, submitted today by Mr. BURRIS (for himself, Mr. DURBIN, Mrs. GILLIBRAND, Mr. LEVIN, Mr. LUGAR, Mr. HARKIN, Ms. MIKULSKI, Mrs. LINCOLN, Ms. LANDRIEU, and Mr. CARDIN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 10 a.m., with Senators permitted to speak for 10 minutes each therein; that the time be equally divided and controlled for debate between the two leaders, or their designees; that the majority control the first half therein, and the minority control the second half therein; and that, following morning business, the Senate resume consideration of the House amendment to the Senate amendment to bill H.R. 4213, as pursuant to the order of today.

AUTHORITY FOR ADJOURNMENT ON TODAY

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Senate adjourn, following the remarks of Mr. GRASSLEY.

After debate,

ADJOURNMENT

Under the authority of the order of today,

At 8:27 p.m.,

The PRESIDING OFFICER declared the Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

THURSDAY, JUNE 17, 2010

Mrs. KIRSTEN E. GILLIBRAND, from the State of New York, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mrs. GILLIBRAND led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, June 17, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. GILLIBRAND took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by Mrs. Neiman, one of his secretaries:

CONTINUATION OF THE NATIONAL EMERGENCY DECLARED WITH RESPECT TO CERTAIN FISSILE MATERIAL IN THE TERRITORY OF THE RUSSIAN FEDERATION—PM 63

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the emergency declared in Executive Order 13159 of June 21, 2000, with respect to the risk of nuclear proliferation created by the accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation is to continue beyond June 21, 2010.

It remains a major national security goal of the United States to ensure that fissile material removed from Russian nuclear weapons pursuant to various arms control and disarmament agreements is dedicated to peaceful uses, subject to transparency measures, and protected from diversion to activities of proliferation concern. The accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency declared with respect to the risk of nuclear proliferation created by the accumulation of a large volume of weapons-usable fissile material in the territory of the Russian Federation and maintain in force these emergency authorities to respond to this threat.

BARACK OBAMA.

THE WHITE HOUSE, *June 17, 2010.*

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6256. A communication from the Deputy Associate Commissioner, Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Social Security Implementation

of Office of Management and Budget (OMB) Guidance for Drug-Free Workplace Requirements" (RIN0960-AH14), received in the Office of the President of the Senate on June 10, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6257. A communication from the Board of Trustees, National Railroad Retirement Investment Trust, transmitting, pursuant to law, a report relative to the actuarial status of the railroad retirement system; to the Committee on Health, Education, Labor, and Pensions.

EC-6258. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Final Rule Relating to Time and Order of Issuance of Domestic Relations Orders" (RIN1210-AB15), received in the Office of the President of the Senate on June 10, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6259. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Adoption of Amendment to the Class Exemption for the Release of Claims and Extensions of Credit in Connection with Litigation (PTE2003-39)" (RIN1210-ZA03), received in the Office of the President of the Senate on June 15, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6260. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-42; Small Entity Compliance Guide" (FAC 2005-42), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6261. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Technical Amendments" (FAC 2005-42), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6262. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "General Services Administration Acquisition Regulation; GSAR Case 2008-G503, Rewrite of GSAR Part 505, Publicizing Contract Actions" (RIN3090-AI71), received during adjournment of the Senate in the Office of the President of the Senate on June 11, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6263. A communication from the Broadcasting Board of Governors, transmitting, pursuant to law, the Semiannual Report of the Board's Inspector General for the period from October 1, 2009, through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6264. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, an annual report relative to the activities and operations of the Public Integrity Section, Criminal Division, and the nationwide federal law enforcement effort against public corruption for 2009; to the Committee on the Judiciary.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. HATCH:

S. 3501. A bill to protect American job creation by striking the job-killing Federal employer mandate; to the Committee on Finance.

By Mr. HATCH:

S. 3502. A bill to restore Americans' individual liberty by striking the Federal mandate to purchase insurance; to the Committee on Finance.

By Mr. CARDIN:

S. 3503. A bill to authorize grants for an international documentary exchange program; to the Committee on Foreign Relations.

By Mrs. MURRAY:

S. 3504. A bill to establish a public education and awareness program relating to emergency contraception; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW (for herself, Mr. GRAHAM, Mr. FEINGOLD, Mr. BROWN of Ohio, and Mr. CASEY):

S. 3505. A bill to prohibit the purchases by the Federal Government of Chinese goods and services until China agrees to the Agreement on Government Procurement, and for other purposes; to the Committee on Finance.

By Ms. LANDRIEU (for herself and Mr. KERRY):

S. 3506. A bill to improve certain programs of the Small Business Administration to better assist small business customers in accessing broadband technology and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. FEINGOLD (for himself and Mr. ENSIGN):

S. 3507. A bill to amend the Atomic Energy Act of 1954 to require congressional approval of agreements for peaceful nuclear cooperation with foreign countries, and for other purposes; to the Committee on Foreign Relations.

By Mr. UDALL of New Mexico (for himself and Mr. BROWNBACK):

S. 3508. A bill to strengthen the capacity of the United States to lead the international community in reversing renewable natural resource degradation trends around the world that threaten to undermine global prosperity and security and eliminate the diversity of life on Earth, and for other purposes; to the Committee on Foreign Relations.

By Mr. UDALL of Colorado (for himself, Mrs. SHAHEEN, and Mr. BINGAMAN):

S. 3509. A bill to amend the Energy Policy Act of 2005 to promote the research and development of technologies and best practices for the safe development and extraction of natural gas and other petroleum resources, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CONRAD (for himself, Mr. CORNYN, Mr. GRAHAM, Mr. NELSON of Florida, and Mr. LEMIEUX):

S. 3510. A bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property; to the Committee on Finance.

By Mr. BINGAMAN (for himself and Ms. MURKOWSKI):

S.J. Res. 33. A joint resolution to provide for the reconsideration and revision of the proposed constitution of the United States Virgin Islands to correct provisions inconsistent with the Constitution and Federal law; considered and passed.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. BAYH (for himself, Mr. THUNE, Mrs. MURRAY, Mr. BYRD, Mr. BURRIS, Ms. LANDRIEU, Mr. CASEY, and Mrs. LINCOLN):

S. Res. 560. A resolution recognizing the immeasurable contributions of fathers in the healthy development of children, supporting responsible fatherhood, and encouraging greater involvement of fathers in the lives of their families, especially on Father's Day; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 46

At the request of Mr. ENSIGN, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 46, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 729

At the request of Mr. DURBIN, the name of the Senator from Indiana [Mr. BAYH] was added as a cosponsor of S. 729, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

S. 738

At the request of Ms. LANDRIEU, the name of the Senator from Alabama [Mr. SESSIONS] was added as a cosponsor of S. 738, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes.

S. 1055

At the request of Mrs. BOXER, the names of the Senator from Montana [Mr. TESTER] and the Senator from Missouri [Mr. BOND] were added as cosponsors of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1137

At the request of Mr. FEINGOLD, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 1137, a bill to amend the Elementary and Secondary Education Act of 1965 to establish a Volunteer Teacher Advisory Committee.

S. 1334

At the request of Mrs. GILLIBRAND, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 1334, a bill to amend the Public Health Service Act to extend and improve protections and services to individuals directly impacted by the terrorist attack in New York City on September 11, 2001, and for other purposes.

S. 1553

At the request of Mr. GRASSLEY, the name of the Senator from Montana [Mr. BAUCUS] was added as a cosponsor of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1619

At the request of Mr. DODD, the names of the Senator from Maryland [Mr. CARDIN] and the Senator from Pennsylvania [Mr. SPECTER] were added as cosponsors of S. 1619, a bill to establish the Office of Sustainable Housing and Communities, to establish the Interagency Council on Sustainable Communities, to establish a comprehensive planning grant program, to establish a sustainability challenge grant program, and for other purposes.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 3183

At the request of Mr. WYDEN, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 3183, a bill to amend the Internal Revenue Code of 1986 to extend the nonbusiness energy property credit to roofs with pigmented coatings which meet Energy Star program requirements.

S. 3232

At the request of Mr. BURR, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of S. 3232, a bill to amend the Internal Revenue Code of 1986 to make employers of spouses of military personnel eligible for the work opportunity credit.

S. 3295

At the request of Mr. SCHUMER, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 3295, a bill to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes.

S. 3466

At the request of Mr. LEAHY, the names of the Senator from Delaware [Mr. KAUFMAN] and the Senator from Wisconsin [Mr. FEINGOLD] were added as cosponsors of S. 3466, a bill to require restitution for victims of criminal violations of the Federal Water Pollution Control Act, and for other purposes.

S. 3492

At the request of Mr. LAUTENBERG, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 3492, a bill to amend the Outer Continental Shelf Lands Act to require the drilling of emergency relief wells, and for other purposes.

SENATE JOINT RESOLUTION 30

At the request of Mr. ISAKSON, the name of the Senator from Texas [Mrs. HUTCHISON] was added as a cosponsor of Senate Joint Resolution 30, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Mediation Board relating to representation election procedures.

SENATE JOINT RESOLUTION 32

At the request of Mr. INHOFE, his name was added as a cosponsor of Senate Joint Resolution 32, a joint resolution recognizing the 60th anniversary of the outbreak of the Korean War and reaffirming the United States-Korea alliance.

SENATE RESOLUTION 548

At the request of Mr. CORNYN, the name of the Senator from Georgia [Mr. CHAMBLISS] was added as a cosponsor of Senate Resolution 548, a resolution to express the sense of the Senate that Israel has an undeniable right to self-defense, and to condemn the recent destabilizing actions by extremists aboard the ship Mavi Marmara.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on June 17, 2010.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on June 17, 2010, at 9:30 a.m.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 17, 2010, at 10 a.m., in room 253 of the Russell Senate Office Building.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "Leveling the Playing Field: Protecting Workers and Businesses Affected by Misclassification" on June 17, 2010. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 17, 2010, at 3 p.m.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs be authorized to meet during the session of the Senate on June 17, 2010, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct a hearing entitled "Indian Education: Did the No Child Left Behind Act Leave Indian Students Behind?"

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on June 17, 2010, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on June 17, 2010, at 10 a.m. to conduct a hearing entitled "Harnessing Small Business Innovation: Navigating the Evaluation Process for Gulf Coast Oil Cleanup Proposals."

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on June 17, 2010, at 2:30 p.m.

SUBCOMMITTEE ON ENERGY, SCIENCE, AND TRANSPORTATION

The Subcommittee on Energy, Science, and Transportation of the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate at 9:30 a.m. on June 17, 2010, in SR-328A.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 10:09 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2142. An act to require quarterly performance assessments of Government programs for purposes of assessing agency performance and improvement, and to establish agency performance improvement officers and the Performance Improvement Council.

H.R. 4451. An act to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 242. Concurrent resolution honoring and praising the National Association for the Advancement of Colored People on the occasion of its 101st anniversary.

ENROLLED BILL SIGNED

The PRESIDENT pro tempore announced that he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 3951. An act to designate the facility of the United States Postal Service located at 2000 Louisiana Avenue in New Orleans, Louisiana, as the "Roy Rondeno, Sr. Post Office Building".

HOUSE BILLS REFERRED

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

H.R. 2142. An act to require quarterly performance assessments of Government programs for purposes of assessing agency performance and improvement, and to establish agency performance improvement officers and the Performance Improvement Council; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4451. An act to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects; to the Committee on Energy and Natural Resources.

OBJECTION TO CONSIDERATION OF BILL S. 3462

Mrs. SHAHEEN asked unanimous consent that the Committee on the Judiciary be discharged from further consideration of the bill (S. 3462) to provide subpoena power to the National Commission on the British Petroleum Oil Spill in the Gulf of Mexico, and for other purposes; that the Senate proceed to consider the bill; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. INHOFE objected.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL S. 3472

Mr. MENENDEZ asked unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of the bill (S. 3472) to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full costs of oil spills, and for other purposes; that the Senate proceed to consider the bill; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. INHOFE objected.

Pending debate,

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

The question being on agreeing to amendment No. 4369 (in the nature of a substitute), contained in the motion, by Mr. BAUCUS, that the Senate concur in the House amendment to the Senate amendment to the bill.

Pending debate,

Pursuant to the order of yesterday,

On motion by Mr. THUNE to amend (perfect) the pending amendment (in the nature of a substitute), by striking all after the first word, and inserting in lieu thereof other words (being amendment No. 4376).

Pending debate,

By unanimous consent, on the request of Mr. THUNE,

Ordered, That Mr. MCCONNELL, Mr. MCCAIN, Mr. ISAKSON, Mr. BOND, Mr. ENZI, Mr. CORNYN, Mr. BARRASSO, Mr. ROBERTS, Mr. COBURN, Mr. CHAMBLISS, Mr. SCOTT BROWN, and Mr. GREGG be added as cosponsors of his pending amendment.

The question being on agreeing to (perfecting) amendment No. 4376 to amendment No. 4369 (in the nature of a substitute), contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

Pending debate,

Mr. THUNE asked unanimous consent that his pending amendment be modified.

Mr. BAUCUS objected.

The question being on agreeing to (perfecting) amendment No. 4376 to amendment No. 4369 (in the nature of a substitute) contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

By unanimous consent, on the request of Mr. THUNE,

Ordered, That his pending amendment be modified.

The question then being on agreeing to (perfecting) amendment No. 4376, as modified, to amendment No. 4369 (in the nature of a substitute) contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

Mr. BAUCUS raised a point of order, viz, that section 701 of the pending amendment, as modified, violates section 403 of concurrent resolution S. Con. Res. 13, and therefore is not in order.

On motion by Mr. THUNE, under section 904 of the Congressional Budget Act, and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act, law, and Budget resolutions for consideration of the pending amendment, as modified.

On motion by Mr. THUNE,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

The question being taken.

It was determined in the negative---
yeas... 41, nays... 57

[Rollcall Vote No. 193 Leg.]

YEAS --- 41

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

NAYS --- 57

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Byrd, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of the Senators duly chosen and sworn not having voted in the affirmative.

The question being on agreeing to amendment No. 4369 (in the nature of a substitute) contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

Pending debate,

By unanimous consent, on the request of Mr. REID,

Ordered, That the following be next recognized to propose the following amendments: Mr. CASEY, amendment No. 4371; Mr. COBURN, amendment No. 4331; Mr. WHITEHOUSE, amendment No. 4324, to be modified; Mr. LEMIEUX, amendment No. 4300.

Ordered further, That each amendment receive a minimum of 60 yea votes to be agreed to; that, if the Senate agrees to an amendment with a minimum of 60 yea votes, a motion to reconsider be deemed made and laid on the table; and that, if the Senate fails to agree to an amendment with a minimum of 60 yea votes, the amendment be withdrawn.

Ordered further, That, prior to votes in "stacked" sequence, there be 2 minutes, equally divided and controlled in the usual form, for debate; and that each vote following a first be 10 minutes in duration.

The question being on agreeing to amendment No. 4369 (in the nature of a substitute), contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

Pursuant to the foregoing order,

On motion by Mr. COBURN to amend the pending amendment (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 4331).

Mr. COBURN demanded a division of the pending amendment, as follows: page 1, beginning on line 2 through line 21, page 2, being designated as Division I; page 2, beginning on line 22 through line 5, page 3, being designated as Division II; page 3, beginning on line 6 through line 12, page 4, being designated as Division III; page 4, beginning on line 13 through line 13, page 5, being designated as Division IV; page 5, beginning on line 14 through line 8, page 7, being designated as Division V; page 7, beginning on line 9 through line 7, page 10, being designated as Division VI; page 10, beginning on line 8 through line 23, page 10, being designated as Division VII; page 11, beginning on line 1 through line 20, page 11, being designated as Division VIII; page 11, beginning on line 21 through line 6, page 12, being designated as Division IX; page 12, beginning on line 7 through page 14, before line 1, being designated as Division X; page 14, beginning on line 1 through line 15, page 14, being designated as Division XI; page 14, beginning on line 16 through line 16, page 16, being designated as Division XII; page 16, beginning on line 17 through line 22, page 16, being designated as Division XIII; page 17, beginning on line 1 through line 8, page 17, being designated as Division XIV; page 17, beginning on line 9 through line 20, page 17, being designated as Division XV; page 17, beginning on line 21 through line 2, page 18, being designated as Division XVI; page 18, beginning on line 3 through line 18, page 18, being designated as Division XVII; page 18, beginning on line 19 through line 25, page 18, being designated as Division XVIII; page 19, beginning on line 1 through line 6, page 19, being designated as Division XIX; and page 19, beginning on line 7 through line 10, being designated as Division XX.

The amendment was so divided; and

The question being on agreeing to Division I of the amendment.

Pending debate,

The pending amendment was laid aside.

The question being on agreeing to amendment No. 4369 (in the nature of a substitute), contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

Pursuant to the order of today,

On motion by Mr. CASEY (for himself and Mr. SHERROD BROWN) to amend the pending amendment (in the nature of a substitute), at the appropriate place, by inserting certain words (being amendment No. 4371).

Pending debate,

OBJECTION TO CONSIDERATION OF BILL S. 3347

Mr. VITTER asked unanimous consent that the Senate proceed to consider the bill (S. 3347) to extend the National Flood Insurance Program through December 31, 2010; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Ms. STABENOW objected.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

The resumed consideration of the House amendment (in the nature of a substitute) to the Senate amendment (in the nature of a substitute) to bill H.R. 4213.

The question being on agreeing to amendment No. 4371 to amendment No. 4369 (in the nature of a substitute), contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

Pending debate,

The pending amendments were laid aside, by unanimous consent.

The question being on agreeing to amendment No. 4369 (in the nature of a substitute), contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

Pursuant to the order of today,

On motion by Mr. LEMIEUX to amend the pending amendment (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 4300).

Pending debate,

On motion by Mr. DEMINT to refer the pending House amendment to the Committee on Finance with instruction to report the same back with changes to include a permanent extension of the 15 percent income tax rate on capital gains and dividends under section 1(h) of the Internal Revenue Code of 1986, and to include provisions which decrease spending or increase net revenues as appropriate to offset such permanent extension.

Pending debate,

By unanimous consent, on the request of Mr. REID,

Ordered, That, at 7:30 p.m. on today, the Senate vote on the question of agreeing to the motion to bring to a close debate on the motion to concur, with amendment, in the House amendment to the Senate amendment to bill H.R. 4213.

The question being on agreeing to the motion to refer the pending House amendment to the Committee on Finance, with instructions.

Mr. BAUCUS asked unanimous consent that his pending amendment No. 4369 (in the nature of a substitute), contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to the bill, be modified.

Mr. MCCONNELL objected.

The question being on agreeing to the motion to refer the House amendment to the Committee on Finance, with instructions.

The hour of 7:30 having arrived,

Pursuant to the order of today,

The PRESIDING OFFICER (Mr. BURRIS in the chair) laid before the Senate the motion, presented by Mr. REID on yesterday, to bring to a close debate on the motion to concur, with amendment, in the House amendment to the Senate amendment to bill H.R. 4213.

Pursuant to the order of yesterday,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the negative---

yeas... 56, nays... 40

[Rollcall Vote No. 194 Leg.]

YEAS --- 56

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 40

Alexander, Barrasso, Bennett, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lieberman, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was not agreed to; three-fifths of Senators duly chosen and sworn not having voted in the affirmative.

The question being on agreeing to the motion to refer the House amendment to the Committee on Finance, with instructions.

OBJECTIONS TO CONSIDERATION OF CERTAIN BILLS

Mr. REID asked unanimous consent that the Senate proceed to consider the bill (H.R. 3962) to provide affordable, quality health care for all Americans and reduce the growth in health care spending, and for other purposes; that an amendment (in the nature of a substitute), be proposed by him for Mr. BAUCUS, and agreed to; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. MCCONNELL objected.

Mr. REID asked unanimous consent that the Senate proceed to consider a bill to extend unemployment provisions; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. MCCONNELL objected.

Mr. REID asked unanimous consent that the Senate proceed to consider a bill to extend the temporary increase of the Medicaid FMAP through June 30, 2011; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. MCCONNELL objected.

Mr. REID asked unanimous consent that the Committee on Finance be discharged the from further consideration of the bill (H.R. 4994) to amend the Internal Revenue Code of 1986 to reduce taxpayer burdens and enhance taxpayer protections, and for other purposes; that the Senate proceed to consider the bill; that an amendment (in the nature of a substitute), be proposed by him, and agreed to; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. MCCONNELL objected.

Mr. MCCONNELL asked unanimous consent that the Senate proceed to consider the bill (S. 3421) to provide a temporary extension of certain programs, and for other purposes; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. REID objected.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

The Senate resumed consideration of the House amendment (in the nature of a substitute) to the Senate amendment (in the nature of a substitute) to bill H.R. 4213.

The question being on agreeing to the motion to refer the House amendment to the Committee on Finance, with instructions.

Pending debate,

Mr. BARRASSO asked unanimous consent that the pending amendments and motion be laid aside; and that it be in order for him to propose an amendment (numbered 4313).

Mr. BAUCUS objected.

The question being on agreeing to the motion to refer the House amendment to the Committee on Finance, with instructions.

PROVIDING FOR THE RECONSIDERATION AND REVISION OF THE PROPOSED CONSTITUTION OF THE UNITED STATES VIRGIN ISLANDS

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER laid before the Senate the joint resolution (S.J. Res. 33) to provide for the reconsideration and revision of the proposed constitution of the United States Virgin Islands to correct provisions inconsistent with the Constitution and Federal law, introduced on today by Mr. BINGAMAN (for himself and Ms. MURKOWSKI), and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the joint resolution.

The question being on the passage of the joint resolution; and

No amendment being proposed,

The joint resolution was read the third time, by unanimous consent.

Resolved, That it pass, and that the Senate agree to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:45 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:45 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that there then be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

ADJOURNMENT

By unanimous consent, on the request of Mr. BAUCUS,

At 8:38 p.m.,

The Senate adjourned, under its order of today, until 9:45 a.m. on tomorrow.

FRIDAY, JUNE 18, 2010

Mr. AL FRANKEN, from the State of Minnesota, called the Senate to order at 9:45 a.m., the Chaplain offered a prayer, and Mr. FRANKEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, June 18, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable AL FRANKEN, a Senator from the State of Minnesota, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. FRANKEN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, with amendments:

S. 3362. A bill to amend the Clean Air Act to direct the Administrator of the Environmental Protection Agency to provide competitive grants to publicly funded schools to implement effective technologies to reduce air pollutants (as defined in section 302 of the Clean Air Act), including greenhouse gas emissions, in accordance with that Act (Rept. No. 111-207).

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. 3363. A bill to amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under that Act (Rept. No. 111-208).

S. 3372. A bill to modify the date on which the Administrator of the Environmental Protection Agency and applicable States may require permits for discharges from certain vessels (Rept. No. 111-209).

By Mrs. BOXER, from the Committee on Environment and Public Works, with amendments and an amendment to the title:

S. 3374. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to establish a grant program to revitalize brownfield sites for the purpose of locating renewable electricity generation facilities on those sites (Rept. No. 111-210).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. DORGAN (for himself, Mr. ALEXANDER, and Mr. MERKLEY):

S. 3511. A bill to promote the deployment of plug-in electric drive vehicles, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. HUTCHISON (for herself, Mr. LEMIEUX, and Mr. CORNYN):

S. 3512. A bill to provide a statutory waiver of compliance with the Jones Act to foreign flagged vessels assisting in responding to the Deepwater Horizon oil spill; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 1002

At the request of Mr. CASEY, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 1002, a bill to provide for the acquisition, construction, renovation, and improvement of child care facilities, and for other purposes.

S. 1055

At the request of Mrs. BOXER, the names of the Senator from Delaware [Mr. KAUFMAN] and the Senator from Montana [Mr. BAUCUS] were added as cosponsors of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1156

At the request of Mr. HARKIN, the names of the Senator from Pennsylvania [Mr. SPECTER] and the Senator from Colorado [Mr. BENNET] were added as cosponsors of S. 1156, a bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to reauthorize and improve the safe routes to school program.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from New Mexico [Mr. UDALL] was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 2814

At the request of Ms. COLLINS, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 2814, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 3254

At the request of Mr. BROWN of Ohio, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of S. 3254, a bill to amend the Fair Labor Standards Act of 1938 to require persons to keep records of non-employees who perform labor or services for remuneration and to provide a special penalty for persons who misclassify employees as non-employees, and for other purposes.

S. 3324

At the request of Mr. BROWN of Ohio, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 3324, a bill to amend the Internal Revenue Code of 1986 to extend the qualifying advanced energy project credit.

S. 3374

At the request of Mrs. BOXER, her name and the name of the Senator from Rhode Island [Mr. WHITEHOUSE] were added as cosponsors of S. 3374, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to establish a grant program to revitalize brownfield sites for the purpose of locating renewable electricity generation facilities on those sites.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 11:42 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill and joint resolution, in which it requests the concurrence of the Senate:

H.R. 5297. An act to create the Small Business Lending Fund Program to direct the

Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes.

H.J. Res. 86. A joint resolution recognizing the 60th anniversary of the outbreak of the Korean War and reaffirming the United States-Korea alliance.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 286. A concurrent resolution recognizing the 235th birthday of the United States Army.

HOUSE JOINT RESOLUTION AND CONCURRENT RESOLUTION REFERRED

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

H.J. Res. 86. Joint resolution recognizing the 60th anniversary of the outbreak of the Korean War and reaffirming the United States-Korea alliance; to the Committee on Foreign Relations.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 286. Concurrent resolution recognizing the 235th birthday of the United States Army; to the Committee on the Judiciary.

PRESERVATION OF ACCESS TO CARE FOR MEDICARE BENEFICIARIES AND PENSION RELIEF ACT

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (H.R. 3962) to provide affordable, quality health care for all Americans and reduce the growth in health care spending, and for other purposes.

The question being on the passage of the bill.

On motion by Mr. REID for Mr. BAUCUS (for himself and Mr. GRASSLEY) to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 4383, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The title was amended, on motion by Mr. REID for Mr. BAUCUS (for himself and Mr. GRASSLEY), so as to read: "An Act to provide a physician payment update, to provide pension funding relief, and for other purposes."

ORDER FOR EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

As in executive session,

Ordered, That, at 5:15 p.m. on Monday, June 21, 2010, the Senate proceed to executive session to consider the nominations of Mark A. Goldsmith, of Michigan, to be United States District Judge for the Eastern District of Michigan, Marc T. Treadwell, of Georgia, to be United States District Judge for the Middle District of Georgia, and Josephine Staton Tucker, of California, to be United States District Judge for the Central District of California; that time until 6 p.m. be equally divided and controlled for concurrent debate between Mr. LEAHY and Mr. SESSIONS, or their designees; that, at 6 p.m., the Senate vote on confirmation of the nominations in the aforementioned order; that there be 2 minutes, equally divided and controlled, for debate between votes; that each vote following the first be 10 minutes in duration; that motions to reconsider be made and laid on the table; that the President be immediately notified of the Senate's action; and that the Senate then resume its legislative session.

HONORING AND PRAISING THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE ON THE OCCASION OF ITS 101ST ANNIVERSARY

On the request of Mr. REID,

The PRESIDING OFFICER (Mr. MERKLEY in the chair) laid before the Senate the concurrent resolution (H. Con. Res. 242) honoring and praising the National Association for the Advancement of Colored People on the occasion of its 101st anniversary, received from the House of Representatives for concurrence on yesterday, and remaining undisposed of.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HOUSE BILL READ THE FIRST TIME

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes, received from the House of Representatives for concurrence on today, and at the desk; which was read the first time.

Mr. REID asked unanimous consent that the bill be read the second time.

Mr. REID objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, JUNE 21, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2 p.m. on Monday, June 21, 2010; that, on Monday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 5:15 p.m., with Senators permitted to speak for 10 minutes each therein; that no motion be in order; and that, following morning business, the Senate proceed to executive session, as pursuant to the order of today.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 1:59 p.m.,

The Senate adjourned, under its order of today, until 2 p.m. on Monday, June 21, 2010.

MONDAY, JUNE 21, 2010

Mr. MARK BEGICH, from the State of Alaska, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. BEGICH led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, June 21, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK BEGICH, a Senator from the State of Alaska, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. BEGICH took the chair.

HOUSE BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The PRESIDING OFFICER (Mr. WARNER in the chair) laid before the Senate the bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes, received from the House of Representatives for concurrence on Friday, June 18, 2010, and read the first time on that day; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

OBJECTION TO CONSIDERATION OF BILL S. 3421

Mr. MCCONNELL asked unanimous consent that the Senate proceed to consider the bill (S. 3421) to provide a temporary extension of certain programs, and for other purposes; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. REID objected.

THE JOURNAL

Pursuant to the order of Friday, June 18, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Friday, June 18, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Friday, June 18, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6265. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Para-Aramid Fibers and Yarns Manufactured in a Qualifying Country" (DFARS Case 2008-D024), received in the Office of the President of the Senate on June 18, 2010; to the Committee on Armed Services.

EC-6266. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Franklin L. Hagenbeck, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-6267. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Thomas J. Kilcline, Jr., United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-6268. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (14) officers authorized to wear the insignia of the grade of major general and brigadier general, as appropriate, in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-6269. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to the Department of Defense's intent to expand the role of women in the Marine Corps; to the Committee on Armed Services.

EC-6270. A communication from the Assistant Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, the annual report for fiscal year 2009 of the National Guard Youth Challenge Program; to the Committee on Armed Services.

EC-6271. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response and recovery efforts for FEMA-3309-EM in the State of North Dakota has exceeded the $5,000,000 limit for a single emergency declaration; to the Committee on Banking, Housing, and Urban Affairs.

EC-6272. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, a report entitled "Report to the Congress on Profitability of Credit Card Operations of Depository Institutions"; to the Committee on Banking, Housing, and Urban Affairs.

EC-6273. A communication from the Administrator, Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report entitled "Annual Energy Outlook 2010"; to the Committee on Energy and Natural Resources.

EC-6274. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 704(c) Remedial Regulations" ((TD 9485)-(RIN1545-BF28)), received in the Office of the President of the Senate on June 17, 2010; to the Committee on Finance.

EC-6275. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Amplifying Rev. Rul. 2003-20 to Apply to Recourse Debt" (Rev. Rul. 2010-17), received in the Office of the President of the Senate on June 17, 2010; to the Committee on Finance.

EC-6276. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to U.S. contributions to the United Nations and its affiliated agencies during fiscal year 2009; to the Committee on Foreign Relations.

EC-6277. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Interim Final Rules for Group Health Plans and Health Insurance Coverage Relating to Status as a Grandfathered Health Plan Under the Patient Protection and Affordable Care Act" (RIN1210-AB42), received in the Office of the President of the Senate on June 17, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6278. A communication from the Program Manager, Centers for Medicare and

Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Interim Final Rules for Group Health Plans and Health Insurance Coverage Relating to Status as a Grandfathered Health Plan under the Patient Protection and Affordable Care Act" (RIN0991-AB68), received in the Office of the President of the Senate on June 17, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6279. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Tobacco Prevention and Control Activities in the United States, 2005-2007"; to the Committee on Health, Education, Labor, and Pensions.

EC-6280. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Disability and Rehabilitation Research Project - Reducing Obesity and Obesity-Related Secondary Health Conditions Among Adolescents and Young Adults with Disabilities From Diverse Race and Ethnic Backgrounds" (CFDA No. 84.133A-7), received in the Office of the President of the Senate on June 17, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6281. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Fiscal Year 2009 Annual Report on Advisory Neighborhood Commissions"; to the Committee on Homeland Security and Governmental Affairs.

EC-6282. A communication from the Commissioner of the Social Security Administration, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from October 1, 2009, through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6283. A communication from the Secretary of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-485, "Sense of the Council in Support of the Uniting American Families Act Resolution of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6284. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-431, "SOME, Inc., Technical Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6285. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-430, "UNCF Tax Abatement and Relocation to the District Assistance Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6286. A communication from the Director, Employee Services, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Absence and Leave; Definitions of 'Family Member', 'Immediate Relative', and Related Terms" (RIN3206-AL93), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6287. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2009-026, Compensation for Personal Services" (RIN9000-AL54), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6288. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2009-025, Disclosure and Consistency of Cost Accounting Practices for Contracts Awarded to Foreign Concerns" (RIN9000-AL58), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6289. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2009-013, Nonavailable Articles" (RIN9000-AL40), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6290. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2009-014, New Designated Country-Taiwan" (RIN9000-AL34), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6291. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2009-011, American Recovery and Reinvestment Act of 2009 (Recovery Act) - GAO/IG Access" (RIN9000-AL20), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6292. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2008-007, Additional Requirements for Market Research" (RIN9000-AL50), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6293. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2008-003, Public Disclosure of Justification and Approval Documents for Noncompetitive Contracts - Section 844 of the National Defense Authorization Act for Fiscal Year 2008" (RIN9000-AL13), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6294. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2009-010, American Recovery and Reinvestment Act of 2009 (the Recovery Act) - Publicizing Contract Actions" (RIN9000-AL24), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6295. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2005-040, Electronic Subcontracting Reporting System (eSRS)" (RIN9000-AK95), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6296. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2009-012, American Recovery and Reinvestment Act of 2009 (Recovery Act) - Whistleblower Protections" (RIN9000-AL19), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6297. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-42; Introduction" (FAC 2005-42), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6298. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2009-018, Payrolls and Basic Records" (RIN9000-AL53), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6299. A communication from the Senior Associate General Counsel, Office of the Director of National Intelligence, transmitting, pursuant to law, a report relative to a vacancy in the position of Director of National Intelligence, received in the Office of the President of the Senate on June 16, 2010; to the Select Committee on Intelligence.

EC-6300. A communication from the Director of Regulation Policy and Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Loan Guaranty: Elimination of Redundant Regulations" (RIN2900-AN71), received in the Office of the President of the Senate on June 18, 2010; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 2724. A bill to provide for environmental restoration activities and forest management activities in the Lake Tahoe Basin (Rept. No. 111-211).

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. 3250. A bill to provide for the training of Federal building personnel, and for other purposes (Rept. No. 111-212).

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

S. 2872. A bill to authorize appropriations for the National Historical Publications and Records Commission through fiscal year 2014, and for other purposes (Rept. No. 111-213).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. BAUCUS (for himself and Mr. GRASSLEY):

S. 3513. A bill to amend the Internal Revenue Code of 1986 to extend for one year the special depreciation allowances for certain property; to the Committee on Finance.

By Mr. BEGICH (for himself, Mr. WYDEN, and Ms. KLOBUCHAR):

S. 3514. A bill to amend the Outer Continental Shelf Lands Act to prohibit a person from entering into any Federal oil or gas lease or contract unless the person pays into an Oil Spill Recovery Fund, or posts a bond, in an amount equal to the total of the outstanding liability of the person and any removal costs incurred by, or on behalf of, the person with respect to any oil discharge for which the person has outstanding liability, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. SHAHEEN (for herself, Mr. UDALL of Colorado, and Mr. BINGAMAN):

S. 3515. A bill to authorize and enhance the programs of the Department of the Interior relating to the detection of, response to, and mitigation and cleanup of oil spills on Federal land managed by the Department, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BINGAMAN (for himself, Ms. MURKOWSKI, and Mr. DORGAN):

S. 3516. A bill to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KERRY (for himself and Mr. LUGAR) (by request):

S.J. Res. 34. A joint resolution relating to the approval of the proposed agreement for nuclear cooperation between the United States and the Russian Federation; to the Committee on Foreign Relations for a period not to exceed 45 session days pursuant to 42 U.S.C. 2159.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. BURR (for himself, Mr. DODD, Mr. INHOFE, and Ms. COLLINS):

S. Res. 561. A resolution designating June 25, 2010, as "National Huntington's Disease Awareness Day"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 583

At the request of Mr. PRYOR, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 583, a bill to provide grants and loan guarantees for the development and construction of science parks to promote the clustering of innovation through high technology activities.

S. 624

At the request of Mr. DURBIN, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 624, a bill to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis by 2015 by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

S. 696

At the request of Mr. CARDIN, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 696, a bill to amend the Federal Water Pollution Control Act to include a definition of fill material.

S. 831

At the request of Mr. KERRY, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 831, a bill to amend title 10, United States Code, to include service after September 11, 2001, as service qualifying for the determination of a reduced eligibility age for receipt of non-regular service retired pay.

S. 864

At the request of Mr. DORGAN, the name of the Senator from New Mexico [Mr. UDALL] was added as a cosponsor of S. 864, a bill to amend the Internal Revenue Code of 1986 to expand tax-free distributions from individual retirement accounts for charitable purposes.

S. 987

At the request of Mr. DURBIN, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 987, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 1005

At the request of Mr. CARDIN, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 1005, a bill to amend the Federal Water Pollution Control Act and the Safe Drinking Water Act to improve water and wastewater infrastructure in the United States.

S. 1055

At the request of Mrs. BOXER, the names of the Senator from New York [Mr. SCHUMER], the Senator from Nebraska [Mr. NELSON] and the Senator from Maine [Ms. COLLINS] were added as cosponsors of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1237

At the request of Mrs. MURRAY, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 1237, a bill to amend title 38, United States Code, to expand the grant program for homeless veterans with special needs to include male homeless veterans with minor dependents and to establish a grant program for reintegration of homeless women veterans and homeless veterans with children, and for other purposes.

S. 1244

At the request of Mr. MERKLEY, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 1244, a bill to amend the Civil Rights Act of 1964 to protect breastfeeding by new mothers, to provide for a performance standard for breast pumps, and to provide tax incentives to encourage breastfeeding.

S. 1275

At the request of Mr. WARNER, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 1275, a bill to establish a National Foundation on Physical Fitness and Sports to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports.

S. 1445

At the request of Mr. LAUTENBERG, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 1445, a bill to amend the Public Health Service Act to improve the health of children and reduce the occurrence of sudden unexpected infant death and to enhance public health activities related to stillbirth.

S. 1589

At the request of Ms. CANTWELL, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 1589, a bill to amend the Internal Revenue Code of 1986 to modify the incentives for the production of biodiesel.

S. 2747

At the request of Mr. BINGAMAN, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 2747, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 2882

At the request of Mr. KERRY, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of S. 2882, a bill to amend the Internal Revenue Code of 1986 to modify the rules relating to the treatment of individuals as independent contractors or employees, and for other purposes.

S. 3034

At the request of Mr. SCHUMER, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 3034, a bill to require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center.

S. 3120

At the request of Mr. SPECTER, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 3120, a bill to encourage the entry of felony warrants into the National Crime Information Center database by States and provide additional resources for extradition.

S. 3211

At the request of Mrs. SHAHEEN, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of S. 3211, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by designating certain certified diabetes educators as certified providers for purposes of outpatient diabetes self-management training services under part B of the Medicare Prorgram.

S. 3238

At the request of Mr. SCHUMER, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 3238, a bill to provide for a medal of appropriate design to be awarded by the President to the next of kin or other representative of those individuals killed as a result of the terrorist attacks of September 11, 2001, and to the memorials established at the 3 sites that were attacked on that day.

S. 3320

At the request of Mr. WHITEHOUSE, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 3320, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 3326

At the request of Ms. CANTWELL, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 3326, a bill to provide grants to States for low-income housing projects in lieu of low-income housing credits, and to amend the Internal Revenue Code of 1986 to allow a 5-year carryback of the low-income housing credit, and for other purposes.

S. 3339

At the request of Mr. KERRY, the names of the Senator from Georgia [Mr. ISAKSON] and the Senator from Oregon [Mr. MERKLEY] were added as cosponsors of S. 3339, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 3363

At the request of Mr. CARDIN, the name of the Senator from New Mexico [Mr. UDALL] was added as a cosponsor of S. 3363, a bill to amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under that Act.

S. 3397

At the request of Ms. KLOBUCHAR, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 3397, a bill to amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, and for other purposes.

S. 3409

At the request of Ms. LANDRIEU, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of S. 3409, a bill to make certain adjustments to the price analysis of propane prepared by the Secretary of Commerce.

S. 3411

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 3411, a bill to provide for the adjustment of status for certain Haitian orphans paroled into the United States after the earthquake of January 12, 2010.

S. 3434

At the request of Mr. BINGAMAN, the name of the Senator from Virginia [Mr. WEBB] was added as a cosponsor of S. 3434, a bill to provide for the establishment of a Home Star Retrofit Rebate Program, and for other purposes.

S. 3474

At the request of Mr. FEINGOLD, the name of the Senator from South Carolina [Mr. GRAHAM] was added as a cosponsor of S. 3474, a bill to provide an optional fast-track procedure the President may use when submitting rescission requests, and for other purposes.

S. 3477

At the request of Mr. WEBB, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 3477, a bill to ensure that the right of an individual to display the Service Flag on residential property not be abridged.

SENATE RESOLUTION 411

At the request of Mrs. LINCOLN, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of Senate Resolution 411, a resolution recognizing the importance and sustainability of the United States hardwoods industry and urging that United States hardwoods and the products derived from United States hardwoods be given full consideration in any program to promote construction of environmentally preferable commercial, public, or private buildings.

SENATE RESOLUTION 541

At the request of Mr. CONRAD, the names of the Senator from Vermont [Mr. SANDERS], the Senator from New York [Mr. SCHUMER], the Senator from Maine [Ms. SNOWE], the Senator from North Dakota [Mr. DORGAN], the Senator from Kansas [Mr. BROWNBACK], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Minnesota [Mr. FRANKEN], the Senator from Virginia [Mr. WARNER], the Senator from Illinois [Mr. DURBIN], the Senator from Ohio [Mr. BROWN] and the Senator from Hawaii [Mr. INOUYE] were added as cosponsors of Senate Resolution 541, a resolution designating June 27, 2010, as "National Post-Traumatic Stress Disorder Awareness Day".

SENATE RESOLUTION 552

At the request of Mr. BENNET, the names of the Senator from California [Mrs. FEINSTEIN], the Senator from Colorado [Mr. UDALL], the Senator from Maine [Ms. SNOWE], the Senator from Kansas [Mr. BROWNBACK] and the Senator from Michigan [Ms. STABENOW] were added as cosponsors of Senate Resolution 552, a resolution designating June 23, 2010, as "Olympic Day".

AUTHORITY FOR COMMITTEE TO MEET

By unanimous consent, on the request of Mr. CARDIN,

Ordered, That the following committee be authorized to meet during the session of the Senate:

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a business meeting on Monday, June 21, 2010.

EXECUTIVE SESSION

The hour of 5:15 p.m. having passed,

Pursuant to the order of Friday, June 18, 2010, as modified,

The Senate proceeded to executive session; and after the consideration of executive business (involving two rollcall Votes).

LEGISLATIVE SESSION

Pursuant to the order of Friday, June 18, 2010,

The Senate resumed its legislative session.

RECOGNIZING THE IMMEASURABLE CONTRIBUTIONS OF FATHERS

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 560) recognizing the immeasurable contributions of fathers in the healthy development of children, supporting responsible fatherhood, and encouraging greater involvement of fathers in the lives of their families, especially on Father's Day.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL HUNTINGTON'S DISEASE AWARENESS DAY"

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER (Mr. MERKLEY in the chair) laid before the Senate the resolution (S. Res. 561) designating June 25, 2010, as "National Huntington's Disease Awareness Day", submitted today by Mr. BURR (for himself, Ms. COLLINS, Mr. DODD, and Mr. INHOFE), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 12:30 p.m., with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; that the majority control the first 30 minutes therein; that the minority control the next 60 minutes therein; and that the majority control the next 30 minutes therein.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 2:15 p.m.

AUTHORITY FOR ADJOURNMENT ON TODAY

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That the Senate adjourn, following remarks by Mr. INHOFE.

After debate,

ADJOURNMENT

Under the authority of the order of today,

At 7:27 p.m.,

The PRESIDING OFFICER declared the Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

TUESDAY, JUNE 22, 2010

Mrs. JEANNE SHAHEEN, from the State of New Hampshire, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mrs. SHAHEEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, June 22, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. SHAHEEN took the chair.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate resumed its legislative session.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6301. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Bluefish Fishery; 2010 Atlantic Bluefish Specifications" (RIN0648-XQ49), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6302. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Amendment 31; Correction" (RIN0648-AX67), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6303. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; Red Snapper Closure" (RIN0648-AX75), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6304. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Shark Management Measures; Amendment 3" (RIN0648-AW65), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6305. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Fishing Restrictions and Observer Requirements in Purse Seine Fisheries for 2009-2011" (RIN0648-XW12), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6306. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer" (RIN0648-XW47), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6307. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 Feet (18.3 m) Length Overall Using Hook-and-Line or Pot Gear in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XW55), received in the Office of the President of the Senate on June 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6308. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Encryption Export Controls: Revision of License Exception ENC and Mass Market Eligibility, Submission Procedures, Reporting Requirements, License Application Requirements, and Addition of Note 4 to Category 5, Part 2" (RIN0694-AE89), received in the Office of the President of the Senate on June 18, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6309. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Grapes Grown in a Designated Area of Southeastern California and Imported Table Grapes; Relaxation of Handling Requirements" (Docket Nos. AMS-FV-09-0085; FV10-925-1 FIR), received in the Office of the President of the Senate on June 18, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6310. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Sweet Onions Grown in the Walla Walla Valley of Southeast Washington and Northeast Oregon; Changes to Reporting and Assessment Due Dates" (Docket Nos. AMS-FV-10-0020; FV10-956-1 FR), received in the Office of the President of the Senate on June 18, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6311. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Tart Cherries Grown in the States of Michigan, New York, Pennsylvania, Oregon, Utah, Washington, and Wisconsin; Order Amending Marketing Order No. 930" (Docket Nos. AO-370-A8; AMS-FV-06-0213; FV07-930-2), received in the Office of the President of the Senate on June 18, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6312. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Salable Quantities and Allotment Percentages for the 2010-2011 Marketing Year" (Docket Nos. AMS-FV-09-0082; FV10-985-1 FR), received in the Office of the President of the Senate on June 18, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6313. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Tart Cherries Grown in the States of Michigan, et al.; Final Free and Restricted Percentages for the 2009-2010 Crop Year" (Docket Nos. AMS-FV-09-0069; FV09-930-2 FR), received in the Office of the President of the Senate on June 18, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6314. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Sweet Cherries Grown in Designated Counties in Washington; Change in the Handling Regulation" (Docket Nos. AMS-FV-09-0033; FV09-923-1 FR), received in the Office of the President of the Senate on June 18, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6315. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Nectarines and Peaches Grown in California; Increased Assessment Rates" (Docket Nos. AMS-FV-09-0091; FV10-916-917-2 FR), received in the Office of the President of the Senate on June 18, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6316. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Blueberry Promotion, Research, and Information Order; Increase Membership" (Docket Nos. AMS-FV-09-0022; FV-09-705), received in the Office of the President of the Senate on June 18, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6317. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "User Fees for 2010 Crop Cotton Classification Services to Growers" (Docket Nos. AMS-CN-09-0011; CN-10-001), received in the Office of the President of the Senate on June 18, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

REPORT OF A COMMITTEE

The following report of committee was submitted:

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 3104. A bill to permanently authorize Radio Free Asia, and for other purposes (Rept. No. 111-214).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. AKAKA:

S. 3517. A bill to amend title 38, United States Code, to improve the processing of claims for disability compensation filed with the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LEAHY (for himself, Mr. SESSIONS, Mr. SPECTER, Mr. SCHUMER, and Mr. LIEBERMAN):

S. 3518. A bill to amend title 28, United States Code, to prohibit recognition and enforcement of foreign defamation judgments in United States Courts where those judgments undermine the first amendment to the Constitution of the United States, and to provide a cause of action for declaratory judgment relief against a party who has brought a successful foreign defamation action whose judgment undermines the first amendment; to the Committee on the Judiciary.

By Ms. SNOWE (for herself, Mr. KOHL, and Mr. LIEBERMAN):

S. 3519. A bill to stabilize the matching requirement for participants in the Hollings Manufacturing Partnership Program; to the Committee on Commerce, Science, and Transportation.

By Ms. STABENOW (for herself, Mr. MERKLEY, Mr. FRANKEN, Mr. BROWN, of Ohio, and Mr. WHITEHOUSE):

S. 3520. A bill to provide for an extension of unemployment insurance; to the Committee on Finance.

By Ms. MURKOWSKI:

S. 3521. A bill to provide for the reestablishment of a domestic rare earths materials production and supply industry in the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. FRANKEN (for himself, Mr. KOHL, Mr. MENENDEZ, Ms. KLOBUCHAR, Mr. FEINGOLD, Mr. DURBIN, and Mrs. FEINSTEIN):

S. 3522. A bill to protect children affected by immigration enforcement actions, and for other purposes; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 311

At the request of Mrs. BOXER, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 311, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 334

At the request of Mr. LUGAR, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 334, a bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Moldova.

S. 457

At the request of Mr. THUNE, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 457, a bill to establish pilot projects under the Medicare program to provide incentives for home health agencies to utilize home monitoring and communications technologies.

S. 478

At the request of Mr. DEMINT, the name of the Senator from Iowa [Mr. GRASSLEY] was added as a cosponsor of S. 478, a bill to amend the National Labor Relations Act to ensure the right of employees to a secret-ballot election conducted by the National Labor Relations Board.

S. 565

At the request of Mr. DURBIN, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 565, a bill to amend title XVIII of the Social Security Act to provide continued entitlement to coverage for immunosuppressive drugs furnished to beneficiaries under the Medicare Program that have received a kidney transplant and whose entitlement to coverage would otherwise expire, and for other purposes.

S. 714

At the request of Mr. WEBB, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 714, a bill to establish the National Criminal Justice Commission.

S. 1055

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1237

At the request of Mrs. MURRAY, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 1237, a bill to amend title 38, United States Code, to expand the grant program for homeless veterans with special needs to include male homeless veterans with minor dependents and to establish a grant program for reintegration of homeless women veterans and homeless veterans with children, and for other purposes.

S. 1360

At the request of Mr. BINGAMAN, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 1360, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts received on account of claims based on certain unlawful discrimination and to allow income averaging for backpay and frontpay awards received on account of such claims, and for other purposes.

S. 1445

At the request of Mr. LAUTENBERG, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 1445, a bill to amend the Public Health Service Act to improve the health of children and reduce the occurrence of sudden unexpected infant death and to enhance public health activities related to stillbirth.

S. 1545

At the request of Mrs. GILLIBRAND, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 1545, a bill to expand the research and

awareness activities of the National Institute of Arthritis and Musculoskeletal and Skin Diseases and the Centers for Disease Control and Prevention with respect to scleroderma, and for other purposes.

S. 1598

At the request of Mr. SCHUMER, the name of the Senator from Nebraska [Mr. JOHANNS] was added as a cosponsor of S. 1598, a bill to amend the National Child Protection Act of 1993 to establish a permanent background check system.

S. 2750

At the request of Mr. SCHUMER, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 2750, a bill to amend the Public Health Service Act to authorize the Secretary of Health and Human Services to make grants to eligible States for the purpose of reducing the student-to-school nurse ratio in public secondary schools, elementary schools, and kindergarten.

S. 2801

At the request of Mr. FRANKEN, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 2801, a bill to provide children in foster care with school stability and equal access to educational opportunities.

S. 2882

At the request of Mr. KERRY, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 2882, a bill to amend the Internal Revenue Code of 1986 to modify the rules relating to the treatment of individuals as independent contractors or employees, and for other purposes.

S. 2903

At the request of Mr. BURR, the name of the Senator from New Hampshire [Mr. GREGG] was added as a cosponsor of S. 2903, a bill to amend the Child Care and Development Block Grant Act of 1990 to require criminal background check for child care providers.

S. 3058

At the request of Mr. DORGAN, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3108

At the request of Mr. MENENDEZ, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 3108, a bill to amend title 31 of the United States Code to require that Federal children's programs be separately displayed and analyzed in the President's budget.

S. 3234

At the request of Mrs. MURRAY, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 3234, a bill to improve employment, training, and placement services furnished to veterans, especially those serving in Operation Iraqi Freedom and Operation Enduring Freedom, and for other purposes.

S. 3320

At the request of Mr. WHITEHOUSE, the names of the Senator from Maine [Ms. COLLINS] and the Senator from Illinois [Mr. BURRIS] were added as cosponsors of S. 3320, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 3339

At the request of Mr. KERRY, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of S. 3339, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 3345

At the request of Mr. WHITEHOUSE, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 3345, a bill to amend title 46, United States Code, to remove the cap on punitive damages established by the Supreme Court in Exxon Shipping Company v. Baker.

S. 3347

At the request of Mr. VITTER, the names of the Senator from Nebraska [Mr. NELSON], the Senator from Tennessee [Mr. ALEXANDER], the Senator from Georgia [Mr. ISAKSON] and the Senator from Georgia [Mr. CHAMBLISS] were added as cosponsors of S. 3347, a bill to extend the National Flood Insurance Program through December 31, 2010.

S. 3364

At the request of Mr. UDALL of Colorado, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 3364, a bill to amend the Energy Policy and Conservation Act to establish the Office of Energy and Renewable Energy as the lead Federal agency for coordinating Federal, State, and local assistance provided to promote the energy retrofitting of schools.

S. 3479

At the request of Mrs. HAGAN, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 3479, a bill to authorize the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to establish and implement a birth defects prevention, risk reduction, and public awareness program.

S. 3481

At the request of Mr. CARDIN, the name of the Senator from Ohio [Mr. VOINOVICH] was added as a cosponsor of S. 3481, a bill to amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution.

S. 3512

At the request of Mrs. HUTCHISON, the names of the Senator from Arizona [Mr. MCCAIN] and the Senator from Georgia [Mr. ISAKSON] were added as cosponsors of S. 3512, a bill to provide a statutory waiver of compliance with the Jones Act to foreign flagged vessels assisting in responding to the Deepwater Horizon oil spill.

S. 3513

At the request of Mr. BAUCUS, the name of the Senator from Kansas [Mr. BROWNBACK] was added as a cosponsor of S. 3513, a bill to amend the Internal Revenue Code of 1986 to extend for one year the special depreciation allowances for certain property.

SENATE RESOLUTION 411

At the request of Mrs. LINCOLN, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of Senate Resolution 411, a resolution recognizing the importance and sustainability of the United States hardwoods industry and urging that United States hardwoods and the products derived from United States hardwoods be given full consideration in any program to promote construction of environmentally preferable commercial, public, or private buildings.

SENATE RESOLUTION 541

At the request of Mr. CONRAD, the name of the Senator from West Virginia [Mr. ROCKEFELLER] was added as a cosponsor of Senate Resolution 541, a resolution designating June 27, 2010, as "National Post-Traumatic Stress Disorder Awareness Day".

SENATE RESOLUTION 546

At the request of Mr. SPECTER, the names of the Senator from Oregon [Mr. WYDEN] and the Senator from Florida [Mr. LEMIEUX] were added as cosponsors of Senate Resolution 546, a resolution recognizing the National Museum of American Jewish History, an affiliate of the Smithsonian Institution, as the only museum in the United States dedicated exclusively to exploring and preserving the American Jewish experience.

SENATE RESOLUTION 552

At the request of Mr. BENNET, the names of the Senator from New Hampshire [Mrs. SHAHEEN] and the Senator from Alaska [Mr. BEGICH] were added as cosponsors of Senate Resolution 552, a resolution designating June 23, 2010, as "Olympic Day".

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mrs. MURRAY,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, June 22, 2010, at 9:30 a.m.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet

during the session of the Senate on June 22, 2010, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 22, 2010, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on June 22, 2010, at 9:30 a.m., to hold a hearing entitled "Iran Policy in the Aftermath of United Nations Sanctions."

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate to conduct a hearing entitled "The ADA and Olmstead Enforcement: Ensuring Community Opportunities for Individuals with Disabilities" on June 22, 2010, at 2:30 p.m., in room 430 of the Dirksen Senate Office Building.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on June 22, 2010, at 2:30 p.m.

SUBCOMMITTEE ON SUPERFUND, TOXICS, AND ENVIRONMENTAL HEALTH

The Subcommittee on Superfund, Toxics, and Environmental Health of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on June 22, 2010, at 2:30 p.m. in room 406 of the Dirksen Senate Office Building.

RECESS

Pursuant to the order of yesterday, as modified,

At 12:28 p.m.,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) declared the Senate recessed until 2:15 p.m.

AT 2:15 P.M.

The PRESIDING OFFICER (Mr. BEGICH in the chair) called the Senate to order.

OBJECTIONS TO CONSIDERATION OF CERTAIN BILLS

Ms. STABENOW asked unanimous consent that chair lay before the Senate the bill (S. 3520) to provide for an extension of unemployment insurance, introduced by her on today; that the bill be read twice, considered, read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. THUNE objected.

Pending debate,

Mr. ALEXANDER asked unanimous consent that the Senate proceed to consider the bill (S. 3347) to extend the National Flood Insurance Program through December 31, 2010; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Ms. STABENOW objected.

Pending debate,

Mr. THUNE asked unanimous consent that the Senate proceed to consider the bill (H.R. 4853) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes; that a (perfecting) amendment (Numbered 4376) be proposed and agreed to; that the bill, as amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Ms. STABENOW objected.

Pending debate,

Mr. BENNETT asked unanimous consent that the Senate proceed to consider bill H.R. 4853; that all after the enacting clause be stricken, and the text of bill S. 3083 be inserted in lieu thereof; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Ms. STABENOW objected.

Pending debate,

Mr. GRASSLEY asked unanimous consent that the Senate proceed to consider bill H.R. 4853; that all after the enacting clause be stricken, and the text of bill S. 3440 be inserted in lieu thereof; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Ms. STABENOW objected.

Pending debate,

Mr. GRASSLEY asked unanimous consent that the Senate proceed to consider bill H.R. 4853; that all after the enacting clause be stricken, and the text of bill S. 3421 be inserted in lieu thereof; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Ms. STABENOW objected.

Pending debate,

Ms. STABENOW asked unanimous consent that the Senate proceed to consider bill S. 3520; introduced by her on today; that the bill be read twice, considered, read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. BARRASSO objected.

Pending debate,

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. CASEY,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. CASEY,

The Senate resumed its legislative session.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. CASEY,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period of one hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; and that the minority control the first half therein, and the majority control the second half therein.

ADJOURNMENT

By unanimous consent, on the request of Mr. CASEY,

At 9:51 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

WEDNESDAY, JUNE 23, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,

Washington, DC, June 23, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. TOM UDALL took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday, as modified today,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6318. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Technical Amendment to Part 766 of the Export Administration Regulations" (RIN0694-AE93), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6319. A communication from the Senior Regulations Analyst, Office of the Secretary of Transportation, Department of Transportation, transmitting, pursuant to law, a rule entitled "Transportation for Individuals with Disabilities: Passenger Vessels" (RIN2105-AB87), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6320. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Jet Routes J-32, J-38, and J-538; Minnesota" ((RIN2120-AA66)(Docket No. FAA-2009-1080)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6321. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Restricted Area R-2504; Camp Roberts, CA" ((Docket No. FAA-2010-0557)(FAA Docket No. 2010-0557)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6322. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (53); Amdt. No. 3375" (RIN2120-AA65), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6323. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (86); Amdt. No. 3374" (RIN2120-AA65), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6324. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (13); Amdt. No. 3377" (RIN2120-AA65), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6325. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (12); Amdt. No. 3377" (RIN2120-AA65), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6326. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (12); Amdt. No. 3376" (RIN2120-AA65), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6327. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class C Airspace; Beale Air Force Base, CA" ((RIN2120-AA66)(Docket No. FAA-2010-0367)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6328. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and E Airspace; Victorville, CA" ((RIN2120-AA66)(Docket No. FAA-2009-1140)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6329. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Mount Pleasant, SC" ((RIN2120-AA66)(Docket No. FAA-2010-0069)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6330. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Mount Pleasant, SC; Confirmation of Effective Date" ((RIN2120-AA66)(Docket No. FAA-2010-0069)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6331. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Panama City, Tyndall AFB, FL" ((RIN2120-AA66)(Docket No. FAA-2010-0249)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6332. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Quitman, GA" ((RIN2120-AA66)(Docket No. FAA-2010-0053)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6333. A communication from the Senior Program Analyst, Federal Aviation

Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Austin, TX" ((RIN2120-AA66)(Docket No. FAA-2009-1152)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6334. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace, Corpus Christi, TX" ((RIN2120-AA66)(Docket No. FAA-2010-0089)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6335. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Hoquiam, WA" ((RIN2120-AA66)(Docket No. FAA-2009-1063)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6336. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Magnolia, AR" ((RIN2120-AA66)(Docket No. FAA-2009-1179)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6337. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Kaltag, AK" ((RIN2120-AA66)(Docket No. FAA-2010-0082)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6338. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Wainwright, AK" ((RIN2120-AA66)(Docket No. FAA-2010-0080)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6339. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Nenana, AK" ((RIN2120-AA66)(Docket No. FAA-2010-0081)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6340. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Galena, AK" ((RIN2120-AA66)(Docket No. FAA-2010-0299)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6341. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; West Yellowstone, MT" ((RIN2120-AA66)(Docket No. FAA-2009-1101)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6342. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation and Establishment of Class E Airspace; Nuiqsut, AK" ((RIN2120-AA66)(Docket No. FAA-2010-0502)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6343. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bell Helicopter Textron Canada Model 222, 222B, 222U, 230, and 430 Helicopters" ((RIN2120-AA64)(Docket No. FAA-2008-0071)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6344. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Learjet Inc. Model 60 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0495)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6345. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; PILATUS Aircraft Ltd. Model PC-7 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0250)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6346. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; CFM International, S.A. Models CFM56-3 and -3B Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2009-0606)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6347. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A300 Series Airplanes; Airbus Model A300 B4-600, B4-600R, and F4-600R Series Airplanes, and Model CR-605R Variant F Airplanes (Collectively Called A300-600 Series Airplanes); and Model A310 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0171)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6348. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Microturbo Saphir 20 Model 095 Auxiliary Power Units (APUs)" ((RIN2120-AA64)(Docket No. FAA-2010-0512)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6349. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca Arriel 2B1 Turboshaft Engines" ((RIN2120-AA64)(Docket No. FAA-2007-27009)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6350. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2C10 (Regional Jet Series 700, 701, and 702) Airplanes, Model CL-600-2D15 (Regional Jet Series 705) Airplanes, and Model CL-600-2D24 (Regional Jet Series 900) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1033)), received in the Office of the President of the Senate on June 21, 2010;

to the Committee on Commerce, Science, and Transportation.

EC-6351. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca S.A. MAKILA 1A and 1A1 Turboshaft Engines" ((RIN2120-AA64)(Docket No. FAA-2009-0982)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6352. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company CF6-45 and CF6-50 Series Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0068)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6353. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135ER, -135KE, -135KL, and -135LR Airplanes; and EMBRAER Model EMB-145, -145ER, -145MR, -145LR, -145XR, -145MP, and -145EP Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2010-0170)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6354. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Honeywell International Inc. Auxiliary Power Unit Models GTCP36-150(R) and GTCP36-150(RR)" ((RIN2120-AA64)(Docket No. FAA-2009-0803)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6355. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (53); Amdt. No. 3375" (RIN2120-AA65), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6356. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca Astazou XIV B and XIV H Turboshaft Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0219)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6357. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dassault-Aviation Model FALCON 2000 and FALCON 2000EX Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0791)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6358. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-200 and -300 Series Airplanes, and Model A340-300 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0914)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6359. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0176)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6360. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 190-100 STD, -100 LR, -100 IGW, -200 STD, -200 LR, and -200 IGW Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0175)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6361. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Corporation Model MD-11 and MD-11F Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0866)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6362. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Stemme GmbH and Co. KG Model S10-VT Powered Sailplanes" ((RIN2120-AA64)(Docket No. FAA-2008-0788)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6363. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; SOCATA Model TBM 700 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0286)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6364. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; AeroSpace Technologies of Australia Pty Ltd Models N22B, N22S, and N24A Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0235)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6365. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Quartz Mountain Aerospace, Inc. Model 11E Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2010-0261)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6366. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135BJ, -135ER, -135KE, -135KL, -135LR, -145, -145ER, -145MR, -145LR, -145XR, -145MP, and -145EP Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0132)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6367. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness

Directives; AVOX Systems and B/E Aerospace Oxygen Cylinders as Installed on Various 14 CFR Part 23 and CAR 3 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0272)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6368. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dowty Propellers R175/4-30-4/13; R175/4-30-4/13e; R184/4-30-4/50; R193/4-30-4/50; R193/4-30-4/61; R193/4-30-4/64; R193/4-30-4/65; R193/4-30-4/66; R.209/4-40-4.5/2; R212/4-30-4/22; R.245/4-40-4.5/13; R257/4-30-4/60; and R.259/4-40-4.5/17 Model Propellers" ((RIN2120-AA64)-(Docket No. FAA-2008-0750)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6369. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-1A11 (CL-600), CL-600-2A12 (CL-601), and CL-600-2B16 (CL-601-3A, CL-601-3R, and CL-604 Variants) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0169)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6370. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Gulfstream Aerospace LP (Type Certificate Previously Held by Israel Aircraft Industries, Ltd.) Model Gulfstream 100 Airplanes, and Model Astra SPX and 1125 Westwind Astra Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0034)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6371. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A300 Series Airplanes; Model A300 B4-600, B4-600R, F4-600R Series Airplanes, and Model A300 C4-605R Variant F Airplanes (Collectively Called A300-600 Series Airplanes); and A310 Series Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2010-0172)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6372. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE SYSTEMS (Operations) Limited Model BAe 146 Airplanes and Model Avro 146-RJ Airplanes" ((RIN2120-AA64)(Docket No. FAA-2008-0909)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6373. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Thielert Aircraft Engines GmbH (TAE) Models TAE 125-01 and TAE 125-02-99 Reciprocating Engines Installed in, but not limited to, Diamond Aircraft Industries Model DA 42 Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2009-0201)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6374. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca Makila 2A Turboshaft Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0411)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Commerce, Science, and Transportation.

REPORT OF A COMMITTEE

The following report of committee was submitted:

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

S. 3249. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to reauthorize the predisaster hazard mitigation program and for other purposes (Rept. No. 111-215).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. KOHL (for himself, Ms. SNOWE, and Mr. LIEBERMAN):

S. 3523. A bill to reauthorize the Hollings Manufacturing Extension Partnership Program, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. HUTCHISON:

S. 3524. A bill to authorize the Secretary of the Interior to enter into a cooperative agreement for a park headquarters at San Antonio Missions National Historical Park, to expand the boundary of the Park, to conduct a study of potential land acquisitions, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MCCAIN (for himself and Mr. RISCH):

S. 3525. A bill to repeal the Jones Act restrictions on coastwise trade and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WICKER:

S. 3526. A bill to require the GAO to evaluate the propriety of assistance provided to General Motors Corporation under the Troubled Asset Relief Program, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. GRASSLEY:

S. Res. 562. A resolution to increase transparency by requiring Senate amendments to be made available to the public in a timely manner; to the Committee on Rules and Administration.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. Res. 563. A resolution recognizing the Los Angeles Lakers on their 2010 National Basketball Association Championship and congratulating the players, coaches, and staff for their outstanding achievements; to the Committee on the Judiciary.

By Mr. WEBB (for himself, Mr. INHOFE, Mr. LIEBERMAN, Mr. DODD, and Mr. BOND):

S. Res. 564. A resolution recognizing the 50th anniversary of the ratification of the Treaty of Mutual Security and Cooperation with Japan, and affirming support for the United States-Japan security alliance and relationship; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 311

At the request of Mrs. BOXER, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 311, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 831

At the request of Mr. KERRY, the name of the Senator from West Virginia [Mr. BYRD] was added as a cosponsor of S. 831, a bill to amend title 10, United States Code, to

include service after September 11, 2001, as service qualifying for the determination of a reduced eligibility age for receipt of non-regular service retired pay.

S. 931

At the request of Mr. FEINGOLD, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 931, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from Wyoming [Mr. ENZI] was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1553

At the request of Mr. GRASSLEY, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1756

At the request of Mr. HARKIN, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 1756, a bill to amend the Age Discrimination in Employment Act of 1967 to clarify the appropriate standard of proof.

S. 3232

At the request of Mr. BURR, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 3232, a bill to amend the Internal Revenue Code of 1986 to make employers of spouses of military personnel eligible for the work opportunity credit.

S. 3234

At the request of Mrs. MURRAY, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 3234, a bill to improve employment, training, and placement services furnished to veterans, especially those serving in Operation Iraqi Freedom and Operation Enduring Freedom, and for other purposes.

S. 3320

At the request of Mr. WHITEHOUSE, the names of the Senator from North Dakota [Mr. DORGAN], the Senator from Washington [Ms. CANTWELL], the Senator from Michigan [Ms. STABENOW], the Senator from Nevada [Mr. REID], the Senator from Hawaii [Mr. INOUYE] and the Senator from Indiana [Mr. BAYH] were added as cosponsors of S. 3320, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 3335

At the request of Mr. COBURN, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 3335, a bill to require Congress to establish a unified and searchable database on a public website for congressional earmarks as called for by the President in his 2010 State of the Union Address to Congress.

S. 3411

At the request of Mrs. GILLIBRAND, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 3411, a bill to provide for the adjustment of status for certain Haitian orphans paroled into the United States after the earthquake of January 12, 2010.

S. 3412

At the request of Mr. DODD, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 3412, a bill to provide emergency operating funds for public transportation.

S. 3466

At the request of Mr. LEAHY, the names of the Senator from Vermont [Mr. SANDERS] and the Senator from Minnesota [Ms. KLOBUCHAR] were added as cosponsors of S. 3466, a bill to require restitution for victims of criminal violations of the Federal Water Pollution Control Act, and for other purposes.

S. 3469

At the request of Mr. BENNET, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 3469, a bill to build capacity and provide support at the leadership level for successful school turnaround efforts.

S. 3471

At the request of Mr. DORGAN, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of S. 3471, a bill to improve access to capital, bonding authority, and job training for Native Americans and promote native community development financial institutions and Native American small business opportunities, and for other purposes.

S. 3474

At the request of Mr. FEINGOLD, the name of the Senator from Indiana [Mr. BAYH] was added as a cosponsor of S. 3474, a bill to provide an optional fast-track procedure the President may use when submitting rescission requests, and for other purposes.

S. 3478

At the request of Mr. SCHUMER, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 3478, a bill to amend title 46, United States Code, to repeal certain limitations of liability and for other purposes.

S. 3509

At the request of Mr. UDALL of Colorado, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3509, a bill to amend the Energy Policy Act of 2005 to promote the research and development of technologies and best practices for the safe development and extraction of natural gas and other petroleum resources, and for other purposes.

S. 3510

At the request of Mr. CONRAD, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 3510, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 3512

At the request of Mrs. HUTCHISON, the name of the Senator from Wyoming [Mr. BARRASSO] was added as a cosponsor of S. 3512, a bill to provide a statutory waiver of compliance with the Jones Act to foreign flagged vessels assisting in responding to the Deepwater Horizon oil spill.

S. 3513

At the request of Mr. BAUCUS, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 3513, a bill to amend the Internal Revenue Code of 1986 to extend for one year the special depreciation allowances for certain property.

S. 3516

At the request of Mr. BINGAMAN, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3516, a bill to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf, and for other purposes.

SENATE JOINT RESOLUTION 29

At the request of Mrs. FEINSTEIN, the names of the Senator from Minnesota [Mr. FRANKEN], the Senator from North Carolina [Mrs. HAGAN] and the Senator from Louisiana [Ms. LANDRIEU] were added as cosponsors of Senate Joint Resolution 29, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

SENATE CONCURRENT RESOLUTION 63

At the request of Mr. JOHNSON, the name of the Senator from Oklahoma [Mr. COBURN] was added as a cosponsor of Senate Concurrent Resolution 63, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

SENATE RESOLUTION 552

At the request of Mr. BENNET, the names of the Senator from Idaho [Mr. RISCH] and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of Senate Resolution 552, a resolution designating June 23, 2010, as "Olympic Day".

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on June 23, 2010, at 2:30 p.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "The U.S.-China Trade Relationship: Finding a New Path Forward."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on June 23, 2010, at 2:30 p.m., to conduct a hearing entitled "Finding Common Ground with a Rising China."

COMMITTEE ON THE JUDICIARY

The Committee on The Judiciary be authorized to meet during the session of the Senate on June 23, 2010, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Oversight of the Office of the Intellectual Property Enforcement Coordinator."

COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration be authorized to meet during the session of the Senate on June 23, 2010, at 10 a.m., to conduct a hearing entitled "Examining the Filibuster: Silent Filibusters, Holds and the Senate Confirmation Process."

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

The Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on June 23, 2010, at 2:30 p.m., to conduct a hearing entitled "Having Their Say: Customer and Employee Views on the Future of the U.S. Postal Service."

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 12:44 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolution:

H. Con. Res. 288. Concurrent resolution supporting National Men's Health Week.

HOUSE CONCURRENT RESOLUTION REFERRED

The following concurrent resolution referred, as indicated:

H. Con. Res. 288. Concurrent resolution supporting National Men's Health Week; to the Committee on Health, Education, Labor, and Pensions.

ORDER FOR RECESS

By unanimous consent, on the request of Mr. CONRAD,

Ordered, That the Senate recess from 1 p.m. until 2:30 p.m. on today.

RECESS

Pursuant to the order of today, as modified,

At 1:01 p.m.,

The PRESIDING OFFICER (Mrs. HAGAN in the chair) declared the Senate recessed until 2:30 p.m.

AT 2:29 P.M.

The ACTING PRESIDENT pro tempore called the Senate to order.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

Mr. REID called for the regular order.

Whereupon,

The PRESIDING OFFICER (Mr. FRANKEN in the chair) laid before the Senate its pending business, viz, the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; and

The Senate resumed consideration of the House amendment.

The question being on agreeing to the motion, by Mr. DEMINT, to refer the House amendment to the Committee on Finance, with instructions to report the same back to the Senate with changes to include a permanent extension of the 15 percent income tax rate on capital gains and dividends under section 1(h) of the Internal Revenue Code of 1986, and to include provisions which decrease spending or increase net revenues as appropriate to offset such permanent extension.

On motion by Mr. REID to lay the pending motion on the table.

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---yeas... 57, nays... 40

[Rollcall Vote No. 197 Leg.]

YEAS --- 57

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown, Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson, Pryor, Reed, Reid, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall, Udall, Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS --- 40

Alexander, Barrasso, Bennett, Bond, Brown, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson, Risch, Sessions, Shelby, Snowe, Thune, Vitter, Wicker.

So the motion was agreed to.

The question being on agreeing to amendment No. 4300, proposed by Mr. LEMIEUX, to amendment No. 4369 (in the nature of a substitute) contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

After debate,

On motion by Mr. REID to lay the pending motion to concur, with amendment, on the table.

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---yeas... 56, nays... 40

[Rollcall Vote No. 198 Leg.]

YEAS --- 56

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown, Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson, Nelson, Pryor, Reed, Reid, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall, Udall, Warner, Webb, Whitehouse, Wyden.

NAYS --- 40

Alexander, Barrasso, Bennett, Bond, Brown, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion to table the motion to concur with amendment No. 4369 (in the nature of a substitute) was agreed to (taking with it

amendments Numbered 4300, 4371, and 4331 thereto).

The question being on agreeing to the House amendment to the Senate amendment to the bill.

PROTECTING INDIAN ARTS AND CRAFTS

By unanimous consent, on the request of Mr. DURBIN,

The Senate proceeded to consider the bill (H.R. 725) to protect Indian arts and crafts through the improvement of applicable criminal proceedings, and for other purposes.

The question being on the passage of the bill.

On motion by Mr. DURBIN for Mr. DORGAN (for himself, Mr. BEGICH, Mr. BENNET, Ms. CANTWELL, Mr. KYL, Mr. MCCAIN, Mr. TESTER, Mr. THUNE, Mr. TOM UDALL, and Mr. MARK UDALL) to amend the bill, at the end thereof, by adding certain words (being amendment No. 4391).

The amendment was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

IMPROPER PAYMENTS ELIMINATION AND RECOVERY ACT

By unanimous consent, on the request of Mr. DURBIN,

The Senate proceeded to consider the bill (S. 1508) to amend the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) in order to prevent the loss of billions in taxpayer dollars.

The question being on agreeing to the reported amendment to the bill.

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the reported amendment be withdrawn.

The question being on passage of the bill.

On motion by Mr. DURBIN (for Mr. CARPER) to strike all after the enacting clause and insert, in lieu thereof, other words (being amendment No. 4392, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL POST-TRAUMATIC STRESS DISORDER AWARENESS DAY"

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 541) designating June 27, 2010, as "National Post-Traumatic Stress Disorder Awareness Day".

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto.

The question being on agreeing to the accompanying preamble.

On motion by Mr. DURBIN (for Mr. CONRAD) to strike the preamble and insert in lieu thereof other words (being amendment No. 4393, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The preamble, as amended, was agreed to.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "OLYMPIC DAY"

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 552) designating June 23, 2010, as "Olympic Day".

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECESS

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Senate stand in recess, subject to the call of the chair.

At 7:35 p.m.,

The PRESIDING OFFICER (Mr. WARNER in the chair) declared the Senate recessed, subject to the call of the chair.

AT 9:09 P.M.

The PRESIDING OFFICER called the Senate to order.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

The Senate resumed consideration of the House amendment (in the nature of a substitute) to the Senate amendment (in the nature of a substitute) to bill H.R. 4213.

The question being on agreeing to the amendment (in the nature of a substitute) of the House to the amendment (in the nature of a substitute) of the Senate to the bill.

On motion by Mr. REID (for Mr. BAUCUS) that the Senate concur in the House amendment to the Senate amendment, with an amendment (Numbered 4386, in the nature of a substitute).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion to concur with amendment.

On motion by Mr. REID (for Mr. BAUCUS) to amend the pending amendment (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 4387).

Mr. REID presented a motion to bring to a close debate on the pending motion to concur with amendment; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur, with amendment No. 4386 (in the nature of a substitute), in the House amendment to the Senate amendment to bill H.R. 4213:

HARRY REID, MAX BAUCUS, PATRICK J. LEAHY, AL FRANKEN, PATTY MURRAY, DICK DURBIN, S. WHITEHOUSE, ROLAND W. BURRIS, KENT CONRAD, DANIEL K. AKAKA, ROBERT P. CASEY, JR., JEANNE SHAHEEN, EDWARD E. KAUFMAN, JEFF MERKLEY, JEFF BINGAMAN, MARK PRYOR, SHERROD BROWN, CARL LEVIN.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

On motion by Mr. REID to refer the House amendment to the Committee on Finance with instructions to report back forthwith with an amendment (Numbered 4388).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

On motion by Mr. REID to amend the instructions (designated amendment No. 4388) contained in the motion to refer, at the end thereof, by adding certain words (being amendment No. 4389).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

On motion by Mr. REID to amend the pending amendment, at the end thereof, by adding certain words (being amendment No. 4390).

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate resumed its legislative session.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period of one hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; and that the majority control the first half therein, and the minority control the second half therein.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 9:15 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

THURSDAY, JUNE 24, 2010

Mrs. KIRSTEN E. GILLIBRAND, from the State of New York, called the Senate to order at 9:30 a.m., the Reverend Marvin Ray Gant, Central Christian Church, Henderson, Nevada, offered a prayer, and Mrs. GILLIBRAND led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, June 24, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mrs. GILLIBRAND took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6375. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Thiamethoxam; Pesticide Tolerances" (FRL No. 8830-4), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6376. A communication from the Under Secretary of Defense (Personnel and Readiness), Department of Defense, transmitting, pursuant to law, a report entitled "2010 Report to Congress on Sustainable Ranges"; to the Committee on Armed Services.

EC-6377. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Ownership or Control by a Foreign Government" (DFARS Case 2010-D010), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Armed Services.

EC-6378. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Payments in Support of Emergencies and Contingency Operations" (DFARS Case 2009-D020), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Armed Services.

EC-6379. A joint communication from the President and Chief Executive Officer and the Chief Accounting and Administrative Officer and Corporate Secretary, Federal Home Loan Bank of Seattle, transmitting, pursuant to law, the Bank's 2009 Annual Report; to the Committee on Banking, Housing, and Urban Affairs.

EC-6380. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13348 relative to the former Liberian regime of Charles Taylor; to the Committee on Banking, Housing, and Urban Affairs.

EC-6381. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Canada and Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC-6382. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled, "Fundamental Properties of Asphalts and Modified Asphalts - III"; to the Committee on Commerce, Science, and Transportation.

EC-6383. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, a report entitled "National Action Plan on Demand Response"; to the Committee on Energy and Natural Resources.

EC-6384. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Revision of Fee Schedules; Fee Recovery for FY 2010" (RIN3150-AI70), received in the Office of the President of the Senate on June 18, 2010; to the Committee on Environment and Public Works.

EC-6385. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Ohio; Final Approval and Promulgation of State Implementation Plans; Carbon Monoxide and Volatile Organic Compounds" (FRL No. 9159-3), received in the Office of the President of the Senate on

June 21, 2010; to the Committee on Environment and Public Works.

EC-6386. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Massachusetts: Final Authorization of State Hazardous Waste Management Program Revisions" (FRL No. 9165-8), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Environment and Public Works.

EC-6387. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Determination of Attainment for PM10 for the Sandpoint PM10 Nonattainment Area, Idaho" (FRL No. 9165-2), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Environment and Public Works.

EC-6388. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Oklahoma: Incorporation by Reference of Approved State Hazardous Waste Management Program" (FRL No. 9162-7), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Environment and Public Works.

EC-6389. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Arkansas: Final Authorization of State-initiated Changes and Incorporation by Reference of State Hazardous Waste Management Program" (FRL No. 9161-9), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Environment and Public Works.

EC-6390. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Significant New Use Rules on Certain Chemical Substances" ((RIN2070-AB27)(FRL No. 8824-6)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Environment and Public Works.

EC-6391. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates - July 2010" (Rev. Rul. 2010-18), received in the Office of the President of the Senate on June 18, 2010; to the Committee on Finance.

EC-6392. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Interest and Penalty Suspension Provisions Under Section 6404(g) of the Internal Revenue Code" ((TD 9488)(RIN1545-BE07)), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Finance.

EC-6393. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Rules Relating to Status as a Grandfathered Health Plan Under the Patient Protection and Affordable Care Act" ((TD 9489)(RIN1545-BJ51)), received in the Office of the President of the Senate on June 18, 2010; to the Committee on Finance.

EC-6394. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Sweden and Norway for the manufacture of F414-GE-400 engine components in support of U.S. Navy Commercial and FMS contracts in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-6395. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Centers for Independent Living Program - - Training and Technical Assistance" (CFDA No. 84.400B), received in the Office of the President of the Senate on June 22, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6396. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "National Institute on Disability and Rehabilitation Research (NIDRR) - - Disability and Rehabilitation Research Projects and Centers Program - - Rehabilitation Research and Training Centers (RRTCs) - - Employment Outcomes for Individuals who are Blind or Visually Impaired" (CFDA No. 84.133B-6), received in the Office of the President of the Senate on June 22, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6397. A communication from the Director, Employee Services, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "General Schedule Locality Pay Areas" (RIN3206-AL96), received in the Office of the President of the Senate on June 21, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6398. A communication from the Inspector General, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2009 through September 30, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-6399. A communication from the Secretary of Labor, transmitting, pursuant to law, the Semiannual Report of the Office of Inspector General of the Pension Benefit Guaranty Corporation for the period from April 1, 2009, through September 30, 2009 and the Director's Semiannual Report on Management Decisions and Final Actions on Office of Inspector General Audit Recommendations; to the Committee on Homeland Security and Governmental Affairs.

EC-6400. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of October 1, 2009 through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment:

S. 3466. A bill to require restitution for victims of criminal violations of the Federal Water Pollution Control Act, and for other purposes.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. BROWN, of Ohio:

S. 3527. A bill to amend title XVIII of the Social Security Act to ensure access to chest radiography (x-ray) services that use Computer-Aided Detection for the purpose of early detection of lung cancer; to the Committee on Finance.

By Ms. SNOWE (for herself, Mr. LAUTENBERG, Mr. WHITEHOUSE, Ms. COLLINS, Mrs. SHAHEEN, Mrs. BOXER, Mr. KERRY, Ms. CANTWELL, Mr. REED, and Mr. BEGICH):

S. 3528. A bill to promote coastal jobs creation, promote sustainable fisheries and fishing communities, revitalize waterfronts,

and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. HAGAN:

S. 3529. A bill to require that certain Federal job training and career education programs give priority to programs that provide an industry-recognized and nationally portable credential; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PRYOR (for himself and Mr. WARNER):

S. 3530. A bill to amend the Stevenson-Wydler Technology Innovation Act of 1980 to provide for prize competitions to stimulate innovations that advance the missions of Federal agencies, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SANDERS (for himself, Mrs. MURRAY, and Mr. LEAHY):

S. 3531. A bill to amend the Dairy Production Stabilization Act of 1983 to establish a dairy market stabilization program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DODD (for himself and Mr. LIEBERMAN):

S. 3532. A bill to reinstate and transfer certain hydroelectric licenses and extend the deadline for commencement of construction of certain hydroelectric projects; to the Committee on Energy and Natural Resources.

By Mr. SANDERS (for himself, Mr. WHITEHOUSE, Mr. HARKIN, Mr. BROWN, of Ohio, and Mr. FRANKEN):

S. 3533. A bill to amend the Internal Revenue Code of 1986 to reinstate estate and generation-skipping taxes, and for other purposes; to the Committee on Finance.

By Ms. LANDRIEU (for herself and Mr. DORGAN):

S. 3534. A bill to establish a Native American entrepreneurial development program in the Small Business Administration; to the Committee on Small Business and Entrepreneurship.

By Mr. BURR (for himself and Mr. CHAMBLISS):

S. 3535. A bill to enhance the energy security of the United States by promoting the production of natural gas, nuclear energy, and renewable energy, and for other purposes; to the Committee on Finance.

By Mr. BENNETT (for himself and Ms. KLOBUCHAR):

S. 3536. A bill to enhance aviation security and protect personal privacy, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. UDALL, of Colorado (for himself, Mr. BENNETT, Mr. BENNET, and Mr. HATCH):

S. 3537. A bill to provide for certain land exchanges in Gunnison County, Colorado, and Uintah County, Utah; to the Committee on Energy and Natural Resources.

By Mr. BOND (for himself and Mr. HATCH):

S. 3538. A bill to improve the cyber security of the United States and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. MERKLEY (for himself, Mr. FRANKEN, Mr. BROWN, of Ohio, Mr. BEGICH, Mr. KERRY, Mr. WYDEN, Mrs. SHAHEEN, Ms. CANTWELL, Mrs. FEINSTEIN, Mrs. BOXER, Ms. MIKULSKI, Mrs. MURRAY, and Mrs. GILLIBRAND):

S. Res. 565. A resolution supporting and recognizing the achievements of the family planning services programs operating under title X of the Public Health Service Act; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 28

At the request of Mr. SCHUMER, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 28, a bill to ensure that the courts of the United States may provide an impartial forum for claims brought by United States citizens and others against any railroad organized as a separate legal entity, arising from the deportation of United States citizens and others to Nazi concentration camps on trains owned or operated by such railroad, and by the heirs and survivors of such persons.

S. 306

At the request of Mr. NELSON of Nebraska, the name of the Senator from New Mexico [Mr. UDALL] was added as a cosponsor of S. 306, a bill to promote biogas production, and for other purposes.

S. 332

At the request of Mrs. FEINSTEIN, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 332, a bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner.

S. 435

At the request of Mr. CASEY, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 435, a bill to provide for evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention to help build individual, family, and community strength and resiliency to ensure that youth lead productive, safe, healthy, gang-free, and law-abiding lives.

S. 678

At the request of Mr. LEAHY, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 678, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 797

At the request of Mr. DORGAN, the name of the Senator from Colorado [Mr. UDALL] was added as a cosponsor of S. 797, a bill to amend the Indian Law Enforcement Reform Act, the Indian Tribal Justice Act, the Indian Tribal Justice Technical and Legal Assistance Act of 2000, and the Omnibus Crime Control and Safe Streets Act of 1968 to improve the prosecution of, and response to, crimes in Indian country, and for other purposes.

S. 831

At the request of Mr. KERRY, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 831, a bill to amend title 10, United States Code, to include service after September 11, 2001, as service qualifying for the determination of a reduced eligibility age for receipt of non-regular service retired pay.

S. 1674

At the request of Mr. WYDEN, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 1674, a bill to provide for an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 2792

At the request of Mrs. GILLIBRAND, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 2792, a bill to amend the Federal Meat Inspection Act to develop an effective sampling and testing program to test for E. coli O157:H7 in boneless beef manufacturing trimmings and other raw ground beef components, and for other purposes.

S. 3029

At the request of Mr. KERRY, the name of the Senator from Colorado [Mr. UDALL] was added as a cosponsor of S. 3029, a bill to establish an employment-based immigrant visa for alien entrepreneurs who have received significant capital from investors to establish a business in the United States.

S. 3036

At the request of Mr. BAYH, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 3036, a bill to establish the National Alzheimer's Project.

S. 3171

At the request of Mrs. LINCOLN, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 3171, a bill to amend title 38, United States Code, to provide for the approval of certain programs

of education for purposes of the Post-9/11 Educational Assistance Program.

S. 3192

At the request of Mr. SPECTER, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 3192, a bill to amend title 38, United States Code, to provide for the tolling of the timing of review for appeals of final decisions of the Board of Veterans' Appeals, and for other purposes.

S. 3196

At the request of Mr. KAUFMAN, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 3196, a bill to amend the Presidential Transition Act of 1963 to provide that certain transition services shall be available to eligible candidates before the general election.

S. 3213

At the request of Mr. LEVIN, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 3213, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 3278

At the request of Mr. BENNET, the name of the Senator from Idaho [Mr. RISCH] was added as a cosponsor of S. 3278, a bill to establish the Meth Project Prevention Campaign Grant Program.

S. 3320

At the request of Mr. WHITEHOUSE, the name of the Senator from Georgia [Mr. CHAMBLISS] was added as a cosponsor of S. 3320, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 3335

At the request of Mr. COBURN, the names of the Senator from Massachusetts [Mr. BROWN], the Senator from Pennsylvania [Mr. CASEY] and the Senator from South Carolina [Mr. GRAHAM] were added as cosponsors of S. 3335, a bill to require Congress to establish a unified and searchable database on a public website for congressional earmarks as called for by the President in his 2010 State of the Union Address to Congress.

S. 3347

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 3347, a bill to extend the National Flood Insurance Program through December 31, 2010.

S. 3371

At the request of Mrs. MCCASKILL, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 3371, a bill to amend title 10, United States Code, to improve access to mental health care counselors under the TRICARE program, and for other purposes.

S. 3479

At the request of Mrs. HAGAN, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 3479, a bill to authorize the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to establish and implement a birth defects prevention, risk reduction, and public awareness program.

S. 3481

At the request of Mr. CARDIN, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 3481, a bill to amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution.

S. 3505

At the request of Ms. STABENOW, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 3505, a bill to prohibit the purchases by the Federal Government of Chinese goods and services until China agrees to the Agreement on Government Procurement, and for other purposes.

S. 3512

At the request of Mrs. HUTCHISON, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of S. 3512, a bill to provide a statutory waiver of compliance with the Jones Act to foreign flagged vessels assisting in responding to the Deepwater Horizon oil spill.

SENATE RESOLUTION 519

At the request of Mr. DEMINT, the names of the Senator from Mississippi [Mr. COCHRAN] and the Senator from Louisiana [Mr. VITTER] were added as cosponsors of Senate Resolution 519, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and children is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent.

SENATE RESOLUTION 554

At the request of Mr. ENZI, the name of the Senator from Kansas [Mr. BROWNBACK] was added as a cosponsor of Senate Resolution 554, a resolution designating July 24, 2010, as "National Day of the American Cowboy".

SENATE RESOLUTION 564

At the request of Mr. WEBB, the names of the Senator from Massachusetts [Mr. KERRY], the Senator from Indiana [Mr. LUGAR] and the Senator from Maryland [Mr. CARDIN] were added as cosponsors of Senate Resolution 564, a resolution recognizing the 50th anniversary of the ratification of the Treaty of Mutual Security and Cooperation with Japan, and affirming support for the United States-Japan security alliance and relationship.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. REID,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on June 24, 2010, at 9:30 a.m.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 24, 2010, at 10 a.m., in Room 253 of the Russell Senate Office Building.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 24, 2010, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on June 24, 2010, at 10 a.m., to conduct a hearing entitled "The New START Treaty (Treaty Doc. 111-5): Implementation—Inspections and Assistance."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on June 24, 2010, at 2:30 p.m., to conduct a hearing entitled "The New START Treaty (Treaty Doc. 111-5): Benefits and Risks."

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "Emerging Risk? An Overview of the Federal Investment in For-Profit Education" on June 24, 2010, at 10 a.m., in room 124 of the Dirksen Senate Office Building.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 24, 2010, at 2:30 p.m.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on June 24, 2010, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

SUBCOMMITTEE ON SURFACE TRANSPORTATION AND MERCHANT MARINE INFRASTRUCTURE, SAFETY, AND SECURITY

The Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 24, 2010, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10:19 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills and joint resolution, without amendment:

S. 1660. An act to amend the Toxic Substances Control Act to reduce the emissions of formaldehyde from composite wood products, and for other purposes.

S. 2865. An act to reauthorize the Congressional Award Act (2 U.S.C. 801 et seq.), and for other purposes.

S.J. Res. 32. Joint resolution recognizing the 60th anniversary of the outbreak of the Korean War and reaffirming the United States-Korea alliance.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3993. An act to require accurate and reasonable disclosure of the terms and conditions of prepaid telephone calling cards and services.

H.R. 5481. An act to give subpoena power to the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling.

H.R. 5551. An act to require the Secretary of the Treasury to make a certification when making purchases under the Small Business Lending Fund Program.

H.R. 5569. An act to extend the National Flood Insurance Program until September 30, 2010.

The message further announced that the Clerk be directed to request the Senate to return to the House of Representatives the bill (H.R. 5136) to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

At 1:27 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431), and the order of the House of January 6, 2009, the Speaker appointed the following members on the part of the House of Representatives to the Commission on International Religious Freedom: Ms. Elizabeth W. Prodromou of Boston, Massachusetts, for a 2-year term ending May 14, 2012, to succeed herself, and upon the recommendation of the Minority Leader: Mr. Ted Van Der Meid of Rochester, New York, for a 2-year term ending May 14, 2012, to succeed Ms. Nina Shea.

At 4:46 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills and joint resolution:

S. 1660. An act to amend the Toxic Substances Control Act to reduce the emissions of formaldehyde from composite wood products, and for other purposes.

S. 2865. An act to reauthorize the Congressional Award Act (2 U.S.C. 801 et seq.), and for other purposes.

S.J. Res. 32. Joint resolution recognizing the 60th anniversary of the outbreak of the Korean War and reaffirming the United States-Korea alliance.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The enrolled bills and joint resolution were signed by the ACTING PRESIDENT pro tempore (Mr. REID).

At 7:19 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3962. An act to provide a physician payment update, to provide pension funding relief, and for other purposes.

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the ACTING PRESIDENT pro tempore (Mr. REID).

At 7:31 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2194) to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran.

The message also announced that the House agrees to the amendments of the Senate to the bill (H.R. 3962) to provide affordable, quality health care for all Americans and reduce the growth in health care spending, and for other purposes.

HOUSE BILL REFERRED

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

H.R. 3993. An act to require accurate and reasonable disclosure of the terms and conditions of prepaid telephone calling cards and services; to the Committee on Commerce, Science, and Transportation.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; and

The Senate resumed consideration of the House amendment.

The question being on agreeing to amendment No. 4390, proposed by Mr. REID, to amendment No. 4389, proposed by Mr. REID, to the instructions (designated amendment No. 4388) contained in the motion, by Mr. REID, to refer the House amendment to the Committee on Finance.

ORDER FOR CONSIDERATION OF CONFERENCE REPORT ON BILL H.R. 2194

By unanimous consent, on the request of Mr. REID,

Ordered, That, at 12:30 p.m. on today, notwithstanding the absence of the official papers of the conference report on bill H.R. 2194 (filed in the House of Representatives on yesterday, and printed beginning on page H4751 of the Congressional Record), the Senate proceed to consider said report; that there be a limitation of two hours, 30 minutes, equally divided and controlled for debate thereon between the leaders, or their designees; that, upon conclusion of said debate, the conference report be laid aside; and that the Senate vote on the question of agreeing to said conference report at a time to be determined by the majority leader, following consultation with the minority leader, if said official papers have been received from the House of Representatives, without further intervening action or debate.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

The Senate resumed consideration of the House amendment to the Senate amendment to bill H.R. 4213.

The question being on agreeing to amendment No. 4390 to amendment No. 4389 to the instructions (designated amendment No. 4388) contained in the motion to refer the House amendment to the Committee on Finance.

Pending debate,

CONFERENCE REPORT ON BILL H.R. 2194

The hour of 12:30 p.m. having passed,

Pursuant to the order of today, as modified,

The PRESIDING OFFICER (Mrs. HAGAN in chair) laid before the Senate the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2194) to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran; and

The Senate proceeded to consider the conference report.

The question being on agreeing to the conference report.

Pending debate,

By unanimous consent, on the request of Mr. REID,

Ordered, That, following the remarks of the minority leader, the Senate vote on the question of agreeing to the conference report.

Ordered further, That, following the vote, the following be recognized to speak, or to engage in colloquies, for the times indicated: Mr. CORNYN and Mr. BINGAMAN, 10 minutes; Mr. DORGAN, 15 minutes; Mrs. MURRAY, 10 minutes; Mr. BOND, 10 minutes.

The question being on agreeing to the conference report.

After debate,

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the conference report.

The question being taken.

It was determined in the affirmative---
yeas... 99, nays... 0

[Rollcall Vote No. 199 Leg.]

YEAS --- 99

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown, Brown, Brownback, Bunning, Burr, Burris, Cantwell, Cardin, Carper, Casey, Chambliss, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dodd, Dorgan, Durbin, Ensign, Enzi, Feingold, Feinstein, Franken, Gillibrand, Graham, Grassley, Gregg, Hagan, Harkin, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lincoln, Lugar, McCain, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson, Nelson, Pryor, Reed, Reid, Risch, Roberts, Rockefeller, Sanders, Schumer, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall, Udall, Vitter, Voinovich, Warner, Webb, Whitehouse, Wicker, Wyden.

So the conference report was agreed to.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

The Senate resumed consideration of the House amendment to the Senate amendment to bill H.R. 4213.

The question being on agreeing to amendment No. 4390 to amendment No. 4389 to the instructions (designated amendment No. 4388) contained in the motion to refer the House amendment to the Committee on Finance.

EXPRESSING THE SENSE OF THE SENATE THAT ISRAEL HAS AN UNDENIABLE RIGHT TO SELF-DEFENSE

By unanimous consent, on the request of Mr. CORNYN,

Ordered, That the Committee on Foreign Relations be discharged from the further consideration of the resolution (S. Res. 548) to express the sense of the Senate that Israel has an undeniable right to self-defense, and to condemn the recent destabilizing actions by extremists aboard the ship Mavi Marmara.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

On motion by Mr. CORNYN (for Mr. KERRY) to amend the resolution on page 7, by striking lines 22 through 24 (being amendment No. 4396).

The amendment was agreed to.

The question being on agreeing to the resolution, as amended.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The question being on agreeing to the accompanying preamble.

On motion by Mr. KAUFMAN (for Mr. BAUCUS) to amend the preamble by striking the 14th clause (being amendment No. 4397).

The amendment was agreed to.

The preamble, as amended, was agreed to.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

The Senate resumed consideration of the House amendment to the Senate amendment to bill H.R. 4213.

The question being on agreeing to amendment No. 4390 to amendment No. 4389 to the instructions (designated amendment No. 4388) contained in the motion to refer the House amendment to the Committee on Finance.

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That Mr. MCCONNELL and Mr. BAUCUS each be recognized to speak for 2 minutes; that, following remarks by them, the Senate vote on the question of agreeing to the motion to bring to a close debate on the motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

Pending debate,

Pursuant to the order of today,

The PRESIDING OFFICER (Mrs. SHAHEEN in the chair) laid before the Senate the motion, presented by Mr. REID on yesterday, to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to the bill, with amendment No. 4386 (in the nature of a substitute).

Pursuant to the order of yesterday,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the negative---
yeas... 57, nays... 41

[Rollcall Vote No. 200 Leg.]

YEAS --- 57

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown, Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson, Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall, Udall, Warner, Webb, Whitehouse, Wyden.

NAYS --- 41

Alexander, Barrasso, Bennett, Bond, Brown, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Nelson, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was not agreed to; three-fifths of Senators duly chosen and sworn not having voted in the affirmative.

The question being on agreeing to amendment No. 4390 to amendment No. 4389 to the instructions (designated amendment No. 4388) contained in the motion to refer the House amendment to the Committee on Finance.

OBJECTION TO CONSIDERATION OF BILL H.R. 4853

Mr. MCCONNELL asked unanimous consent that the Senate proceed to consider the bill (H.R. 4853) to amend the Internal Revenue Code of 1986 to extend the funding and

expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes; that an amendment (in the nature of a substitute) be proposed by him, and agreed to; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. DURBIN objected.

Pending debate,

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

The Senate resumed consideration of the House amendment to the Senate amendment to bill H.R. 4213.

The question being on agreeing to amendment No. 4390 to amendment No. 4389 to the instructions (designated amendment No. 4388) contained in the motion to refer the House amendment to the Committee on Finance.

AUTHORIZING SIGNING OF ENROLLED BILLS AND JOINT RESOLUTIONS

By unanimous consent, on the request of Ms. STABENOW,

Ordered, That, on today, she be authorized to sign duly enrolled bills and joint resolutions.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

The Senate resumed consideration of the House amendment to the Senate amendment to bill H.R. 4213.

The question being on agreeing to amendment No. 4390 to amendment No. 4389 to the instructions (designated amendment No. 4388) contained in the motion to refer the House amendment to the Committee on Finance.

MOTION TO PROCEED TO CONSIDER BILL H.R. 5297

On motion by Mr. REID that the Senate proceed to consider the bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes.

The question being on agreeing to the motion.

Mr. REID presented a motion to bring to a close debate on the pending motion; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to consider bill H.R. 5297:

HARRY REID, DEBBIE STABENOW, DIANNE FEINSTEIN, MARK BEGICH, J. A. MERKLEY, BERNARD SANDERS, CARL LEVIN, EDWARD E. KAUFMAN, MARK PRYOR, DICK DURBIN, FRANK LAUTENBERG, JEANNE SHAHEEN, D. K. INOUYE, BARBARA BOXER, ROLAND W. BURRIS, SHERROD BROWN, MARY LANDRIEU.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

By unanimous consent, on the request of Mr. REID,

Ordered, That, on Monday, June 28, 2010, at 5:30 p.m., the Senate vote on the question of agreeing to the motion to bring to a close debate on the motion to proceed to bill H.R. 5297.

ORDER FOR EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

As in executive session,

Ordered, That, on Monday, June 28, 2010, at 5 p.m., the Senate proceed to executive session to consider the nomination of Gary Scott Feinerman, of Illinois, to be United States District Judge for the Northern District of Illinois; that the time until 5:30 p.m. be equally divided and controlled, for debate between Mr. LEAHY and Mr. SESSIONS, or their designees; that, at 5:30 p.m., the Senate resume its legislative session to vote, as pursuant to the order of today; that, following said vote, notwithstanding provisions of rule XXII of the Standing Rules of the Senate, the Senate proceed to executive session to vote on confirmation of the nomination of Gary Scott Feinerman; that time be counted against time for debate, pursuant to rule XXII of the Standing Rules of the Senate, on the motion to proceed to consider bill H.R. 5297; that, following the vote on the nomination, a motion to reconsider be made and laid on the table; that the President be immediately notified of the Senate's action; and that the Senate resume its legislative session.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Ms. STABENOW,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of the motion to proceed to consider bill H.R. 5297.

HOUSE BILL READ THE FIRST TIME

On the request of Ms. STABENOW,

The PRESIDING OFFICER (Mr. BURRIS in the chair) laid before the Senate the bill (H.R. 5481) to give subpoena power to the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling, received from the House of Representatives for concurrence on today, and at the desk; which was read the first time.

Ms. STABENOW asked unanimous consent that the bill be read the second time.

Ms. STABENOW objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

HOUSE BILL READ THE FIRST TIME

On the request of Ms. STABENOW,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 5551) to require the Secretary of the Treasury to make a certification when making purchases under the Small Business Lending Fund Program, received from the House of Representatives for concurrence on today, and at the desk; which was read the first time.

Ms. STABENOW asked unanimous consent that the bill be read the second time.

Ms. STABENOW objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

HOUSE MESSAGE REQUESTING RETURN OF PAPERS TO HOUSE OF REPRESENTATIVES

On the request of Ms. STABENOW,

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives requesting the Senate to return to the House of Representatives the bill (H.R. 5136) to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

By unanimous consent, on the request of Ms. STABENOW,

Ordered, That the Senate agree to the request; and that the bill be returned to the House.

ADJOURNMENT

By unanimous consent, on the request of Ms. STABENOW,

At 8:02 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

FRIDAY, JUNE 25, 2010

Mr. JEFF MERKLEY, from the State of Oregon, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. MERKLEY led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, June 25, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF MERKLEY, a Senator from the State of Oregon, to perform the duties of the Chair.

ROBERT C. BYRD,
PRESIDENT pro tempore.

Mr. MERKLEY took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

HOUSE BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 5481) to give subpoena power to the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling, received from the House of Representatives for concurrence on yesterday, and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

HOUSE BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 5551) to require the Secretary of the Treasury to make a certification when making purchases under the Small Business Lending Fund Program, received from the House of Representatives for concurrence on yesterday, and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

Pending debate,

MOTION TO PROCEED TO CONSIDER BILL H.R. 5297

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate the motion, made by Mr. REID on yesterday, that the Senate proceed to consider the bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; and

The Senate resumed consideration of the motion to proceed.

The question being on agreeing to the motion.

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. REID,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

Pending debate,

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, Friday, June 25, 2010, she had presented to the President of the United States the following enrolled bills and a joint resolution:

S. 1660. A bill to amend the Toxic Substances Control Act to reduce the emissions of formaldehyde from composite wood products, and for other purposes.

S. 2865. A bill to reauthorize the Congressional Award Act (2 U.S.C. 801 et seq.), and for other purposes.

S.J. Res. 32. A joint resolution recognizing the 60th anniversary of the outbreak of the Korean War and reaffirming the United States-Korea alliance.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

H.R. 908. A bill to amend the Violent Crime Control and Law Enforcement Act of 1994 to reauthorize the Missing Alzheimer's Disease Patient Alert Program.

INTRODUCTION OF A BILL

The following bill was introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 3539. A bill to amend the Federal Water Pollution Control Act to establish a grant program to assist in the restoration of San Francisco Bay; to the Committee on Environment and Public Works.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

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

S. Res. 566. A resolution expressing the sense of the Senate regarding the situation in Kyrgyzstan; considered and agreed to.

ADDITIONAL COSPONSORS

S. 546

At the request of Mr. REID, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 546, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation.

S. 3043

At the request of Mrs. GILLIBRAND, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 3043, a bill to award planning grants and implementation grants to State educational agencies to enable the State educational agencies to complete comprehensive planning to carry out activities designed to integrate engineering education into K-12 instruction and curriculum and to provide evaluation grants to measure efficacy of K-12 engineering education.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 10:50 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 285. Concurrent resolution recognizing the important role that fathers play in the lives of their children and families and supporting the goals and ideals of designating 2010 as the Year of the Father.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate resumed its legislative session.

PERMANENTLY AUTHORIZING RADIO FREE ASIA

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (S. 3104) to permanently authorize Radio Free Asia, and for other purposes.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

The reported amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXPRESSING THE SENSE OF THE SENATE REGARDING THE SITUATION IN KYRGYZSTAN

On the request of Mr. REID,

The ACTING PRESIDENT pro tempore laid before the Senate the resolution (S. Res. 566) expressing the sense of the Senate regarding the situation in Kyrgyzstan, submitted today by Mr. KERRY (for himself and Mr. LUGAR), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, JUNE 28, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2 p.m. on Monday, June 28, 2010; that, on Monday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 3 p.m., with Senators permitted to speak for 10 minutes each; and that, following morning business, the Senate resume consideration of the motion to proceed to consider bill H.R. 5297.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 11:04 a.m.,

The Senate adjourned, under its order of today, until 2 p.m. on Monday, June 28, 2010.

MONDAY, JUNE 28, 2010

The Secretary of the Senate, Honorable Nancy Erickson, under rule I, paragraph 2 of the Standing Rules of the Senate, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and the Secretary of the Senate led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

MOMENT OF SILENCE

At 2:04 p.m.,

The Senate observed a moment of silence in remembrance of Mr. ROBERT C. BYRD.

ELECTION OF PRESIDENT PRO TEMPORE

Mr. REID (for himself and Mr. MCCONNELL) submitted a resolution (S. Res. 567) to elect DANIEL K. INOUYE, a Senator from the State of Hawaii, to be PRESIDENT pro tempore of the Senate of the United States.

The Senate proceeded, by unanimous consent, to consider the resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider the vote agreeing to the resolution was deemed made and laid on the table, by unanimous consent.

ADMINISTRATION OF OATH TO PRESIDENT PRO TEMPORE

Mr. INOUYE was escorted to the rostrum by Mr. AKAKA and Mr. REID, and the oath of office was administered to him by the Secretary of the Senate, and subscribed by him; and

The PRESIDENT pro tempore (Mr. INOUYE) took the Chair.

NOTIFICATION TO THE HOUSE OF REPRESENTATIVES OF THE ELECTION OF A PRESIDENT PRO TEMPORE

On the request of Mr. REID,

The PRESIDING OFFICER (Mr. BEGICH in the chair) laid before the Senate the resolution (S. Res. 568) notifying the House of Representatives of the election of a PRESIDENT pro tempore, submitted today by Mr. REID (for himself and Mr. MCCONNELL), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

NOTIFICATION TO THE PRESIDENT OF THE ELECTION OF A PRESIDENT PRO TEMPORE

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 569) notifying the President of the United States of the election of a PRESIDENT pro tempore, submitted today by Mr. REID (for himself and Mr. MCCONNELL), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

THE JOURNAL

Pursuant to the order of Friday, June 25, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Friday, June 25, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Friday, June 25, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 6, 2009, the Secretary of the Senate, on June 28, 2010, during the adjournment of the Senate, received a message from the House announcing that the Speaker has signed the following enrolled bill:

H.R. 2194. An act to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6401. A communication from the Secretary of the Air Force, transmitting, pursuant to law, the RAND report entitled "Retaining F-22A Tooling: Options and Costs"; to the Committee on Armed Services.

EC-6402. A communication from the Chief of the Border Security Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Administrative Process for Seizures and Forfeitures Under the Immigration and Nationality Act and Other Authorities" (RIN1651-AA58), received in the Office of the President of the Senate on June 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6403. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation for Marine Events; Temporary Change of Dates for Recurring Marine Events in the Fifth Coast Guard District" ((RIN1625-AA08)-(Docket No. USG-2010-0102)), received in the Office of the President of the Senate on June 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6404. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; U.S. Navy Submarines, Hood Canal, WA" ((RIN1625-AA11)(Docket No. USG-2009-1058)), received in the Office of the President of the Senate on June 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6405. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations for Marine Events; Patapsco River, Northwest Harbor, Baltimore, MD" ((RIN1625-AA08)-(Docket No. USG-2010-0087)), received in the Office of the President of the Senate on June 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6406. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Portland Rose Festival Fleet Week, Willamette River, Portland, OR" ((RIN1625-AA87)(Docket No. USG-2010-0196)), received in the Office of the President of the Senate on June 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6407. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Potomac River, Washington Channel, Washington, DC" ((RIN1625-AA87)(Docket No. USG-2010-0405)), received in the Office of the President of the Senate on June 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6408. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Golden Guardian 2010 Regional Exercise; San Francisco Bay, San Francisco, CA" ((RIN1625-AA87)(Docket No. USCG-2010-0221)), received in the Office of the President of the Senate on June 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6409. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Annual Events Requiring Safety Zones in the Captain of the Port Lake Michigan Zone" ((RIN1625-AA00)(Docket No. USCG-2010-0129)), received in the Office of the President of the Senate on June 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6410. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Tri-City Water Follies Hydroplane Races Practice Sessions, Columbia River, Kennewick, WA" ((RIN1625-AA00)(Docket No. USCG-2010-0277)), received in the Office of the President of the Senate on June 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6411. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Washington State Department of Transportation Ferries Division Marine Rescue Response (M2R) Full-Scale Exercise for a Mass Rescue Incident (MRI)" ((RIN1625-AA00)(Docket No. USCG-2010-0389)), received in the Office of the President of the Senate on June 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6412. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Marathon Oil Refinery Construction, Rouge River, Detroit, MI" ((RIN1625-AA00)(Docket No. USCG-2010-0333)), received in the Office of the President of the Senate on June 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6413. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; May Fireworks Displays within the Captain of the Port Puget Sound Area of Responsibility (AOR)" ((RIN1625-AA00)-(Docket No. USCG-2010-0285)), received in the Office of the President of the Senate on June 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6414. A communication from the Project Council, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone, Brandon Road Lock and Dam to Lake Michigan including Des Plaines River, Chicago Sanitary and Ship Canal, Chicago River, and Calumet-

Saganashkee Channel, Chicago, IL" ((RIN1625-AA00)(Docket No. USCG-2010-0166)), received in the Office of the President of the Senate on June 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6415. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Gallants Channel, Beaufort, NC" ((RIN1625-AA00)(Docket No. USCG-2010-0120)), received in the Office of the President of the Senate on June 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6416. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Marine Events within the Captain of the Port Sector Northern New England Area of Responsibility" ((RIN1625-AA00)(Docket No. USCG-2010-0239)), received in the Office of the President of the Senate on June 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6417. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; KFOG Kaboom, Fireworks Display, San Francisco, CA" ((RIN1625-AA00)(Docket No. USCG-2010-0162)), received in the Office of the President of the Senate on June 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6418. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Sea World Summer Nights Fireworks, Mission Bay, San Diego, CA" ((RIN1625-AA00)(Docket No. USCG-2010-0213)), received in the Office of the President of the Senate on June 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6419. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; San Clemente 3 NM Safety Zone, San Clemente Island, CA" ((RIN1625-AA00)(Docket No. USCG-2009-0277)), received in the Office of the President of the Senate on June 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6420. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Under Water Clean Up of Copper Canyon, Lake Havasu, AZ" ((RIN1625-AA00)(Docket No. USCG-2010-0168)), received in the Office of the President of the Senate on June 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6421. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Riser for DEEPWATER HORIZON at Mississippi Canyon 252 Outer Continental Shelf MODU in the Gulf of Mexico" ((RIN1625-AA00)-(Docket No. USCG-2010-0337)), received in the Office of the President of the Senate on June 23, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6422. A communication from the Secretary of Energy, transmitting, pursuant to law, an annual report relative to the Strategic Petroleum Reserve for calendar year 2008; to the Committee on Energy and Natural Resources.

EC-6423. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure: Safe Harbors for Sections 143 and 25" (Rev. Proc. 2010-25), received in the Office of the President of the Senate on June 23, 2010; to the Committee on Finance.

EC-6424. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-435, "Brookland Streetscape Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6425. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-436, "Renewable Energy Incentive Program Fund Balance Rollover Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6426. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-437, "Commission on Uniform State Laws Appointment Authorization Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6427. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-438, "District of Columbia Public Schools Teacher Reinstatement Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6428. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-439, "Solar Thermal Incentive Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6429. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-440, "Senior Housing Modernization Grant Fund Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6430. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-444, "Prohibition Against Human Trafficking Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6431. A communication from the General Counsel, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, (3) reports relative to vacancies in positions in the Office of Management and Budget; to the Committee on Homeland Security and Governmental Affairs.

EC-6432. A communication from the Secretary of Education, transmitting, pursuant to law, a report on the Department's Semiannual Report to Congress on Audit Follow-Up for the period of October 1, 2009, through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6433. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Japan and Israel to support the manufacture and assembly of Helmet Mounted Displays for the Fighter Aircraft of the Armed Forces of Japan in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-6434. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Bermuda, Hong Kong, Cayman Islands, Malaysia and the Philippines for the sale and support of the Asia Broadcast Satellite 2 (ABS 2) Commercial Communications Satellite Program in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-6435. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense

articles, including, technical data, and defense services to Japan and Israel to support the manufacture and assembly of Helmet Mounted Displays for the Fighter Aircraft of the Armed Forces of Japan in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-6436. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Turkey and Poland for the manufacture of machined parts, subassemblies and components for all models of the H-60/S-70, H-53, and H-92 families of helicopters in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-6437. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services to support the C3 Commercial Communication Satellite Programs of Brazil in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-6438. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services to support the 737 Airborne Early Warning and Control Wedgetail System previously delivered to the Commonwealth of Australia in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-6439. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, including, technical data, and defense services for the upgrade of Swedish Low Coverage Radars in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-6440. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010-0089 - 2010-0092); to the Committee on Foreign Relations.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, with amendments:

S. 2129. A bill to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia to provide for the establishment of a National Women's History Museum (Rept. No. 111-216).

H.R. 1700. A bill to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia to provide for the establishment of a National Women's History Museum (Rept. No. 111-217).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. WHITEHOUSE (for himself and Mr. VITTER):

S. 3540. A bill to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. FEINSTEIN:

S. 3541. A bill to prohibit royalty incentives for deepwater drilling, and for other purposes; to the Committee on Energy and Natural Resources

By Ms. MURKOWSKI:

S. 3542. A bill to create a fair and efficient system to resolve claims of victims for economic injury caused by the Deepwater Horizon incident, to establish a Commission to investigate and report on corrective measures to prevent similar incidents, to improve the Oil Spill Liability Trust Fund and Federal oil spill research, and for other purposes; to the Committee on Finance.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 567. A resolution to elect DANIEL K. INOUYE, a Senator from the State of Hawaii, to be PRESIDENT pro tempore of the Senate of the United States; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 568. A resolution notifying the House of Representatives of the election of a PRESIDENT pro tempore; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 569. A resolution notifying the President of the United States of the election of a PRESIDENT pro tempore; considered and agreed to.

By Mr. CASEY (for himself, Mr. LEVIN, Mr. KAUFMAN, Mr. WEBB, Mr. REED, Ms. SNOWE, and Mr. KYL):

S. Res. 570. A resolution calling for continued support for and an increased effort by the Governments of Pakistan, Afghanistan, and other Central Asian countries to effectively monitor and regulate the manufacture, sale, transport, and use of ammonium nitrate fertilizer in order to prevent the transport of ammonium nitrate into Afghanistan where the ammonium nitrate is used in improvised explosive devices; considered and agreed to.

By Mrs. GILLIBRAND (for herself, Mr. VOINOVICH, Mr. LIEBERMAN, Mr. SCHUMER, Mr. LEVIN, Mr. CASEY, Mr. KYL, and Mr. VITTER):

S. Res. 571. A resolution calling for the immediate and unconditional release of Israeli soldier Gilad Shalit held captive by Hamas, and for other purposes; considered and agreed to.

By Mr. REID (for himself, Mr. MCCONNELL, Mr. ROCKEFELLER, Mr. AKAKA, Mr. ALEXANDER, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BEGICH, Mr. BENNET, Mr. BENNETT, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BURRIS, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON, Mr. KAUFMAN, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEMIEUX, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs.

SHAHEEN, Mr. SHELBY, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 572. A resolution relative to the death of the Honorable ROBERT C. BYRD, a Senator from the State of West Virginia; considered and agreed to.

ADDITIONAL COSPONSORS

S. 535

At the request of Mr. NELSON of Florida, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 535, a bill to amend title 10, United States Code, to repeal requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 714

At the request of Mr. WEBB, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 714, a bill to establish the National Criminal Justice Commission.

S. 1159

At the request of Mrs. BOXER, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 1159, a bill to promote freedom, human rights, and the rule of law in Vietnam.

S. 1273

At the request of Mr. DORGAN, the names of the Senator from Ohio [Mr. BROWN] and the Senator from Mississippi [Mr. WICKER] were added as cosponsors of S. 1273, a bill to amend the Public health Service Act to provide for the establishment of permanent national surveillance systems for multiple sclerosis, Parkinson's disease, and other neurological diseases and disorders.

S. 1275

At the request of Mr. WARNER, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 1275, a bill to establish a National Foundation on Physical Fitness and Sports to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports.

S. 1353

At the request of Mr. LEAHY, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 1353, a bill to amend title 1 of the Omnibus Crime Control and Safe Streets Act of 1986 to include nonprofit and volunteer ground and air ambulance crew members and first responders for certain benefits.

S. 1382

At the request of Mr. DODD, the name of the Senator from Georgia [Mr. ISAKSON] was added as a cosponsor of S. 1382, a bill to improve and expand the Peace Corps for the 21st century, and for other purposes.

S. 1553

At the request of Mr. GRASSLEY, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 2740

At the request of Mrs. MURRAY, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 2740, a bill to establish a comprehensive literacy program.

S. 3034

At the request of Mr. SCHUMER, the names of the Senator from Ohio [Mr. BROWN], the Senator from Georgia [Mr. ISAKSON] and the Senator from Hawaii [Mr. AKAKA] were added as cosponsors of S. 3034, a bill to require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center.

S. 3183

At the request of Mr. WYDEN, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 3183, a bill to amend the Internal Revenue Code of 1986 to extend the nonbusiness energy property credit to roofs with pigmented coatings which meet Energy Star program requirements.

S. 3320

At the request of Mr. WHITEHOUSE, the names of the Senator from New Jersey [Mr. MENENDEZ] and the Senator from Maine [Ms. SNOWE] were added as cosponsors of S. 3320, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 3339

At the request of Mr. KERRY, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 3339, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 3409

At the request of Ms. LANDRIEU, the name of the Senator from Kansas [Mr. BROWNBACK] was added as a cosponsor of S. 3409, a bill to make certain adjustments to the price analysis of propane prepared by the Secretary of Commerce.

S. 3424

At the request of Mr. DURBIN, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 3424, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 3466

At the request of Mr. LEAHY, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 3466, a bill to require restitution for victims of criminal violations of the Federal Water Pollution Control Act, and for other purposes.

S. 3489

At the request of Mr. VITTER, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 3489, a bill to terminate the moratorium on deepwater drilling issued by the Secretary of the Interior.

S. 3512

At the request of Mrs. HUTCHISON, the name of the Senator from Alabama [Mr. SESSIONS] was added as a cosponsor of S. 3512, a bill to provide a statutory waiver of compliance with the Jones Act to foreign flagged vessels assisting in responding to the Deepwater Horizon oil spill.

S. 3519

At the request of Ms. SNOWE, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 3519, a bill to stabilize the matching requirement for participants in the Hollings Manufacturing Partnership Program.

AUTHORITY FOR A COMMITTEE TO MEET

By unanimous consent, on the request of Mr. REID,

Ordered, That the following committee be authorized to meet during the session of the Senate:

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on June 28, 2010, at 12:30 p.m., in room SH-216 of the Hart Senate Office Building, to conduct a hearing on the nomination of Elena Kagan to be an Associate Justice of the Supreme Court of the United States.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 2:03 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5136. An act to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel

strengths for such fiscal year, and for other purposes.

H.R. 5175. An act to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes.

HOUSE BILL PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 5136. To authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 6, 2009, the following enrolled bill, previously signed by the Speaker of the House, was signed on today by the PRESIDENT pro tempore:

H.R. 2194. An act to amend the Iran Sanctions Act of 1996 to enhance United States diplomatic efforts with respect to Iran by expanding economic sanctions against Iran.

ORDER FOR CONSIDERATION RELATION TO BILL H.R. 5297 ON TOMORROW

By unanimous consent, on the request of Mr. REID,

Ordered, That, notwithstanding the order of Thursday, June 24, 2010, the Senate vote on the question of agreeing to the motion to bring to a close debate on the motion to proceed to consider the bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes, at 2:15 p.m. on tomorrow; that, if said motion is agreed to, time for debate, pursuant to rule XXII of the Standing Rules of the Senate, be concluded; and that the Senate then proceed to consider the bill.

ORDER FOR EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

As in executive session,

Ordered, That, notwithstanding the order of Thursday, June 24, 2010, the Senate vote on the confirmation of the nomination of Gary Scott Feinerman, of Illinois, to be United States District Judge for the Northern District of Illinois, upon conclusion of debate thereon; and that the remaining provisions of the order of Thursday, June 24, 2010, remain in effect.

EXECUTIVE SESSION

The hour of 5 p.m. having passed,

Pursuant to the order of Thursday, June 24, 2010, as modified,

The Senate proceeded to executive session and consideration of executive business (involving one rollcall Vote).

LEGISLATIVE SESSION

Pursuant to the order of Thursday, June 24, 2010, as modified,

The Senate resumed its legislative session.

PREDISASTER HAZARD MIGRATION ACT

By unanimous consent, on the request of Mr. CASEY,

The Senate proceeded to consider the bill (S. 3249) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to reauthorize the predisaster hazard mitigation program and for other purposes.

The question being on agreeing to the reported amendment to the bill.

The reported amendment was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE 235th BIRTHDAY OF THE UNITED STATES ARMY

By unanimous consent, on the request of Mr. CASEY,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the concurrent resolution (H. Con. Res. 286) recognizing the 235th birthday of the United States Army.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

On motion by Mr. CASEY for Mr. LEAHY (for himself and Mr. LEVIN) to strike all after the resolving clause and insert in lieu thereof other words (being amendment No. 4399, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The question being on agreeing to the concurrent resolution, as amended.

Resolved, That the Senate agree thereto.

The question being on agreeing to the accompanying preamble.

On motion by Mr. CASEY for Mr. LEAHY (for himself and Mr. LEVIN) to strike the preamble and insert in lieu thereof other words (being amendment No. 4400, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The preamble, as amended, was agreed to.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EFFORTS TO PREVENT IMPROVISED EXPLOSIVE DEVICES

On the request of Mr. CASEY,

The PRESIDING OFFICER (Mrs. SHAHEEN in the chair) laid before the Senate the resolution (S. Res. 570) calling for continued support for and an increased effort by the Governments of Pakistan, Afghanistan, and other Central Asian countries to effectively monitor and regulate the manufacture, sale, transport, and use of ammonium nitrate fertilizer in order to prevent the transport of ammonium nitrate into Afghanistan where the ammonium nitrate is used in improvised explosive devices, submitted today by Mr. CASEY (for himself, Mr. LEVIN, Mr. KAUFMAN, Mr. WEBB, Mr. REED, Ms. SNOWE, and Mr. KYL), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CALLING FOR THE RELEASE OF GILAD SHALIT BY HAMAS

On the request of Mr. CASEY,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 571) calling for the immediate and unconditional release of Israeli soldier Gilad Shalit held captive by Hamas, and for other purposes, submitted today by Mrs. GILLIBRAND (for herself, Mr. VOINOVICH, Mr. LIEBERMAN, Mr. SCHUMER, Mr. LEVIN, Mr. CASEY, Mr. KYL, and Mr. VITTER), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HOUSE BILL READ THE FIRST TIME

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER (Mr. MERKLEY in the chair) laid before the Senate the bill (H.R. 5175) to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes, received from the House of Representatives for concurrence on today, and at the desk; which was read the first time.

Mr. SHERROD BROWN asked unanimous consent that the bill be read the second time.

Mr. SHERROD BROWN objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

RELATIVE TO THE DEATH OF THE HONORABLE ROBERT C. BYRD OF WEST VIRGINIA

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 572) relative to the death of the Honorable ROBERT C. BYRD, a Senator from the State of West Virginia, submitted today by Mr. REID (for himself, Mr. MCCONNELL, Mr. ROCKEFELLER, Mr. AKAKA, Mr. ALEXANDER, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BEGICH, Mr. BENNET, Mr. BENNETT, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. SCOTT BROWN, Mr. SHERROD BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BURRIS, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON, Mr. KAUFMAN, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEMIEUX, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. BEN NELSON, Mr. BILL NELSON, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. MARK UDALL, Mr. TOM UDALL, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That, when the Senate concludes its business on today, it adjourn, under the provisions of S. Res. 572, until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period of one hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; that the majority control the first half therein, and the minority control the next half therein; and that, following morning business, the Senate resume consideration of the motion to proceed to consider bill H.R. 5297.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 2:15 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mr. SHERROD BROWN,

At 7:13 p.m.,

The PRESIDING OFFICER declared the Senate adjourned, under its order of today, and pursuant to the provisions of S. Res. 572, as a further mark of respect to the late Senator ROBERT C. BYRD, until 10 a.m. on tomorrow.

TUESDAY, JUNE 29, 2010

Mrs. JEANNE SHAHEEN, from the State of New Hampshire, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mrs. SHAHEEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, June 29, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mrs. SHAHEEN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6441. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pasteuria usgae; Exemption from the Requirement of a Tolerance" (FRL No. 8831-9), received in the Office of the President of the Senate on June 24, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6442. A communication from the Chief of Research and Analysis, Food and Nutrition Services, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Supplemental Nutrition Assistance Program: Quality Control Provisions of Title IV of Public Law 107-171" (RIN0584-AD31), received in the

Office of the President of the Senate on June 24, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6443. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Asian Longhorned Beetle; Quarantined Area and Regulated Articles" (Docket No. APHIS-2010-0004), received in the Office of the President of the Senate on June 25, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6444. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Citrus Greening and Asian Citrus Psyllid; Quarantine and Interstate Movement Regulations" (RIN0579-AC85), received in the Office of the President of the Senate on June 25, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6445. A communication from the Deputy Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the Department's purchases from foreign entities for Fiscal Year 2009; to the Committee on Armed Services.

EC-6446. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report entitled, "Federally Funded Research and Development Center's Estimated FY 2011 Staff-years of Technical Effort (STEs) and Estimated Funding"; to the Committee on Armed Services.

EC-6447. A communication from the Assistant to the Secretary of Defense, Nuclear and Chemical and Biological Defense Programs, transmitting, pursuant to law, the Department of Defense (DoD) Chemical and Biological Defense Program (CBDP) Annual Report to Congress for 2010; to the Committee on Armed Services.

EC-6448. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC-6449. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC-6450. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Brazil; to the Committee on Banking, Housing, and Urban Affairs.

EC-6451. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Honduras; to the Committee on Banking, Housing, and Urban Affairs.

EC-6452. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Final Flood Elevation Determinations" ((44 CFR Part 67)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on June 24, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6453. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Republication of Appendix A to 31 CFR Chapter V" received in the Office of the President of the Senate on June 15, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6454. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; 2010 Atlantic Bluefin Tuna Quota Specifications" (RIN0648-AY77), received in the Office of the President of the Senate on June 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6455. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Export Administration Regulations Based Upon a Systematic Review of the Commerce Control List: Additional Changes" (RIN0694-AE56), received in the Office of the President of the Senate on June 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6456. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Culebra, Puerto Rico, Charlotte Amalie, and Christiansted, Virgin Islands)" (MB Docket No. 08-243), received in the Office of the President of the Senate on June 25, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6457. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Yolo-Solano Air Quality Management District" (FRL No. 9167-6), received in the Office of the President of the Senate on June 24, 2010; to the Committee on Environment and Public Works.

EC-6458. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Emergency Planning and Community Right-to-Know Act; Guidance on Reporting Options for Sections 311 and 312 and Interpretations" (FRL No. 9168-7), received in the Office of the President of the Senate on June 24, 2010; to the Committee on Environment and Public Works.

EC-6459. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Disapproval of California State Implementation Plan Revisions, Monterey Bay Unified Air Pollution Control District" (FRL No. 9169-3), received in the Office of the President of the Senate on June 24, 2010; to the Committee on Environment and Public Works.

EC-6460. A communication from the Chairman, Medicare Payment Advisory Commission, transmitting, pursuant to law, a report entitled "Report to the Congress: Aligning Incentives in Medicare"; to the Committee on Finance.

EC-6461. A communication from the Program Manager, Office of the National Coordinator for Health Information Technology, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Establishment of the Temporary Certification Program for Health Information Technology" (RIN0991-AB59), received in the Office of the President of the Senate on June 23, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6462. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, (2) reports entitled "Community Services Block Grant (CSBG) Program Report" and "Community Services Block Grant Performance Measurement Report"; to the Committee on Health, Education, Labor, and Pensions.

EC-6463. A communication from the Chairman, Merit System Protection Board, transmitting, pursuant to law, a report entitled "Prohibited Personnel Practices - A Study Retrospective"; to the Committee on Homeland Security and Governmental Affairs.

EC-6464. A communication from the Secretary, Judicial Conference of the United States, transmitting, legislative proposals

relative to the fiscal year 2010 supplemental proposals in the fiscal year 2011 Budget for the Department of Homeland Security; to the Committee on the Judiciary.

EC-6465. A communication from the Deputy Director, National Legislative Commission, The American Legion, transmitting, pursuant to law, a report relative to the financial condition of The American Legion as of December 31, 2009; to the Committee on the Judiciary.

EC-6466. A communication from the Staff Director, U.S. Sentencing Commission, transmitting, pursuant to law, the 2009 Annual Report and Sourcebook of Federal Sentencing Statistics; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. 3373. A bill to address the health and economic development impacts of nonattainment of federally mandated air quality standards in the San Joaquin Valley, California, by designating air quality empowerment zones (Rept. No. 111-218).

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 1382. A bill to improve and expand the Peace Corps for the 21st century, and for other purposes (Rept. No. 111-219).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 4861. A bill to designate the facility of the United States Postal Service located at 1343 West Irving Park Road in Chicago, Illinois, as the "Steve Goodman Post Office Building".

H.R. 5051. A bill to designate the facility of the United States Postal Service located at 23 Genesee Street in Hornell, New York, as the "Zachary Smith Post Office Building".

H.R. 5099. A bill to designate the facility of the United States Postal Service located at 15 South Main Street in Sharon, Massachusetts, as the "Michael C. Rothberg Post Office".

S. 3465. A bill to designate the facility of the United States Postal Service located at 15 South Main Street in Sharon, Massachusetts, as the "Michael C. Rothberg Post Office".

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mrs. HAGAN (for herself and Mr. FRANKEN):

S. 3543. A bill to amend title XVIII of the Social Security Act to expand access to medication therapy management services under the Medicare prescription drug program; to the Committee on Finance.

By Ms. MIKULSKI:

S. 3544. A bill to amend the Immigration and Nationality Act to modify the requirements of the visa waiver program and for other purposes; to the Committee on the Judiciary.

By Ms. LANDRIEU:

S. 3545. A bill to require a study of the effect of a 6-month moratorium on new deepwater drilling in the Gulf of Mexico on small businesses; to the Committee on Small Business and Entrepreneurship.

By Mr. SCHUMER:

S. 3546. A bill to create a penalty for automobile insurance fraud, and for other purposes; to the Committee on the Judiciary.

By Mr. NELSON of Florida:

S. 3547. A bill to prohibit price gouging relating to gasoline and diesel fuels in areas affected by major disasters, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CASEY (for himself, Mr. BROWN of Ohio, Mr. KERRY, Mr. LEVIN, Mr. WHITEHOUSE, Ms. STABENOW, Mr. LEAHY, Mr. DODD, Mr. FRANKEN, Mr. BURRIS, and Mr. AKAKA):

S. 3548. A bill to provide for the extension of premium assistance for COBRA benefits; to the Committee on Finance.

By Mr. TESTER (for himself, Mr. BENNETT, Mr. BAYH, and Mr. VITTER):

S. 3549. A bill to amend the effective date of the gift card provisions of the Credit Card Accountability Responsibility and Disclosure Act of 2009; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MERKLEY (for himself, Mr. CRAPO, Mr. BAUCUS, Mr. TESTER, and Mr. WYDEN):

S. 3550. A bill to amend the Federal Water Pollution Control Act to establish within the Environmental Protection Agency a Columbia Basin Restoration Program; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. FEINGOLD (for himself, Ms. KLOBUCHAR, and Mr. FRANKEN):

S. Res. 573. A resolution urging the development of a comprehensive strategy to ensure stability in Somalia, and for other purposes; to the Committee on Foreign Relations.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 574. A resolution relative to the memorial observances of the Honorable Robert C. Byrd, late a Senator from the State of West Virginia; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Con. Res. 65. A concurrent resolution providing for the use of the catafalque situated in the Exhibition Hall of the Capitol Visitor Center in connection with memorial services to be conducted in the United States Senate Chamber for the Honorable Robert C. Byrd, late a Senator from the State of West Virginia; considered and agreed to.

ADDITIONAL COSPONSORS

S. 311

At the request of Mrs. BOXER, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 311, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 941

At the request of Mr. CRAPO, the name of the Senator from New Hampshire [Mr. GREGG] was added as a cosponsor of S. 941, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearm laws and regulations, protect the community from criminals, and for other purposes.

S. 1450

At the request of Mr. ENSIGN, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 1450, a bill to enable State homes to furnish nursing home care to parents any of whose children died while serving in the Armed Forces.

S. 1674

At the request of Mr. WYDEN, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 1674, a bill to provide for an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 2816

At the request of Mr. BUNNING, the name of the Senator from Texas [Mrs. HUTCHISON] was added as a cosponsor of S. 2816, a bill to repeal the sunset of the Economic Growth and Tax Relief Reconciliation Act of 2001 with respect to the expansion of the adoption credit and adoption assistance programs and to allow the adoption credit to be claimed in the year expenses are incurred, regardless of when the adoption becomes final.

S. 3034

At the request of Mr. SCHUMER, the names of the Senator from Louisiana [Ms. LANDRIEU] and the Senator from Delaware [Mr. KAUFMAN] were added as cosponsors of S. 3034, a bill to require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center.

S. 3058

At the request of Mr. DORGAN, the name of the Senator from Rhode Island [Mr. REED] was added as a cosponsor of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3227

At the request of Mr. HATCH, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 3227, a bill to authorize the Archivist of the United States to make grants to States for the preservation and dissemination of historical records.

S. 3246

At the request of Mr. WYDEN, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 3246, a bill to exclude from consideration as income under the Native American Housing Assistance and Self-Determination Act of 1996 amounts received by a family from the Department of Veterans Affairs for service-related disabilities of a member of the family.

S. 3255

At the request of Mrs. LINCOLN, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 3255, a bill to amend title XVIII of the Social Security Act to provide coverage for custom fabricated breast prostheses following a mastectomy.

S. 3329

At the request of Mr. LAUTENBERG, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 3329, a bill to provide triple credits for renewable energy on brownfields, and for other purposes.

S. 3434

At the request of Mr. BINGAMAN, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 3434, a bill to provide for the establishment of a Home Star Retrofit Rebate Program, and for other purposes.

S. 3477

At the request of Mr. WEBB, the name of the Senator from Nebraska [Mr. JOHANNS] was added as a cosponsor of S. 3477, a bill to ensure that the right of an individual to display the Service Flag on residential property not be abridged.

S. 3479

At the request of Mrs. HAGAN, the names of the Senator from California [Mrs. FEINSTEIN] and the Senator from Ohio [Mr. BROWN] were added as cosponsors of S. 3479, a bill to authorize the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to establish and implement a birth defects prevention, risk reduction, and public awareness program.

S. 3541

At the request of Mrs. FEINSTEIN, the name of the Senator from Florida [Mr. NELSON] was added as a cosponsor of S. 3541, a bill to prohibit royalty incentives for deepwater drilling, and for other purposes.

SENATE RESOLUTION 554

At the request of Mr. ENZI, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of Senate Resolution 554, a resolution designating July 24, 2010, as "National Day of the American Cowboy".

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on June 29, 2010, at 9:30 a.m.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 29, 2010, at 9:30 a.m.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "Examining the Continuing Needs of Workers and Communities Affected by 9/11" on June 29, 2010, at 2:30 p.m., in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on June 29, 2010, at 2:30 p.m.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on June 29, 2010, at 9 a.m., in room SH-216 of the Hart Senate Office Building, to continue the hearing on the nomination of Elena Kagan to be an Associate Justice of the Supreme Court of the United States.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on June 29, 2010, at 2:30 p.m.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10:27 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3193. An act to direct the Mayor of District of Columbia to establish a District of Columbia National Guard Educational Assistance Program to encourage the enlistment and retention of persons in the District of Columbia National Guard by providing financial assistance to enable members of the National Guard of the District of Columbia to attend undergraduate, vocational, or technical courses.

The message also announced that the House has passed the following bill, with amendments, in which it requests the concurrence of the Senate:

S. 1510. An act to transfer statutory entitlements to pay and hours of work authorized by the District of Columbia Code for current members of the United States Secret Service Uniformed Division from the District of Columbia Code to the United States Code.

At 2:20 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5611. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

At 4:56 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5623. An act to amend the Internal Revenue Code of 1986 to extend the homebuyer tax credit for the purchase of a principal residence before October 1, 2010, in the case of a written binding contract entered into with respect to such principal residence before May 1, 2010, and for other purposes.

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

S.J. Res. 33. Joint resolution to provide for the reconsideration and revision of the proposed constitution of the United States Virgin Islands to correct provisions inconsistent with the Constitution and Federal law.

At 5:36 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one

of its reading clerks, announced that the House agreed to the following resolution:

H. Res. 1484. Resolution relative to the death of the Honorable ROBERT C. BYRD, a Senator from the State of West Virginia.

HOUSE BILLS REFERRED

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

H.R. 3913. An act to direct the Mayor of the District of Columbia to establish a District of Columbia National Guard Educational Assistance Program to encourage the enlistment and retention of persons in the District of Columbia National Guard by providing financial assistance to enable members of the National Guard of the District of Columbia to attend undergraduate, vocational, or technical courses; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5116. An act to invest in innovation through research and development, to improve the competitiveness of the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

HOUSE BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 5175) to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes, received from the House of Representatives for concurrence on yesterday, and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

OBJECTION TO CONSIDERATION OF BILL S. 1237

Mrs. MURRAY asked unanimous consent that the Senate proceed to consider the bill (S. 1237) to amend title 38, United States Code, to expand the grant program for homeless veterans with special needs to include male homeless veterans with minor dependents and to establish a grant program for reintegration of homeless women veterans and homeless veterans with children, and for other purposes; that an amendment to the reported amendment (in the nature of a substitute) be proposed, and agreed to; that the reported amendment (in the nature of a substitute), as amended, be agreed to; that the bill, as amended, be read the third time, and passed; that the reported amendment to the title be agreed to; and that a motion to reconsider be made and laid on the table.

Mr. MCCONNELL objected.

OBJECTION TO CONSIDERATION OF BILL H.R. 5569

Mr. VITTER asked unanimous consent that the chair lay before the Senate the bill (H.R. 5569) to extend the National Flood Insurance Program until September 30, 2010, received from the House of Representatives for concurrence on Thursday, June 24, 2010, and remaining undisposed of; that the bill be read twice, considered, read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. DURBIN objected.

OBJECTION TO CONSIDERATION OF BILL H.R. 4213

Mr. DURBIN asked unanimous consent that the chair lay before the Senate the amendment received from the House of Representatives for concurrence to the amendment of the Senate to the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; that a motion to concur in the amendment of the House to the amendment of the Senate to the bill, with an amendment (Numbered 4386) be agreed to; and that a motion to reconsider be made and laid on the table, with no further intervening action or debate.

Mr. VITTER objected.

MOTION TO PROCEED TO CONSIDER BILL H.R. 5297

Pursuant to the order of yesterday,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) laid before the Senate the motion, made by Mr. REID on Thursday, June 24, 2010, that the Senate proceed to consider the bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; and

The Senate resumed consideration of the motion to proceed.

The question being on agreeing to the motion.

Pending debate,

RECESS

Pursuant to the order of yesterday, as modified,

At 12:22 p.m.,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) declared the Senate recessed until 2:15 p.m.

AT 2:15 P.M.

The PRESIDING OFFICER (Mr. BEGICH in the chair) called the Senate to order.

MOTION TO PROCEED TO CONSIDER BILL H.R. 5297

The Senate resumed consideration of the motion to proceed to consider bill H.R. 5297.

The question being on agreeing to the motion.

Pursuant to the order of Thursday, June 24, 2010,

The PRESIDING OFFICER laid before the Senate the motion, presented by Mr. REID, to bring to a close debate on the motion to proceed to consider bill H.R. 5297.

Pursuant to the order of Thursday, June 24, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the affirmative---

yeas... 66, nays... 33

[Rollcall Vote No. 202 Leg.]

YEAS --- 66

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Bond, Boxer, Brown, Brown, Burris, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Grassley, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lincoln, Lugar, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson, Nelson, Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall, Udall, Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS --- 33

Alexander, Barrasso, Bennett, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Thune, Vitter, Wicker.

So the motion was agreed to; three-fifths of Senators duly chosen and sworn having voted in the affirmative.

The motion having been agreed to,

Pursuant to the order of yesterday,

Time for debate on the motion to proceed, pursuant to rule XXII of the Standing Rules of the Senate, was concluded, and the motion was agreed to.

Whereupon,

SMALL BUSINESS JOBS AND CREDIT ACT

The PRESIDING OFFICER laid before the Senate the bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; and

Pursuant to the order of yesterday,

The Senate proceeded to consider the bill.

The question being on passage of the bill.

On motion by Mr. REID for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID) to strike all after the enacting clause, and insert, in lieu thereof, other words (being amendment No. 4402, in the nature of a substitute).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment (in the nature of a substitute).

On motion by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to amend (perfect) the pending amendment (in the nature of a substitute), by striking all after the first word, and inserting in lieu thereof other words (being amendment No. 4403).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending (perfecting) amendment.

On motion by Mr. REID to amend the pending (perfecting) amendment on page 236, line 24, by striking "one," and inserting "five" (being amendment No. 4404).

On motion by Mr. REID to amend the language of the bill proposed to be stricken by amendment No. 4402 (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 4405).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

On motion by Mr. REID to amend the pending amendment, by striking "three days" and inserting "ten days" (being amendment No. 4406).

On motion by Mr. REID to commit the bill to the Committee on Finance with instructions to report back forthwith with an amendment (Numbered 4407, in the nature of a substitute) to the bill.

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

On motion by Mr. REID to amend the instructions (designated amendment No. 4407, in the nature of a substitute) contained in the pending motion to refer, at the end thereof, by adding certain words (being amendment No. 4408).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

On motion by Mr. REID to amend the pending amendment, by striking "two days" and inserting "immediately" (being amendment No. 4409).

The question being on agreeing to amendment No. 4409 to amendment No. 4408 to the instructions (designated amendment No. 4407) contained in the motion to commit the bill to the Committee on Finance.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

On the request of Mr. BAUCUS,

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) laid before the Senate its pending business, viz, the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; and

The Senate resumed consideration of the House amendment.

The question being on agreeing to amendment No. 4390, proposed by Mr. REID, to amendment No. 4389, proposed by Mr. REID, to the instructions (designated amendment No. 4388) contained in the motion, by Mr. REID, to refer the House amendment to the Committee on Finance with instructions to report back forthwith.

By unanimous consent, on the request of Mr. REID,

Ordered, That the pending motion to refer with instructions be withdrawn (taking with it amendments Numbered 4389 and 4390 thereto).

The question being on agreeing to amendment No. 4387 to amendment No. 4386 (in the nature of a substitute) contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

By unanimous consent, on the request of Mr. REID,

Ordered, That the pending motion to concur with amendment (No. 4386, in the nature of a substitute) be withdrawn (taking with it amendment No. 4387 thereto).

The question being on agreeing to the House amendment (in the nature of a substitute) to the Senate amendment (in the nature of a substitute) to the bill.

On motion by Mr. REID that the Senate concur in the amendment of the House of Representatives to the amendment of the Senate to the bill, with an amendment (Numbered 4425, in the nature of a substitute).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion to concur with amendment.

On motion by Mr. REID to amend the pending amendment (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 4426).

Mr. REID presented a motion to bring to a close debate on the pending motion to concur; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to bill H.R. 4213 with amendment No. 4425 (in the nature of a substitute):

HARRY REID, MAX BAUCUS, JACK REED, EDWARD E. KAUFMAN, JOHN KERRY, S. WHITEHOUSE, CARL LEVIN, ROLAND W. BURRIS, DICK DURBIN, JEFFREY A. MERKLEY, BEN CARDIN, CHRISTOPHER J. DODD, JAY ROCKEFELLER, BARBARA BOXER, PATTY MURRAY, ROBERT P. CASEY, JR., CHUCK SCHUMER.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

On motion by Mr. REID to refer the pending House amendment to the Committee on Finance with instructions to report back same forthwith with an amendment (Numbered 4427).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion to refer with amendment.

On motion by Mr. REID to amend the instructions (designated amendment No. 4427) contained in the pending motion to refer, at the end thereof, by adding certain words (being amendment No. 4428).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

On motion by Mr. REID to amend the pending amendment, at the end thereof, by adding certain words (being amendment No. 4429).

The question being on agreeing to amendment No. 4429 to amendment No. 4428 to the instructions (designated amendment No. 4427) contained in the motion to refer the House amendment to the Committee on Finance.

ORDER FOR EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

As in executive session,

Ordered, That, on tomorrow, following morning business, the Senate proceed to executive session to consider the nomination of General David Petraeus to be General; that there be 20 minutes, equally divided and controlled, for debate between Mr. LEVIN and Mr. MCCAIN, or their designees; that, upon conclusion of debate, the Senate vote on confirmation of the nomination; that, following the vote, a motion to reconsider be made and laid on the table; that the President be immediately notified of the Senate's action; and that the Senate then resume its legislative session.

SUPPORTING THE YEAR OF THE FATHER

On the request of Mr. REID,

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) laid before the Senate the concurrent resolution (H. Con. Res. 285) recognizing the important role that fathers play in the lives of their children and families and supporting the goals and ideals of designating 2010 as the Year of the Father, received from the House of Representatives for concurrence on Friday, June 25, 2010, and remaining undisposed of.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL DAY OF THE AMERICAN COWBOY"

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 554) designating July 24, 2010, as "National Day of the American Cowboy."

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE 50TH ANNIVERSARY OF THE TREATY OF MUTUAL SECURITY AND COOPERATION WITH JAPAN

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on Foreign Relations be discharged from the further consideration of the resolution (S. Res. 564) recognizing the 50th anniversary of the ratification of the Treaty of Mutual Security and Cooperation with Japan, and affirming support for the United States-Japan security alliance and relationship.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

PROVIDING FOR USE OF CATAFALQUE IN MEMORIAL SERVICES FOR THE HONORABLE ROBERT C. BYRD

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the concurrent resolution (S. Con. Res. 65) providing for the use of the catafalque situated in the Exhibition Hall of the Capitol Visitor Center in connection with memorial services to be conducted in the United States Senate Chamber for the Honorable ROBERT C. BYRD, late a Senator from the State of West Virginia, submitted today by Mr. REID (for himself and Mr. MCCONNELL), and at the desk; and

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RELATIVE TO THE MEMORIAL OBSERVANCES FOR THE HONORABLE ROBERT C. BYRD

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 574) relative to the memorial observances of the Honorable ROBERT C. BYRD, late a Senator from the State of West Virginia, submitted today by Mr. REID (for himself and Mr. MCCONNELL), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HOUSE BILL READ THE FIRST TIME

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 5623) to amend the Internal Revenue Code of 1986 to extend the homebuyer tax credit for the purchase of a principal residence before October 1, 2010, in the case of a written binding contract, entered into with respect to such principal residence before May 1, 2010, and for other purposes, received from the House of Representatives for concurrence on today, and at the desk; which was read the first time.

Mr. REID asked unanimous consent that the bill be read the second time.

Mr. REID objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

REMOVAL OF INJUNCTION OF SECRECY

By unanimous consent, on the request of Mr. REID,

As in executive session,

Ordered, That the injunction of secrecy be removed from Treaty Document 111-6, received from the President on today.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

The PRESIDING OFFICER announced that the PRESIDENT pro tempore, on recommendation of the minority leader, pursuant to Public Law 105-292, as amended by Public Law 106-55 and Public Law 107-228, had appointed the following individual to the United States Commission on International Religious Freedom: Richard D. Land, of Tennessee.

ORDER PROVIDING FOR TRIBUTES TO SENATOR BYRD DURING MORNING BUSINESS ON TOMORROW

By unanimous consent, on the request of Mr. REID,

Ordered, That, after leader time on tomorrow, the Senate proceed to a period of 2 hours for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein, for tributes to the late Senator BYRD.

AUTHORIZING PRINTING OF TRIBUTES AS A SENATE DOCUMENT

By unanimous consent, on the request of Mr. REID,

Ordered, That tributes to Mr. BYRD, late a Senator from the State of West Virginia, be printed as a Senate document; and that Senators be authorized to submit tributes to Mr. BYRD until 12 noon on Friday, August 6, 2010.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that the Senate then proceed to a period of 2 hours for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein, as pursuant to the order of today; and that, following morning business, the Senate proceed to executive session, as pursuant to the order of today.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 8:01 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

WEDNESDAY, JUNE 30, 2010

Mr. MARK BEGICH, from the State of Alaska, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. BEGICH led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, June 30, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK BEGICH, a Senator from the State of Alaska, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. BEGICH took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, Wednesday, June 30, 2010, she had presented to the President of the United States the following enrolled joint resolution:

S.J. Res. 33. A joint resolution to provide for the reconsideration and revision of the proposed constitution of the United States Virgin Islands to correct provisions inconsistent with the Constitution and Federal law.

HOUSE BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 5623) to amend the Internal Revenue Code of 1986 to extend the homebuyer tax credit for the purchase of a principal residence before October 1, 2010, in the case of a written binding contract entered into with respect to such principal residence before May 1, 2010, and for other purposes, received from the House of Representatives for concurrence on yesterday, and read the first time on that day; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6467. A communication from the Director of the Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Reimbursement Transportation Cost Payment Program for Geographically Disadvantaged Farmers and Ranchers" (RIN0560-AI08), received in the Office of the President of the Senate on June 25, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6468. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Ethiopia; to the Committee on Banking, Housing, and Urban Affairs.

EC-6469. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Correspondence with the United States Patent and Trademark Office" (RIN0651-AC08), received in the Office of the President of the Senate on June 28, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6470. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition and Removal of Certain Persons on the Entity List: Addition of Persons Acting Contrary to the National Security or Foreign Policy Interests of the United States; Removal of Person Based on Removal Request" (RIN0694-AE92), received in the Office of the President of the Senate on June 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6471. A communication from the Director of Defense Procurement and

Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Multiyear Contract Authority for Electricity from Renewable Energy Sources" (DFARS Case 2008-D006), received in the Office of the President of the Senate on June 24, 2010; to the Committee on Energy and Natural Resources.

EC-6472. A communication from the Acting Chair of the Federal Subsistence Board, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Subsistence Management Regulations for Public Lands in Alaska - 2010-11 and 2011-12 Subsistence Taking of Wildlife Regulations; Subsistence Taking of Fish on the Yukon River Regulations" (RIN1018-AW30), received in the Office of the President of the Senate on June 24, 2010; to the Committee on Environment and Public Works.

EC-6473. A communication from the Chief of the Branch of Listing, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Listing the Flying Earwig Hawaiian Damselfly and Pacific Hawaiian Damselfly as Endangered Throughout Their Ranges" (RIN1018-AV47), received in the Office of the President of the Senate on June 24, 2010; to the Committee on Environment and Public Works.

EC-6474. A communication from the Branch Chief, Division of Migratory Bird Management, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Permits; Changes in the Regulations Governing Migratory Bird Rehabilitation" (RIN1018-AX09), received in the Office of the President of the Senate on June 24, 2010; to the Committee on Environment and Public Works.

EC-6475. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Extended Carryback of Losses to or from a Consolidated Group" ((TD 9490)(RIN1545-BJ12)), received in the Office of the President of the Senate on June 28, 2010; to the Committee on Finance.

EC-6476. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Disaster Relief" (Notice No. 2010-48), received in the Office of the President of the Senate on June 28, 2010; to the Committee on Finance.

EC-6477. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Patient Protection and Affordable Care Act: Preexisting Condition Exclusions, Lifetime and Annual Limits, Rescissions, and Patient Protections" ((TD 9491)(RIN1545-BJ61)), received in the Office of the President of the Senate on June 28, 2010; to the Committee on Finance.

EC-6478. A communication from the Acting Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development (USAID), transmitting, pursuant to law, the Agency's response to the GAO report entitled "Information Security: Agencies Need to Implement Federal Desktop Core Configuration Requirements"; to the Committee on Foreign Relations.

EC-6479. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Patient Protection and Affordable Care Act: Preexisting Condition Exclusions, Lifetime and Annual Limits, Rescissions, and Patient Protections; Interim Final Rule" (RIN1210-AB43), received in the Office of the President of the Senate on June 28, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6480. A communication from the Assistant General Counsel for Regulatory Services, Office of Management, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Availability of Information to the Public" (RIN1880-AA84), received in the Office of the President of the Senate on June 25, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6481. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "National Institute on Disability and Rehabilitation Research (NIDRR) - - Disability and Rehabilitation Research Projects and Centers Program - - Rehabilitation Research and Training Centers (RRTCs) - - Improved Outcomes for Individuals with Psychiatric Disabilities" (CFDA No. 84.133B-5), received in the Office of the President of the Senate on June 28, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6482. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Dental Devices: Classification of Dental Amalgam, Reclassification of Dental Mercury, Designation of Special Controls for Dental Amalgam, Mercury, and Amalgam Alloy; Technical Amendments" (Docket No. FDA-2008-N-0163), received in the Office of the President of the Senate on June 25, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6483. A communication from the Program Manager, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Interim Final Rules Under the Patient Protection and Affordable Care Act Regarding Preexisting Condition Exclusions, Lifetime and Annual Limits, Rescissions, Prohibition on Discrimination in Favor of the Highly Compensated, and Patient Protections" (RIN0991-AB69), received in the Office of the President of the Senate on June 23, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6484. A communication from the Acting Director, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Parts 4022 and 4044), received in the Office of the President of the Senate on June 25, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6485. A communication from the Assistant General Counsel for Regulations, Office of Safe and Drug-Free Schools, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Carol M. White Physical Education Program; Catalog of Federal Domestic Assistance (CFDA) Number 84.215F" received in the Office of the President of the Senate on June 29, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6486. A communication from the Acting Director of Interpretations and Regulatory Affairs Division, Wage and Hour Division, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Child Labor Regulations, Orders and Statements of Interpretation" (RIN1215-AB70 and RIN1245-AA00), received in the Office of the President of the Senate on June 30, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6487. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Listing of Color Additives Exempt From Certification; Bismuth Citrate; Confirmation of Effective Date" (Docket No. FDA-2008-C-0098), received in the Office of the President of the Senate on June 30, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6488. A communication from the Secretary of the Department of Health and Human Services, transmitting, pursuant to

law, the fiscal year 2009 performance report to Congress relative to the Animal Generic Drug User Fee Act; to the Committee on Health, Education, Labor, and Pensions.

EC-6489. A communication from the Railroad Retirement Board, transmitting, pursuant to law, the Board's Annual Railroad Unemployment Insurance System Report; to the Committee on Health, Education, Labor, and Pensions.

EC-6490. A communication from the Deputy Archivist, Information Security Oversight Office, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled "Classified National Security Information" (RIN3095-AB63), received in the Office of the President of the Senate on June 29, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6491. A communication from the Director of the Office of Personnel Management, transmitting, pursuant to law, the Office's Federal Activities Inventory Reform Act Inventory Summary as of June 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6492. A communication from the Administrator of the National Aeronautics and Space Administration, transmitting, pursuant to law, a report relative to the GAO report entitled "Information Security: Agencies Need to Implement Federal Desktop Core Configuration Requirements (FDCC)"; to the Committee on Homeland Security and Governmental Affairs.

EC-6493. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2010-0978); to the Committee on the Judiciary.

EC-6494. A communication from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Administrative Remedy Program: Exception to Initial Filing Procedures" (RIN1120-AB59), received in the Office of the President of the Senate on June 29, 2010; to the Committee on the Judiciary.

EC-6495. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Trademark Technical and Conforming Amendments" (RIN0651-AC39), received in the Office of the President of the Senate on June 25, 2010; to the Committee on the Judiciary.

EC-6496. A communication from the Deputy General Counsel, Office of Disaster Assistance, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Disaster Assistance Loan Program" (RIN3245-AF98) as received in the Office of the President of the Senate on June 25, 2010; to the Committee on Small Business and Entrepreneurship.

EC-6497. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "1-Naphthaleneacetic Acid; Time-Limited Tolerance, Technical Correction" (FRL No. 8831-6), received in the Office of the President of the Senate on June 29, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6498. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to two violations of the Antideficiency Act that occurred within the Department of the Army and was assigned case numbers 06-03 and 07-03; to the Committee on Appropriations.

EC-6499. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 10-008, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-6500. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 10-056, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-6501. A communication from the Acting Chairman of the Joint Chiefs of Staff, transmitting, pursuant to law, two reports relative to terrorist threats to military installations ; to the Committee on Armed Services.

EC-6502. A communication from the Acting Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the operations of the National Defense Stockpile (NDS); to the Committee on Armed Services.

EC-6503. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, a report on the remaining obstacles to the efficient and timely circulation of $1 coins; to the Committee on Banking, Housing, and Urban Affairs.

EC-6504. A communication from the President and Chief Executive Officer, Federal Home Loan Bank of Topeka, transmitting, pursuant to law, a report on the Bank's system of internal controls for fiscal year 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-6505. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition of New Export Control Classification Number 6A981 Passive Infrasound Sensors to the Commerce Control List of the Export Administration Regulations, and Related Amendments" (RIN0694-AE44), received in the Office of the President of the Senate on June 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6506. A communication from the Assistant Secretary of Land and Minerals Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Annular Casing Pressure Management for Offshore Wells" (RIN1010-AD47), received in the Office of the President of the Senate on June 30, 2010; to the Committee on Energy and Natural Resources.

EC-6507. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Office of Management and Budget (OMB) Approvals Under the Paperwork Reduction Act; Technical Amendment" (FRL No. 8833-7), received in the Office of the President of the Senate on June 29, 2010; to the Committee on Environment and Public Works.

EC-6508. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants From Petroleum Refineries" (FRL No. 9169-7), received in the Office of the President of the Senate on June 29, 2010; to the Committee on Environment and Public Works.

EC-6509. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines" (FRL No. 9169-6), received in the Office of the President of the Senate on June 29, 2010; to the Committee on Environment and Public Works.

EC-6510. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Regulation of Fuels and Fuel Additives: Modifications to Renewable Fuel Standard Program" (FRL No. 9169-9), received in the Office of the President of the Senate on June 29, 2010; to the Committee on Environment and Public Works.

EC-6511. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; California; Motor Vehicle Inspection and Maintenance Program" (FRL No. 9112-8), received in the Office of the President of the Senate on June 29, 2010; to the Committee on Environment and Public Works.

EC-6512. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Iowa" (FRL No. 9170-6), received in the Office of the President of the Senate on June 29, 2010; to the Committee on Environment and Public Works.

EC-6513. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Temporary Suspension of Certain Oil Spill Response Time Requirements to Support Deepwater Horizon Oil Spill of National Significance (SONS) Response" (RIN1625-AB49 and RIN2050-AG63), received in the Office of the President of the Senate on June 29, 2010; to the Committee on Environment and Public Works.

EC-6514. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to California State Implementation Plan, Imperial County Air Pollution Control District" (FRL No. 9169-2), received in the Office of the President of the Senate on June 30, 2010; to the Committee on Environment and Public Works.

EC-6515. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Finding of Attainment for PM10 for the Mendenhall Valley PM10 Nonattainment Area, Alaska" (FRL No. 9171-4), received in the Office of the President of the Senate on June 30, 2010; to the Committee on Environment and Public Works.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. BROWN, of Massachusetts:

S. 3551. A bill to provide a fully offset extension of emergency unemployment insurance assistance, enhanced Medicaid FMAP reimbursements, and summer employment for youth, and for other purposes; to the Committee on Finance.

By Mr. ENSIGN (for himself, Mr. REID, Mr. HATCH, Mr. BEGICH, and Mr. BENNETT):

S. 3552. A bill to require an Air Force study on the threats to, and sustainability of, the air test and training range infrastructure; to the Committee on Armed Services.

By Ms. STABENOW (for herself, Mr. DURBIN, Ms. KLOBUCHAR, Mr. SCHUMER, Mr. LEVIN, Mr. BROWN, of Ohio, Mr. FRANKEN, Mr. BURRIS, Mrs. GILLIBRAND, and Mr. CASEY):

S. 3553. A bill to require the Secretary of the Army to study the feasibility of the hydrological separation of the Great Lakes and Mississippi River Basins; to the Committee on Environment and Public Works

By Mr. MENENDEZ:

S. 3554. A bill to direct the Federal Trade Commission to promulgate rules prohibiting deceptive advertising of abortion services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. JOHNSON (for himself and Mr. THUNE):

S. 3555. A bill to designate the Federal building and United States courthouse located at 515 9th Street in Rapid City, South Dakota, as the "Andrew W. Bogue Federal Building and United States Courthouse"; to the Committee on Environment and Public Works.

By Mr. BROWNBACK (for himself and Mr. BOND):

S. 3556. A bill to amend the Internal Revenue Code of 1986 to allow the work opportunity credit to small businesses which hire individuals who are members of the Ready Reserve or National Guard; to the Committee on Finance.

By Mr. DODD (for himself, Mr. DURBIN, and Mr. KERRY):

S. 3557. A bill to provide for Kindergarten Plus programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DODD:

S. 3558. A bill to improve the No Child Left Behind Act of 2001, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DODD:

S. 3559. A bill to amend the Elementary and Secondary Education Act of 1965 to strengthen mentoring programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER (for himself, Mr. MENENDEZ, Mr. LAUTENBERG, and Mrs. GILLIBRAND):

S. 3560. A bill to instruct the Secretary of State to designate the Pakistani Taliban as a foreign terrorist organization; to the Committee on Foreign Relations.

By Mr. UDALL, of New Mexico (for himself and Mr. WHITEHOUSE):

S. 3561. A bill to establish centers of excellence for green infrastructure, and for other purposes; to the Committee on Environment and Public Works.

By Mr. NELSON, of Nebraska:

S. 3562. A bill to rename the Homestead National Monument of America near Beatrice, Nebraska, as the Homestead National Historical Park; to the Committee on Energy and Natural Resources.

By Mr. MERKLEY (for himself, Mr. BOND, and Mr. BAYH):

S. 3563. A bill to amend the Small Business Act to temporarily designate as a HUBZone counties that are most affected by a recession; to the Committee on Small Business and Entrepreneurship.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent and Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. GRAHAM (for himself and Mr. DEMINT):

S. Res. 575. A resolution congratulating the University of South Carolina baseball team for winning the 2010 NCAA Division I Baseball National Championship; to the Committee on the Judiciary.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. Res. 576. A resolution expressing support for designation of June 30, 2010, as "National ESIGN Day 2010"; considered and agreed to.

By Ms. MIKULSKI (for herself and Mr. CARDIN):

S. Res. 577. A resolution commemorating the remarkable life of patriotism, conviction, and compassion led by Chaplain Henry Vinton Plummer; considered and agreed to.

By Mr. BROWN, of Ohio (for himself, Mr. LUGAR, Mrs. LINCOLN, Mr. CHAMBLISS, Mr. GRASSLEY, Mrs. GILLIBRAND, Mr. BENNET, Mr.

COCHRAN, Mr. BAUCUS, and Mr. CASEY):

S. Res. 578. A resolution designating June 2010 as "Summer Food Service Program Awareness Month"; considered and agreed to.

By Mr. WARNER (for himself, Mr. WEBB, Mrs. HAGAN, and Mr. BURR):

S. Con. Res. 66. A concurrent resolution to commemorate the 75th anniversary of the Blue Ridge Parkway; to the Committee on Energy and Natural Resources.

By Mr. VOINOVICH (for himself and Mrs. SHAHEEN):

S. Con. Res. 67. A concurrent resolution celebrating 130 years of United States-Romanian diplomatic relations, congratulating the Romanian people on their achievements as a great nation, and reaffirming the deep bonds of trust and values between the United States and Romania, a trusted and most valued ally; considered and agreed to.

ADDITIONAL COSPONSORS

S. 931

At the request of Mr. FEINGOLD, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 931, a bill to amend title 9 of the United States Code with respect to arbitration.

S. 1382

At the request of Mr. DODD, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 1382, a bill to improve and expand the Peace Corps for the 21st century, and for other purposes.

S. 1489

At the request of Ms. SNOWE, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 1489, a bill to amend the Small Business Act to create parity among small business contracting programs, and for other purposes.

S. 1624

At the request of Mr. WHITEHOUSE, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 1624, a bill to amend title 11 of the United States Code, to provide protection for medical debt homeowners, to restore bankruptcy protections for individuals experiencing economic distress as caregivers to ill, injured, or disabled family members, and to exempt from means testing debtors whose financial problems were caused by serious medical problems, and for other purposes.

S. 1674

At the request of Mr. WYDEN, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 1674, a bill to provide for an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 2747

At the request of Mr. BINGAMAN, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 2747, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 2765

At the request of Mr. KERRY, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 2765, a bill to amend the Small Business Act to authorize loan guarantees for health information technology.

S. 2814

At the request of Ms. COLLINS, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 2814, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 2995

At the request of Mr. CARPER, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 2995, a bill to amend the Clean Air Act to establish a national uniform multiple air pollutant regulatory program for the electric generating sector.

S. 2998

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 2998, a bill to temporarily expand the V nonimmigrant visa category to include Haitians whose petition for a family-sponsored immigrant visa was approved on or before January 12, 2010.

S. 3034

At the request of Mr. SCHUMER, the name of the Senator from Utah [Mr. BENNETT] was added as a cosponsor of S. 3034, a bill to require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center.

S. 3062

At the request of Mr. CARPER, the name of the Senator from Delaware [Mr. KAUFMAN] was added as a cosponsor of S. 3062, a bill to extend credits related to the production of electricity from offshore wind, and for other purposes.

S. 3073

At the request of Mr. VOINOVICH, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 3073, a bill to amend the Federal Water Pollution Control Act to protect and restore the Great Lakes.

S. 3122

At the request of Mr. ENSIGN, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 3122, a bill to require the Attorney General of the United States to compile, and make publicly available, certain data relating to the Equal Access to Justice Act, and for other purposes.

S. 3211

At the request of Mrs. SHAHEEN, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 3211, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by designating certain certified diabetes educators as certified providers for purposes of outpatient diabetes self-management training services under part B of the Medicare Prorgram.

S. 3260

At the request of Mr. HARKIN, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 3260, a bill to enhance and further research into the prevention and treatment of eating disorders, to improve access to treatment of eating disorders, and for other purposes.

S. 3320

At the request of Mr. WHITEHOUSE, the names of the Senator from Minnesota [Ms. KLOBUCHAR] and the Senator from Alaska [Mr. BEGICH] were added as cosponsors of S. 3320, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 3462

At the request of Mrs. SHAHEEN, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 3462, a bill to provide subpoena power to the National Commission on the British Petroleum Oil Spill in the Gulf of Mexico, and for other purposes.

S. 3497

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3497, a bill to amend the Outer Continental Shelf Lands Act to require leases entered into under that Act to include a plan that describes the means and timeline for containment and termination of an ongoing discharge of oil, and for other purposes.

S. 3549

At the request of Mr. TESTER, the names of the Senator from Delaware [Mr. CARPER], the Senator from North Carolina [Mrs. HAGAN] and the Senator from New York [Mrs. GILLIBRAND] were added as cosponsors of S. 3549, a bill to amend the effective date of the gift card provisions of the Credit Card Accountability Responsibility and Disclosure Act of 2009.

SENATE JOINT RESOLUTION 29

At the request of Mrs. FEINSTEIN, the names of the Senator from Arkansas [Mrs. LINCOLN] and the Senator from New Mexico [Mr. UDALL] were added as cosponsors of Senate Joint Resolution 29, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

SENATE CONCURRENT RESOLUTION 63

At the request of Mr. JOHNSON, the name of the Senator from Kansas [Mr. BROWNBACK] was added as a cosponsor of Senate Concurrent Resolution 63, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. CARPER,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on June 30, 2010, at 9:30 a.m. in room G50 of the Dirksen Senate Office Building.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on June 30, 2010, at 10 a.m., to conduct a hearing entitled "Green Housing for the 21th Century: Retrofitting the Past and Building an Energy-Efficient Future."

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on June 30, 2010, at 10 a.m., in room 253 of the Russell Senate Office Building.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 30, 2010, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on June 30, 2010, at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works be authorized to meet during the session of the Senate on June 30, 2010, at 9 a.m. in room 406 of the Dirksen Senate Office Building.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on June 30, 2010.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 30, 2010, at 10 a.m. to conduct a hearing entitled "Nuclear Terrorism: Strengthening Our Domestic Defenses, Part I."

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs be authorized to meet during the session of the Senate on June 30, 2010, at 9:30 a.m. in room 628 of the Dirksen Senate Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on June 30, 2010, at 9 a.m., in room SH-216 of the Hart Senate Office Building, to continue the hearing on the nomination of Elena Kagan to be an Associate Justice of the Supreme Court of the United States.

AD HOC SUBCOMMITTEE ON CONTRACTING OVERSIGHT

The Ad Hoc Subcommittee on Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 30, 2010, at 2:30 p.m. to conduct a hearing entitled, "Interagency Contracts (Part II): Management and Oversight."

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging be authorized to meet during the session of the Senate on June 30, 2010, from 2 p.m. until 5 p.m. in Dirksen 106 for the purpose of conducting a hearing.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5552. An act to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly and to provide for the assessment by the Secretary of the Treasury of certain criminal restitution.

At 10:20 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled joint resolution:

S.J. Res. 33. Joint resolution to provide for the reconsideration and revisions of the proposed constitution of the United States Virgin Islands to correct provisions inconsistent with the Constitution and Federal law.

ENROLLED JOINT RESOLUTION SIGNED

The joint resolution was subsequently signed by the PRESIDENT pro tempore.

At 11:25 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 65. Concurrent resolution providing for the use of the catafalque situated in the Exhibition Hall of the Capitol Visitor Center in connection with memorial services to be conducted in the United States Senate Chamber for the Honorable ROBERT C. BYRD, late a Senator from the State of West Virginia.

At 3:44 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 293. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

At 7:15 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4173) to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes.

EXECUTIVE SESSION

Pursuant to the order of yesterday,

The Senate proceeded to executive session and consideration of executive business (involving one rollcall Vote).

LEGISLATIVE SESSION

Pursuant to the order of yesterday,

The Senate resumed its legislative session.

NOTICE OF INTENT TO OBJECT

Mr. COBURN submitted notice in writing of his intent to object to proceeding to consider the bill (S. 1237) to amend title 38, United States Code, to expand the grant program for homeless veterans with special needs to include male homeless veterans with minor dependents and to establish a grant program

for reintegration of homeless women veterans and homeless veterans with children, and for other purposes.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

On the request of Mr. BAUCUS,

The PRESIDING OFFICER (Mr. BURRIS in the chair) laid before the Senate its pending business, viz, the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; and

The Senate resumed consideration of the House amendment.

The question being on agreeing to amendment No. 4429, proposed by Mr. REID, to amendment No. 4428, proposed by Mr. REID, to the instructions (designated amendment No. 4427) contained in the motion by Mr. REID, to refer the House amendment to the Committee on Finance with instructions to report back forthwith.

Pending debate,

OBJECTIONS TO CONSIDERATION OF BILL H.R. 3371

Mr. DEMINT asked unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration of the bill (H.R. 3371) to amend title 49, United States Code, to improve airline safety and pilot training, and for other purposes; that the Senate proceed to consider the bill; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. DORGAN objected.

Mr. DEMINT asked unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration of bill H.R. 3371; that the Senate proceed to consider the bill; that an amendment be proposed and agreed to; that the bill, as amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. DORGAN objected.

OBJECTION TO CONSIDERATION OF BILL H.R. 5611

Mr. DORGAN asked unanimous consent that the chair lay before the Senate the bill (H.R. 5611) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes, received from the House of Representatives for concurrence on yesterday and remaining undisposed of; that the bill be read twice, considered, read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. DEMINT objected.

OBJECTION TO CONSIDERATION OF BILL S. 3462

Mrs. SHAHEEN asked unanimous consent that the Committee on the Judiciary be discharged from further consideration of the bill (S. 3462) to provide subpoena power to the National Commission on the British Petroleum Oil Spill in the Gulf of Mexico, and for other purposes; that the Senate proceed to consider the bill; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. INHOFE objected.

OBJECTION TO CONSIDERATION OF BILL H.R. 5481

Mrs. SHAHEEN asked unanimous consent that the Senate proceed to consider the bill (H.R. 5481) to give subpoena power to the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. DEMINT objected.

OBJECTION TO EXECUTIVE SESSION

Ms. LANDRIEU asked unanimous consent that the Senate proceed to executive session to consider the nomination of Winslow Lorenzo Sergeant to be Chief Counsel for Advocacy, Small Business Administration; that the nomination be confirmed; that a motion to reconsider be made and laid on the table; that the President be immediately notified of the Senate's action; and that the Senate then resume its legislative session.

Mr. MCCONNELL objected.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

The Senate resumed consideration of the House amendment to the Senate amendment to bill H.R. 4213.

The question being on agreeing to amendment No. 4429 to amendment No. 4428 to the instructions (designated amendment No. 4427) contained in the motion to refer the House amendment to the Committee on Finance with instructions to report back forthwith.

By unanimous consent, on the request of Mr. REID,

Ordered, That, at 8:03 p.m. on today, the Senate vote on the question of agreeing to the motion to bring to a close debate on the motion to concur, with amendment, in the House amendment to the Senate amendment to the bill; that time prior to the vote be equally divided and controlled, between the two leaders, or their designees, for debate thereon; and that, if the Senate fails to agree to the motion, the majority leader be recognized to enter a motion to reconsider the vote by which the motion to bring to a close debate was not agreed to.

ORDER FOR CONSIDERATION OF BILLS H.R. 5623 AND H.R. 5569

By unanimous consent, on the request of Mr. REID,

Ordered, That, upon disposition of the vote on the question of agreeing to the motion to bring to a close debate on the motion to concur with amendment, the Senate proceed to consider bills H.R. 5623, and H.R. 5569; that the bills be read the third time, en bloc, and passed; and that motions to reconsider, en bloc, be made and laid on the table.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

The Senate resumed consideration of the House amendment to the Senate amendment to bill H.R. 4213.

The question being on agreeing to amendment No. 4429 to amendment No. 4428 to the instructions (designated amendment No. 4427) contained in the motion to refer the House amendment to the Committee on Finance, with instructions.

Pending debate,

Pursuant to the order of today,

The ACTING PRESIDENT pro tempore laid before the Senate the motion, presented by Mr. REID on yesterday, to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to the bill, with amendment No. 4425 (in the nature of a substitute).

Pursuant to the order of yesterday,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The ACTING PRESIDENT pro tempore stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the negative---
yeas... 58, nays... 38

[Rollcall Vote No. 204 Leg.]

YEAS --- 58

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown, Burris, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu,

Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson, Pryor, Reed, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall, Udall, Warner, Webb, Whitehouse, Wyden.

NAYS --- 38

Alexander, Barrasso, Bennett, Brown, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson, Reid, Risch, Sessions, Shelby, Thune, Vitter, Voinovich, Wicker.

So the motion was not agreed to; three-fifths of Senators duly chosen and sworn not having voted in the affirmative.

Pursuant to the order of today,

Mr. REID, having voted on the prevailing side, entered a motion to reconsider the foregoing vote disagreeing to the motion to bring to a close debate on the motion to concur.

HOMEBUYER ASSISTANCE AND IMPROVEMENT ACT

Pursuant to the order of today,

The Senate proceeded to consider the bill (H.R. 5623) to amend the Internal Revenue Code of 1986 to extend the homebuyer tax credit for the purchase of a principal residence before October 1, 2010, in the case of a written binding contract entered into with respect to such principal residence before May 1, 2010, and for other purposes, received from the House on yesterday and read the first time; which had been considered read the second time.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

NATIONAL FLOOD INSURANCE PROGRAM EXTENSION ACT

Pursuant to the order of today,

The PRESIDING OFFICER (Mr. BURRIS in the chair) laid before the Senate the bill (H.R. 5569) to extend the National Flood Insurance Program until September 30, 2010, received from the House of Representatives for concurrence on Thursday, June 24, 2010, and remaining undisposed of; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate resumed its legislative session.

OBJECTION TO CONSIDERATION OF BILL H.R. 4853

Mr. MCCONNELL asked unanimous consent that the Senate proceed to consider the bill (H.R. 4853) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes; that an amendment (in the nature of a substitute) be proposed by him, and agreed to; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. REID objected.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. CARPER,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. CARPER,

The Senate resumed its legislative session.

AIRPORT AND AIRWAY EXTENSION ACT

On the request of Mr. CARPER,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 5611) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes, received from the House of Representatives for concurrence on yesterday, and remaining undisposed of; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CELEBRATING 130 YEARS OF UNITED STATES-ROMANIAN RELATIONS

On the request of Mr. CARPER,

The PRESIDING OFFICER laid before the Senate the concurrent resolution (S. Con. Res. 67) celebrating 130 years of United States-Romanian diplomatic relations, congratulating the Romanian people on their achievements as a great nation, and reaffirming the deep bonds of trust and values between the United States and Romania, a trusted and most valued ally, submitted today by Mr. VOINOVICH (for himself and Mrs. SHAHEEN), and at the desk; and

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

SUPPORTING THE DESIGNATION OF "NATIONAL ESIGN DAY"

On the request of Mr. CARPER,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 576) expressing support for designation of June 30, 2010, as "National ESIGN Day 2010", submitted today by Mrs. MURRAY (for herself and Ms. CANTWELL), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

COMMEMORATING THE LIFE OF CHAPLAIN HENRY VINTON PLUMMER

On the request of Mr. CARPER,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 577) commemorating the remarkable life of patriotism, conviction, and compassion led by Chaplain Henry Vinton Plummer,

submitted today by Ms. MIKULSKI (for herself and Mr. CARDIN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "SUMMER FOOD SERVICE PROGRAM AWARENESS MONTH"

On the request of Mr. CARPER,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 578) designating June 2010 as "Summer Food Service Program Awareness Month", submitted today by Mr. SHERROD BROWN (for himself, Mr. LUGAR, Mrs. LINCOLN, Mr. CHAMBLISS, Mr. GRASSLEY, Mrs. GILLIBRAND, Mr. BENNET, Mr. COCHRAN, Mr. BAUCUS, and Mr. CASEY), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

On the request of Mr. CARPER,

The PRESIDING OFFICER laid before the Senate the concurrent resolution (H. Con. Res. 293) providing for the conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate, received from the House of Representatives for concurrence on today, and at the desk.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HOUSE BILL READ THE FIRST TIME

On the request of Mr. CARPER,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 5552) to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly and to provide for the assessment by the Secretary of the Treasury of certain criminal restitution, received from the House of Representatives for concurrence on today, and at the desk; which was read the first time.

Mr. CARPER asked unanimous consent that the bill be read the second time.

Mr. CARPER objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

The PRESIDING OFFICER announced that the PRESIDENT pro tempore, on recommendation of the majority leader, pursuant to Public Law 105-292, as amended by Public Law 106-55 and Public Law 107-228, had reappointed the following individual to the United States Commission on International Religious Freedom: Dr. Don H. Argue, of Washington.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, JULY 12, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. CARPER,

Ordered, That when the Senate concludes its business on today, it adjourn, under the provisions of concurrent resolution H. Con. Res. 293, until 2 p.m. on Monday, July 12, 2010; that, on Monday July 12, 2010, immediately following the prayer and the reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that there then be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

ADJOURNMENT

By unanimous consent, on the request of Mr. CARPER,

At 9:40 p.m.,

The Senate adjourned, under its order of today, and pursuant to the provisions of concurrent resolution H. Con. Res. 293, until 2 p.m. on Monday, July 12, 2010.

MONDAY, JULY 12, 2010

Mr. JEFF MERKLEY, from the State of Oregon, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. MERKLEY led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, July 12, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF MERKLEY, a Senator from the State of Oregon, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. MERKLEY took the chair.

THE JOURNAL

Pursuant to the order of Wednesday, June 30, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Wednesday, June 30, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

HOUSE BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 5552) to amend the Internal Revenue Code of 1986 to require that a payment of the manufacturers' excise tax on recreational equipment be paid quarterly and to provide for the assessment by the Secretary of the Treasury of certain criminal restitution, received from the House of Representatives for concurrence on Wednesday, June 30, 2010, and read the first time on that day; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of

the Standing Rules of the Senate, the bill would be placed on the calendar.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Wednesday, June 30, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 6, 2009, the Secretary of the Senate, on July 1, 2010, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House has passed the following bill, without amendment:

S. 3104. An act to permanently authorize Radio Free Asia, and for other purposes.

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

S. 3104. An act to permanently authorize Radio Free Asia, and for other purposes.

H.R. 5569. An act to extend the National Flood Insurance Program until September 30, 2010.

H.R. 5611. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

H.R. 5623. An act to amend the Internal Revenue Code of 1986 to extend the homebuyer tax credit for the purchase of a residence before October 1, 2010, in the case of a written binding contract entered into with respect to such principal residence before May 1, 2010, and for other purposes.

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 6, 2009, the enrolled bills were signed on July 1, 2010, during the adjournment of the Senate, by the PRESIDENT pro tempore.

ENROLLED BILL PRESENTED DURING ADJOURNMENT

The Secretary of the Senate reported that on Thursday, July 1, 2010, she had presented to the President of the United States the following enrolled bill:

S. 3104. A bill to permanently authorize Radio Free Asia, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6516. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Publication of Notification of Bundling of Contracts of the Department of Defense" (DFARS Case 2009-D033), received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2010; to the Committee on Armed Services.

EC-6517. A communication from the Acting Director, Acquisition Policy and Legislation Branch, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Homeland Security Acquisition Regulation; Lead System Integrators" (HSAR Case 2009-003), received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2010; to the Committee on Armed Services.

EC-6518. A communication from the General Counsel of the Department of Defense, transmitting legislative proposals relative to the National Defense Authorization Bill for Fiscal Year 2011; to the Committee on Armed Services.

EC-6519. A communication from the Deputy Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Political Contributions by Certain Investment Advisers" (RIN3235-AK39), received during adjournment of the Senate in the Office of the President of the Senate on July 1, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6520. A communication from the Assistant to the Board of Governors, Division of Consumer and Community Affairs, Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Electronic Fund Transfers" ((Regulation E)-(FRS Docket No. R-1343)), received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6521. A communication from the Assistant to the Board of Governors, Division of Consumer and Community Affairs, Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Truth in Savings" ((Regulation DD)(FRS Docket No. R-1315)), received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6522. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a six-month periodic report relative to the national emergency that was declared in Executive Order 12938 with respect to the proliferation of weapons of mass destruction; to the Committee on Banking, Housing, and Urban Affairs.

EC-6523. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 777-200LR and -300ER Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0280)), received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6524. A communication from the Secretary of Commerce, transmitting, pursuant to law, an annual report relative to the activities of the Economic Development Administration for fiscal year 2009; to the Committee on Commerce, Science, and Transportation.

EC-6525. A communication from the Assistant Secretary for Fish and Wildlife Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Special Regulations; Areas of the National Park System" (RIN1024-AD79) as received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2010; to the Committee on Energy and Natural Resources.

EC-6526. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, the Louisiana Coastal Protection and Restoration Final Technical Report; to the Committee on Environment and Public Works.

EC-6527. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Identification of Backward Compatible Version of Adopted Standard for E-Prescribing and the Medicare Prescription Drug Program (NCDO SCRIPT 10.6)" (RIN0938-AB49), received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2010; to the Committee on Finance.

EC-6528. A communication from the Program Manager, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Child Support Enforcement Program; Intergovernmental Child Support" (RIN0970-AC37), received during adjournment of the

Senate in the Office of the President of the Senate on July 2, 2010; to the Committee on Finance.

EC-6529. A communication from the Secretary of the Environmental Protection Agency, transmitting a legislative proposal relative to amending the Internal Revenue Code for the purpose of extending the financing of the Superfund; to the Committee on Finance.

EC-6530. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Schedule of Fees for Consular Services, Department of State and Overseas Embassies and Consulates" (RIN1400-AC57), received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2010; to the Committee on Foreign Relations.

EC-6531. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Turkey for the manufacture of and assembly of Day Night Thermal Sensors, Infrared Laser Detecting-Ranging Tracking Sets (AN/AAS-44T) and associated components common to both systems in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-6532. A communication from the Principal Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services to support the Proton launch of the Intelsat 22 Commercial Communication Satellite from the Baikonur Cosmodrome in Kazakhstan in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-6533. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, including, technical data, and defense services to support the LITENING Advanced Targeting Pod program for the Netherlands in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-6534. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report by the U.S. Global AIDS Coordinator relative to a description of HIV/AIDS prevention interventions that could be components of a United States global HIV/AIDS strategy and their effectiveness; to the Committee on Foreign Relations.

EC-6535. A joint communication from the Assistant Secretary for Legislative Affairs and the General Counsel, Department of the Treasury, transmitting proposed legislation relative to United States participation in, and appropriations for the United States contribution to, the Global Agriculture and Food Security Program, a multi-donor trust fund administered by the World Bank; to the Committee on Foreign Relations.

EC-6536. A communication from the Surgeon General, Department of Health and Human Services, transmitting the National Prevention, Health Promotion and Public Health Council's 2010 annual status report; to the Committee on Health, Education, Labor, and Pensions.

EC-6537. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, annual reports relative to the category rating system for the Department of Justice; to the Committee on Homeland Security and Governmental Affairs.

EC-6538. A communication from the Director of the Office of Personnel Management, transmitting proposed legislation relative to amending chapter 89 of title 5, United States Code, to clarify Federal court jurisdiction over the Federal Emlpoyees Health Benefits Program; to the Committee on Homeland Security and Governmental Affairs.

EC-6539. A communication from the Secretary of Veterans Affairs, transmitting proposed legislation entitled "Veterans Benefit Programs Improvement Act of 2010"; to the Committee on Veterans' Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-124. A concurrent resolution adopted by the Legislature of the State of Louisiana urging Congress to pass the New Alternative Transportation to Give Americans Solutions Act of 2009 (H.R. 1835 and S. 1408); to the Committee on Commerce, Science, and Transportation.

SENATE CONCURRENT RESOLUTION NO. 14

To memorialize the United States Congress to take necessary actions to promptly consider and pass the New Alternative Transportation to Give Americans Solutions Act of 2009 (H.R. 1835 and S. 1408) and to urge each member of the Louisiana congressional delegation to express their support for the Act by becoming a cosponsor.

Whereas, located in Desoto Parish, Louisiana, the Haynesville Shale is the largest natural gas field in the continental United States; and

Whereas, the Haynesville Shale holds approximately two hundred and fifty-one trillion cubic feet of recoverable natural gas; and

Whereas, drilling and recovery technology allows natural gas to be utilized in an environmentally safe and economically viable manner; and

Whereas, domestic gas is the only resource that can replace imported gasoline and diesel as a transportation fuel; and

Whereas, Congress is currently considering the New Alternative Transportation to Give Americans Solutions (H.R. 1835 and S. 1408) which provides incentives to move cars and light trucks as well as heavy-duty trucks from imported gasoline or diesel to domestic natural gas and encourages development of engines that reduce emissions, improve performance and efficiency, and lower cost: Therefore be it

Resolved, That the Legislature of Louisiana memorializes the United States Congress to take such actions as are necessary to promptly consider and pass the New Alternative Transportation to Give Americans Solutions Act of 2009 (H.R. 1835 and S. 1408) and to urge each member of the Louisiana congressional delegation to express their support for the Act by becoming a cosponsor; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation.

POM-125. A concurrent resolution adopted by the Legislature of the State of Louisiana urging Congress to consider recommendations to amend the Stafford Act regarding disaster recovery in Louisiana; to the Committee on Homeland Security and Governmental Affairs.

SENATE CONCURRENT RESOLUTION NO. 96

To memorialize the Congress of the United States to consider recommendations to amend the Stafford Act regarding disaster recovery for Louisiana.

Whereas, the aftermath of Hurricane Katrina and subsequent national disasters has brought extensive criticism of the Robert T. Stafford Disaster Relief and Emergency Assistance Act ("Stafford Act") as an inadequate and ineffective legal standard for federal response to a national disaster that causes population displacement and significant damage to property and infrastructure, and that overwhelms the capacities of state and local governments to achieve recovery; and

Whereas, such criticism is in part a reaction to the provisions of the Stafford Act which do not require any action remotely approaching a comprehensive, centralized, and integrated disaster mitigation, response, and recovery program with massive resources that can only be provided by the federal government; and

Whereas, such criticism is in part a reaction to the provisions of the Stafford Act which delegate the responsibility for recovery to state governments and establish a bureaucratic process for state requests for federal assistance, which have led to confusion and inaction, with essential assistance delayed and in many instances pleas for help being ignored; and

Whereas, such criticism is in part a reaction to the provisions of the Stafford Act which create neither an individual right to assistance nor a process for governmental accountability, thereby leaving people with few avenues of legal recourse for disaster relief; and

Whereas, such criticism is in part a reaction to provisions in the Stafford Act that do not address the specific material and humanitarian needs of people struggling to restore their lives and communities; and

Whereas, the Katrina Citizens Leadership Corps ("KCLC") has embarked on a course of developing policy recommendations for amending the Stafford Act to achieve effective disaster mitigation, response, and recovery; and

Whereas, the KCLC report, What It Takes to Rebuild a Village after a Disaster: Stories from Internally Displaced Children and Families of Hurricane Katrina (July 2007), presents the recommendations for a national disaster standard that support the fair and equitable restoration of lives and communities harmed by a national disaster; and

Whereas, the KCLC, U.S. Conference of Mayors, United States Senate Homeland Security Committee, and Internal Displacement Project of Brookings Institution make recommendations that can support unified work to improve the current legal standard for addressing the country's response to a national disaster: Therefore be it

Resolved, That the Legislature of Louisiana does hereby memorialize the Congress of the United States to consider recommendations to amend the Stafford Act regarding disaster recovery in Louisiana; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-126. A concurrent resolution adopted by the Legislature of the State of Louisiana urging Congress to remove the financial eligibility requirements for patients stricken with amyotrophic lateral sclerosis to be approved to receive Medicaid; to the Committee on Finance.

SENATE CONCURRENT RESOLUTION NO. 23

To memorialize the Congress of the United States to remove the financial eligibility requirements for patients stricken with amyotrophic lateral sclerosis to be approved to receive Medicaid.

Whereas, amyotrophic lateral sclerosis, or ALS, is better known as "Lou Gehrig's disease"; and

Whereas, ALS is a fatal neurodegenerative disease characterized by degeneration of cell bodies of the lower motor neurons in the gray matter of the anterior horns of the spinal cord; and

Whereas, the initial symptom of ALS is weakness of skeletal muscles, especially those of the extremities; and

Whereas, as ALS progresses, the patient experiences difficulty in swallowing, talking, and breathing; and

Whereas, ALS eventually causes muscles to atrophy, and the patient becomes a functional quadriplegic; and

Whereas, research indicates that military veterans are at a fifty percent greater risk of developing ALS than those who have not served in the military; and

Whereas, ALS does not affect a patient's mental capacity, so that the patient remains alert and aware of his loss of motor functions and the inevitable outcome of continued deterioration and death; and

Whereas, on average, patients diagnosed with ALS only survive two to five years from the time of diagnosis; and

Whereas, ALS has no known cause, means of prevention, or cure; and

Whereas, there can be significant costs for medical care, equipment, and home health caregiving later in the disease; and

Whereas, many families deplete their life savings attempting to pay for the care of their loved ones; and

Whereas, the financial burden associated with ALS for American families is enormous: Therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to remove the financial eligibility requirements for patients stricken with amyotrophic lateral sclerosis to be approved to receive Medicaid; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-127. A joint resolution adopted by the House of Representatives of the State of Colorado recognizing the bravery and sacrifice of the crew of the U.S.S. Pueblo and designating January 23rd each year as "U.S.S. Pueblo Day"; to the Committee on the Judiciary.

HOUSE JOINT RESOLUTION NO. 10-1007

Whereas, The U.S.S. Pueblo was originally launched as a United States Army cargo ship in 1944 but was transferred to the United States Navy and renamed the U.S.S. Pueblo in 1966; and

Whereas, The U.S.S. Pueblo was named for the city of Pueblo, Colorado, and the county of Pueblo, Colorado, and was the third ship in the naval fleet to bear the name Pueblo; and

Whereas, After leaving Japan in early January 1968 on an intelligence mission, the U.S.S. Pueblo was attacked by the North Korean military on January 23, 1968; and

Whereas, According to United States Naval authorities and the crew of the U.S.S. Pueblo, the ship was in international waters at the time of the attack; and

Whereas, One crew member of the U.S.S. Pueblo was killed during the attack, and eighty crew members and two civilian oceanographers were captured and held for eleven months by the North Korean government; and

Whereas, This year marks the forty-second anniversary of North Korea's attack on the U.S.S. Pueblo and her crew; and

Whereas, The U.S.S. Pueblo is still in commission in the United States Navy, but continues to be held by the North Korean government and is currently a museum in Pyongyang, North Korea: Now, therefore, be it

Resolved, by the House of Representatives of the Sixty-seventh General Assembly of the State of Colorado, the Senate concurring herein:

(1) That we, the members of the General Assembly, recognize the bravery and sacrifice of the crew of the U.S.S. Pueblo; and

(2) That we take pride in the fact that the U.S.S. Pueblo bears the name of a city and a county in Colorado, and, therefore, the citizens of Colorado should be aware of the incident that occurred with the U.S.S. Pueblo forty-two years ago; and

(3) That we hereby designate January 23 each year as "U.S.S. Pueblo Day" as a day to remember and honor the brave crew of the U.S.S. Pueblo; and be it further

Resolved, That copies of this Joint Resolution be sent to President Barack Obama, Governor Bill Ritter, Jr., President Pro Tempore of the United States Senate Robert C. Byrd, Speaker of the United States House of Representatives Nancy Pelosi, and the members of Colorado's congressional delegation.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. UDALL of New Mexico:

S. 3564. A bill to promote the potential of women in academic science, technology, engineering, and mathematics; to the Committee on Homeland Security and Governmental Affairs.

By Mr. McCAIN (for himself and Mr. KYL):

S. 3565. A bill to provide for the conveyance of certain Bureau of Land Management land in Mohave County, Arizona, to the Arizona Game and Fish Commission, for use as a public shooting range; to the Committee on Energy and Natural Resources.

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

S. 3566. A bill to authorize certain maritime programs of the Department of Transportation, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHUMER:

S. 3567. A bill to designate the facility of the United States Postal Service located at 100 Broadway in Lynbrook, New York, as the "Navy Corpsman Jeffrey L. Wiener Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. NELSON of Florida (for himself, Mr. CORNYN, and Mrs. FEINSTEIN):

S. 3568. A bill to amend the Trade Act of 1974 to create a Citrus Disease Research and Development Trust Fund to support research on diseases impacting the citrus industry, and for other purposes; to the Committee on Finance.

By Mr. NELSON of Florida:

S. 3569. A bill to improve the ability of the National Oceanic and Atmospheric Administration to respond to releases of subsea oil and gas, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF A CONCURRENT RESOLUTION

The following concurrent resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. SCHUMER:

S. Con. Res. 68. A concurrent resolution expressing the sense of Congress that the United States Postal Service should issue a commemorative postage stamp honoring civil rights workers Andrew Goodman, James Chaney, and Michael Schwerner, and the "Freedom Summer" of 1964, and that the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that such a stamp be issued; to the Committee on Homeland Security and Governmental Affairs.

ADDITIONAL COSPONSORS

S. 653

At the request of Mr. CARDIN, the names of the Senator from New York [Mr. SCHUMER] and the Senator from Pennsylvania [Mr. CASEY] were added as cosponsors of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 850

At the request of Mr. KERRY, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 850, a bill to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks.

S. 984

At the request of Mrs. BOXER, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 984, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 1286

At the request of Mr. ROCKEFELLER, the name of the Senator from Montana [Mr. BAUCUS] was added as a cosponsor of S. 1286, a bill to amend part E of title IV of the Social Security Act to allow children in foster care to be placed with their parents in residential family treatment centers that provide safe environments for treating addiction and promoting healthy parenting.

S. 1353

At the request of Mr. LEAHY, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 1353, a bill to amend title 1 of the Omnibus Crime Control and Safe Streets Act of 1986 to include nonprofit and volunteer ground and air ambulance crew members and first responders for certain benefits.

S. 1425

At the request of Mr. DURBIN, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 1425, a bill to increase the United States financial and programmatic contributions to promote economic opportunities for women in developing countries.

S. 1481

At the request of Mr. MENENDEZ, the names of the Senator from New York [Mr. SCHUMER], the Senator from New Mexico [Mr. BINGAMAN] and the Senator from Vermont [Mr. SANDERS] were added as cosponsors of S. 1481, a bill to amend section 811 of the Cranston-Gonzalez National Affordable Housing Act to improve the program under such section for supportive housing for persons with disabilities.

S. 1553

At the request of Mr. GRASSLEY, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1619

At the request of Mr. DODD, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 1619, a bill to establish the Office of Sustainable Housing and Communities, to establish the Interagency Council on Sustainable Communities, to establish a comprehensive planning grant program, to establish a sustainability challenge grant program, and for other purposes.

S. 2725

At the request of Mrs. FEINSTEIN, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 2725, a bill to provide for fairness for the Federal judiciary.

S. 2743

At the request of Ms. SNOWE, the name of the Senator from Nebraska [Mr. JOHANNS] was added as a cosponsor of S. 2743, a bill to amend title 10, United States Code, to provide for the award of a military service medal to members of the Armed Forces who served honorably during the Cold War, and for other purposes.

S. 2772

At the request of Mr. WHITEHOUSE, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 2772, a bill to establish a criminal justice reinvestment grant program to help States and local jurisdictions reduce spending on corrections, control growth in the prison and jail populations, and increase public safety.

S. 2882

At the request of Mr. KERRY, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 2882, a bill to amend the Internal Revenue Code of 1986 to modify the rules relating to the treatment of individuals as independent contractors or employees, and for other purposes.

S. 2898

At the request of Ms. LANDRIEU, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 2898, a bill to provide for child safety, care, and education continuity in the event of a presidentially declared disaster.

S. 3020

At the request of Ms. SNOWE, the name of the Senator from Missouri [Mrs. MCCASKILL] was added as a cosponsor of S. 3020, a bill to direct the Administrator of the Small Business Administration to reform and

improve the HUBZone program for small business concerns, and for other purposes.

S. 3031

At the request of Mr. LEAHY, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 3031, a bill to authorize Drug Free Communities enhancement grants to address major emerging drug issues or local drug crises.

S. 3034

At the request of Mr. SCHUMER, the names of the Senator from Maryland [Mr. CARDIN], the Senator from Alaska [Mr. BEGICH] and the Senator from South Dakota [Mr. JOHNSON] were added as cosponsors of S. 3034, a bill to require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center.

S. 3036

At the request of Mr. BAYH, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 3036, a bill to establish the National Alzheimer's Project.

S. 3043

At the request of Mrs. GILLIBRAND, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 3043, a bill to award planning grants and implementation grants to State educational agencies to enable the State educational agencies to complete comprehensive planning to carry out activities designed to integrate engineering education into K-12 instruction and curriculum and to provide evaluation grants to measure efficacy of K-12 engineering education.

S. 3078

At the request of Mrs. FEINSTEIN, the names of the Senator from Delaware [Mr. KAUFMAN] and the Senator from Hawaii [Mr. INOUYE] were added as cosponsors of S. 3078, a bill to provide for the establishment of a Health Insurance Rate Authority to establish limits on premium rating, and for other purposes.

S. 3171

At the request of Mrs. LINCOLN, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 3171, a bill to amend title 38, United States Code, to provide for the approval of certain programs of education for purposes of the Post-9/11 Educational Assistance Program.

S. 3237

At the request of Mr. HARKIN, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 3237, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 3238

At the request of Mr. SCHUMER, the names of the Senator from Maryland [Mr. CARDIN] and the Senator from Arkansas [Mr. PRYOR] were added as cosponsors of S. 3238, a bill to provide for a medal of appropriate design to be awarded by the President to the next of kin or other representative of those individuals killed as a result of the terrorist attacks of September 11, 2001, and to the memorials established at the 3 sites that were attacked on that day.

S. 3269

At the request of Mrs. GILLIBRAND, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 3269, a bill to provide driver safety grants to States with graduated driver licensing laws that meet certain minimum requirements.

S. 3320

At the request of Mr. WHITEHOUSE, the names of the Senator from New York [Mr. SCHUMER], the Senator from South Dakota [Mr. JOHNSON] and the Senator from Louisiana [Ms. LANDRIEU] were added as cosponsors of S. 3320, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 3323

At the request of Mr. FEINGOLD, the name of the Senator from Missouri [Mrs. MCCASKILL] was added as a cosponsor of S. 3323, a bill to improve the management and oversight of Federal contracts, and for other purposes.

S. 3339

At the request of Mr. KERRY, the names of the Senator from Washington [Ms. CANTWELL] and the Senator from Washington [Mrs. MURRAY] were added as cosponsors of S. 3339, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 3397

At the request of Ms. KLOBUCHAR, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 3397, a bill to amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, and for other purposes.

S. 3424

At the request of Mr. DURBIN, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 3424, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 3434

At the request of Mr. BINGAMAN, the names of the Senator from Maryland [Ms. MIKULSKI], the Senator from Ohio [Mr. BROWN] and the Senator from Delaware [Mr. KAUFMAN] were added as cosponsors of S. 3434, a bill to provide for the establishment of a Home Star Retrofit Rebate Program, and for other purposes.

S. 3441

At the request of Mr. DURBIN, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 3441, a bill to provide high-quality public charter school options for students by enabling such public charter schools to expand and replicate.

S. 3493

At the request of Mr. SPECTER, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 3493, a bill to reauthorize and enhance Johanna's Law to increase public awareness and knowledge with respect to gynecologic cancers.

S. 3510

At the request of Mr. CONRAD, the name of the Senator from Louisiana [Mr. VITTER] was added as a cosponsor of S. 3510, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 3549

At the request of Mr. TESTER, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of S. 3549, a bill to amend the effective date of the gift card provisions of the Credit Card Accountability Responsibility and Disclosure Act of 2009.

S. 3553

At the request of Ms. STABENOW, the name of the Senator from Ohio [Mr. VOINOVICH] was added as a cosponsor of S. 3553, a bill to require the Secretary of the Army to study the feasibility of the hydrological separation of the Great Lakes and Mississippi River Basins.

SENATE CONCURRENT RESOLUTION 39

At the request of Mr. MENENDEZ, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of Senate Concurrent Resolution 39, a concurrent resolution expressing the sense of the Congress that stable and affordable housing is an essential component of an effective strategy for the prevention, treatment, and care of human immunodeficiency virus, and that the United States should make a commitment to providing adequate funding for the development of housing as a response to the acquired immunodeficiency syndrome pandemic.

SENATE RESOLUTION 565

At the request of Mr. MERKLEY, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of Senate Resolution 565, a resolution supporting and recognizing the achievements of the family planning services programs operating under title X of the Public Health Service Act.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 2:03 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1554. An act to take certain property in McIntosh County, Oklahoma, into trust for the benefit of the Muscogee (Creek) Nation, and for other purposes.

H.R. 2340. An act to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act.

H.R. 4307. An act to name the Department of Veterans Affairs community-based outpatient clinic in Artesia, New Mexico, as the "Alejandro Renteria Ruiz Department of Veteran Affairs Clinic".

H.R. 4445. An act to amend Public Law 95-232 to repeal a restriction on treating as Indian country certain lands held in trust for Indian pueblos in New Mexico.

H.R. 4505. An act to enable State homes to furnish nursing home care to parents of any whose children died while serving in the Armed Forces.

H.R. 5395. An act to designate the facility of the United States Postal Service located at 151 North Maitland Avenue in Maitland, Florida, as the "Paula Hawkins Post Office Building".

H.R. 5610. An act to provide a technical adjustment with respect to funding for independent living centers under the Rehabilitation Act of 1973 in order to ensure stability for such centers.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 284. A concurrent resolution recognizing the work and importance of special education teachers.

H. Con. Res 289. A concurrent resolution directing the Clerk of the House of Representatives to make a technical correction in the enrollment of bill H.R. 3360.

The message further announced that the House agrees to the amendment of the Senate to the bill (H.R. 3360) to amend title 46, United States Code, to establish requirements to ensure the security and safety of passengers and crew on cruise vessels, and for other purposes.

HOUSE BILLS AND CONCURRENT RESOLUTION REFERRED

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

H.R. 1554. An act to take certain property in McIntosh County, Oklahoma, into trust for the benefit of the Muscogee (Creek) Nation, and for other purposes; to the Committee on Environment and Public Works.

H.R. 4307. An act to name the Department of Veterans Affairs community-based outpatient clinic in Artesia, New Mexico, as the "Alejandro Renteria Ruiz Department of Veterans Affairs Clinic"; to the Committee on Veterans' Affairs.

H.R. 4445. An act to amend Public Law 95-232 to repeal a restriction on treating as Indian country certain lands held in trust for Indian pueblos in New Mexico; to the Committee on Indian Affairs.

H.R. 4505. An act to enable State homes to furnish nursing home care to parents any of whose children died while serving in the Armed Forces; to the Committee on Veterans' Affairs.

H.R. 5395. An act to designate the facility of the United States Postal Service located at 151 North Maitland Avenue in Maitland, Florida, as the "Paula Hawkins Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5610. An act to provide a technical adjustment with respect to funding for independent living centers under the Rehabilitation Act of 1973 in order to ensure stability for such centers; to the Committee on Health, Education, Labor, and Pensions.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 284. Concurrent resolution recognizing the work and importance of special education teachers; to the Committee on Health, Education, Labor, and Pensions.

HOUSE BILL PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2340. An act to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act.

ORDER FOR EXECUTIVE SESSION

By unanimous consent, on the request of Mr. DURBIN,

As in executive session,

Ordered, That, at 5 p.m. on today, the Senate proceed to executive session to consider the nomination of Sharon Johnson Coleman, of Illinois, to be United States District Judge for the Northern District of Illinois; that the time until 5:30 p.m. be equally divided and controlled for debate thereon between Mr. LEAHY and Mr. SESSIONS, or their designees; that, at 5:30 p.m., the Senate vote on confirmation of the nomination; that, following the vote, a motion to reconsider be made and laid on the table; that the President be immediately notified of the Senate's action; and that the Senate resume its legislative session.

EXECUTIVE SESSION

The hour of 5 p.m. having passed,

Pursuant to the order of today, as modified,

The Senate proceeded to executive session; and after consideration of executive business (involving one rollcall Vote).

LEGISLATIVE SESSION

Pursuant to the order of today,

The Senate resumed its legislative session.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION APPROPRIATIONS AUTHORIZATION

By unanimous consent, on the request of Mr. SHERROD BROWN,

The Senate proceeded to consider the bill (S. 2872) to authorize appropriations for the National Historical Publications and Records Commission through fiscal year 2014, and for other purposes.

The question being on agreeing to the reported amendments.

The reported amendments were agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CORRECTING THE ENROLLMENT OF BILL H.R. 3360

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) laid before the Senate the concurrent resolution (H. Con. Res. 289) directing the Clerk of the House of Representatives to make a technical correction in the enrollment of bill H.R. 3360, received from the House of Representatives for concurrence on today, and at the desk.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

NATIONAL ADVISORY COMMITTEE ON INSTITUTIONAL QUALITY AND INTEGRITY

The PRESIDING OFFICER announced that the PRESIDENT pro tempore, pursuant to Public Law 110-315, had appointed the following to be a member of the National Advisory Committee on Institutional Quality and Integrity: Mr. Wilfred M. McClay, of Tennessee.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, the times for the two leaders be reserved; and that there then be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 2:15 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mr. SHERROD BROWN,

At 6:44 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

TUESDAY, JULY 13, 2010

Mrs. JEANNE SHAHEEN, from the State of New Hampshire, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mrs. SHAHEEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, July 13, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mrs. SHAHEEN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

ORDER RELATIVE TO PRINTING OF TRIBUTES

By unanimous consent, on the request of Mr. REID,

Ordered, That the prayer made by the Senate chaplain on Thursday, July 1, 2010, when Senators gathered to remember ROBERT C. BYRD, late a Senator from the State of West Virginia, be printed as a part of the memorial book of Senate tributes.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6540. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Change of Contact Information; Technical Amendment" (Docket No. FDA-2010-N-0010), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6541. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (8) officers authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-6542. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Notification Requirements for Awards of Single-Source Task or Delivery Orders" (DFARS Case 2009-D036), received during adjournment of the Senate in the Office of the President of the Senate on July 9, 2010; to the Committee on Armed Services.

EC-6543. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65)(Docket No. FEMA-2010-0003)), received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6544. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65)(Docket No. FEMA-2010-0003)(Internal Agency Docket No. FEMA-B-1129)), received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6545. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65)(Docket No. FEMA-2010-0003)), received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6546. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Docket No. FEMA-2010-0003)(Internal Agency Docket No. FEMA-8135)), received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2010; to the

Committee on Banking, Housing, and Urban Affairs.

EC-6547. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Docket No. FEMA-2010-0003)(Internal Agency Docket No. FEMA-8137)), received during adjournment of the Senate in the Office of the President of the Senate on July 8, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6548. A communication from the Assistant to the Board of Governors, Division of Consumer and Community Affairs, Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Truth in Lending" ((Regulation Z)(12 CFR Part 226)(Docket No. R-1370)), received during adjournment of the Senate in the Office of the President of the Senate on July 9, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6549. A communication from the Assistant General Counsel for Legislation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program for Consumer Products and Certain Commercial and Industrial Equipment: Final Determination Concerning the Potential for Energy Conservation Standards for High-Intensity Discharge (HID) Lamps" (RIN1904-AA86), received during adjournment of the Senate in the Office of the President of the Senate on July 9, 2010; to the Committee on Energy and Natural Resources.

EC-6550. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to the status of the Exxon and Stripper Well oil overcharge funds as of September 30, 2008; to the Committee on Energy and Natural Resources.

EC-6551. A joint communication from the Assistant Secretary (Water and Science) of the Department of the Interior, the Assistant Secretary (Civil Works) Department of the Army, and the Administrator of the Western Area Power Administration, transmitting, pursuant to law, a report relative to a wind and hydropower feasibility study; to the Committee on Energy and Natural Resources.

EC-6552. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "List of Approved Spent Fuel Storage Casks: MAGNASTOR System, Revision 1" (RIN3150-AI86), received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2010; to the Committee on Environment and Public Works.

EC-6553. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Quality Assurance Program Requirements for Research and Test Reactors" (Regulatory Guide 2.5, Revision 1), received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2010; to the Committee on Environment and Public Works.

EC-6554. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Annual Medicaid Integrity Program Report for Fiscal Year 2009; to the Committee on Finance.

EC-6555. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010-0093 - 2010-0097); to the Committee on Foreign Relations.

EC-6556. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Amendment to Prohibited Transaction Exemption (PTE) 84-14 for Plan Asset Transactions Determined by Independent Qualified Professional Asset Managers" (RIN1210-ZA07), received during adjournment of the Senate in the Office of the President of the Senate on July 8, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6557. A communication from the Director, Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Setting the Time and Place for a Hearing Before an Administrative Law Judge" (RIN0960-AG61), received during adjournment of the Senate in the Office of the President of the Senate on July 9, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6558. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-43; Introduction" (FAC 2005-43), received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6559. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2008-011, Government Property" (RIN9000-AL41), received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6560. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2008-035, Registry of Disaster Response Contractors" (RIN9000-AL30), received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6561. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2010-008, Recovery Act Subcontract Reporting Procedures" (RIN9000-AL63), received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6562. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2008-023, Clarification of Criteria for Sole Source Awards to Service-Disabled Veteran-Owned Small Business Concerns" (RIN9000-AL29), received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6563. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Case 2009-040, Trade Agreements Thresholds" (RIN9000-AL57), received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6564. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Circular 2005-43, Small Entity Compliance Guide" (FAC 2005-43), received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6565. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2009 through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6566. A communication from the Executive Director, Office of Compliance, transmitting, pursuant to law, the Office's Annual Report for fiscal year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-6567. A communication from the Regulatory and Policy Specialist, Bureau of Indian Affairs, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Indian Self-Determination Act Contracts and Annual Funding Agreements - Appeal Procedures" (RIN1076-AE86), received during adjournment of the Senate in the Office of the President of the Senate on July 9, 2010; to the Committee on Indian Affairs.

EC-6568. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report entitled "Report of the Director of the Administrative Office of the United States Courts on Applications for Delayed-Notice Search Warrants and Extensions"; to the Committee on the Judiciary.

EC-6569. A communication from the Director, Regulation Policy and Management, Office of the General Counsel, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Stressor Determination for Posttraumatic Stress Disorder" (RIN2900-AN32), received during adjournment of Senate in the Office of the President of the Senate on July 9, 2010; to the Committee on Veterans' Affairs.

EC-6570. A communication from the Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Part 27 of the Commission's Rules to Govern the Operation of Wireless Communications Services in the 2.3 GHz Band; Establishment of Rules and Policies for the Digital Audio Radio Satellite Service in the 2310-2360 MHz Frequency Band" ((WT Docket No. 07-293)(FCC 10-82)), received during adjournment of the Senate in the Office of the President of the Senate on July 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6571. A communication from the Senior Deputy Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers and Other Providers of Mobile Data Services" (FCC 10-59), received during adjournment of the Senate in the Office of the President of the Senate on July 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6572. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Cargo Insurance for Property Loss or Damage" (RIN2126-AB21), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6573. A communication from the Deputy Chief of the Broadband Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Part 101 of the Commission's Rules to Accommodate 30 Megahertz Channels in the 6525-6875 MHz Band; Amendment of Part 101 of the Commission's Rules to Provide for Conditional Authorization on Additional Channels in the 21.8-22.0 GHz Band; Fixed Wireless Communications Coalition Request for Waiver" ((WT Docket No. 09-114)(FCC 10-109)), received during adjournment of the Senate in the Office of the President of the Senate on July 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6574. A communication from the Senior Regulations Analyst, Office of the Secretary of Transportation, Department of Transportation, transmitting, pursuant to law, a rule entitled "Procedures for Transportation Workplace Drug and Alcohol Testing Programs" (RIN2105-AB84), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6575. A communication from the Deputy Chief Counsel, Research and Innovative Technology Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Submission of Aviation Data via the Internet" (RIN2139-AA11), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6576. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Structure and Practices of the Video Relay Service Program, Declaratory Ruling, Order and Notice of Proposed Rulemaking, CG Docket No. 10-51" (FCC 10-88), received during adjournment of the Senate in the Office of the President of the Senate on July 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6577. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, Order, CG Docket No. 03-123" (FCC 10-115), received during adjournment of the Senate in the Office of the President of the Senate on July 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6578. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class D and E Airspace; Big Delta, AK" ((RIN2120-AA66)(Docket No. FAA-2010-0083)), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6579. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Automatic Dependent Surveillance - Broadcast (ADS-B) Equipage Mandate to Support Air Traffic Control Service; CORRECTION" ((RIN2120-AI92)(Docket No. FAA-2007-29305)), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6580. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Automatic Dependent Surveillance - Broadcast (ADS-B) Equipage Mandate to Support Air Traffic Control Service; Technical Amendment" ((RIN2120-AI92)(Docket No. FAA-2007-29305)), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6581. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Norton Sound Low and Control 12341, Offshore Airspace Areas; Alaska" ((RIN2120-AA66)(Docket No. FAA-2010-0071)), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6582. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "State Highway-Rail Grade Crossings Action

Plans" (RIN2130-AC20), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6583. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (96); Amdt. No. 3378" (RIN2120-AA65), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6584. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (96); Amdt. No. 3379" (RIN2120-AA65), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6585. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Cessna Aircraft Company Model 525A Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0327)), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6586. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Honeywell International Inc. Auxiliary Power Unit Models GTCP36-150(R) and GTCP36-150(RR)" ((RIN2120-AA64)(Docket No. FAA-2009-0803)), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6587. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135ER, -135KE, -135KL, and -135LR Airplanes; and EMBRAER Model EMB-145, -145ER, -145MR, -145LR, -145XR, -145MP, and -145EP Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2010-0170)), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6588. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; CFM International, S.A. CFM56-5, -5B, and -7B Series Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0026)), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6589. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Mitsubishi Heavy Industries, Ltd. Various Models MU-2B Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1076)), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6590. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Piper Aircraft, Inc. Models PA-32R-301T and PA-46-350P Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0122)), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6591. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier Inc. Model CL-600-2C10 (Regional Jet Series 700 and 701) Airplanes, Model CL-600-2D15 (Regional Jet Series 705) Airplanes, and Model CL-600-2D24 (Regional Jet Series 900) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0995)), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6592. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Corporation Model DC-10-10, DC-10-10F, and MD-10-10F Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0043)), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6593. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model DHC-8-400 Series Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2010-0273)), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6594. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Services B.V. Model F.28 Mark 0070 and 0100 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0220)), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6595. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 and 440) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1029)), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6596. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Services B.V. Model F.27 Mark 500 and 600 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0551)), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6597. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod for American Fisheries Act Catcher Processors Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area; C Season" (RIN0648-XW75), received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6598. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Rock Sole, Flathead Sole, and "Other Flatfish" by Vessels Participating in the Amendment 80 Limited Access Fishery in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XW74), received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6599. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; Temporary Rule; Inseason General Category Retention Limit Adjustment" (RIN0648-XW54), received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6600. A communication from the Attorney-Advisor, Office of General Counsel, National Oceanic and Atmospheric Administrations, transmitting, pursuant to law, the report of a rule entitled "Regulations to Amend the Civil Procedures" (RIN0648-AY66), received during adjournment of the Senate in the Office of the President of the Senate on July 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6601. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled "United States Department of Transportation Report to Congress on Recommendations of the Intelligent Transportation System (ITS) Program Advisory Committee 2009"; to the Committee on Commerce, Science, and Transportation.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

H.R. 1933. A bill to direct the Attorney General to make an annual grant to the A Child Is Missing Alert and Recovery Center to assist law enforcement agencies in the rapid recovery of missing children, and for other purposes.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Ms. MURKOWSKI (for herself, Mrs. MURRAY, Ms. CANTWELL, and Mr. CRAPO):

S. 3570. A bill to improve hydropower, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI:

S. 3571. A bill to extend certain Federal benefits and income tax provisions to energy generated by hydropower resources; to the Committee on Finance.

By Mrs. LINCOLN (for herself and Mr. PRYOR):

S. 3572. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first law enforcement agency, the United States Marshals Service; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. INHOFE:

S. 3573. A bill to authorize the Secretary of the Interior to allow the storage and conveyance of nonproject water at the Norman project in Oklahoma, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BROWN of Ohio (for himself and Mr. COBURN):

S. 3574. A bill to amend title II of the Social Security Act to prohibit the inclusion of Social Security account numbers on Medicare cards; to the Committee on Finance.

By Mr. DURBIN (for himself, Mr. SESSIONS, Mr. DODD, Mr. BROWN of Ohio, Mr. VITTER, and Mr. ALEXANDER):

S. 3575. A bill to amend and reauthorize the controlled substance monitoring program under section 399O of the Public Health Service Act and to authorize the Secretary of Veterans Affairs to share information about the use of controlled substances by veterans with State prescription monitoring programs to prevent misuse and diversion of prescription medicines; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself and Mr. JOHNSON):

S. 3576. A bill to promote the production and use of renewable energy, and for other purposes; to the Committee on Finance.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. BROWNBACK (for himself and Mr. LIEBERMAN):

S. Res. 579. A resolution honoring the life of Manute Bol and expressing the condolences of the Senate on his passing; to the Committee on the Judiciary.

By Mr. SCHUMER (for himself, Mrs. GILLIBRAND, Mr. NELSON of Florida, and Mr. LEMIEUX):

S. Res. 580. A resolution commemorating the life and work of George M. Steinbrenner of the State of New York; considered and agreed to.

ADDITIONAL COSPONSORS

S. 493

At the request of Mr. CASEY, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 493, a bill to amend the Internal Revenue Code of 1986 to provide for the establishment of ABLE accounts for the care of family members with disabilities, and for other purposes.

S. 632

At the request of Mr. BAUCUS, the name of the Senator from Tennessee [Mr. CORKER] was added as a cosponsor of S. 632, a bill to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly.

S. 653

At the request of Mr. CARDIN, the names of the Senator from Oklahoma [Mr. INHOFE] and the Senator from New Mexico [Mr. UDALL] were added as cosponsors of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 781

At the request of Mr. ROBERTS, the name of the Senator from Oklahoma [Mr. COBURN] was added as a cosponsor of S. 781, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 1158

At the request of Ms. STABENOW, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 1158, a bill to authorize the Secretary of Health and Human Services to conduct activities to rapidly advance treatments for spinal muscular atrophy, neuromuscular disease, and other pediatric diseases, and for other purposes.

S. 1237

At the request of Mrs. MURRAY, the names of the Senator from Michigan [Ms. STABENOW] and the Senator from Rhode Island [Mr. WHITEHOUSE] were added as cosponsors of S. 1237, a bill to amend title 38, United States Code, to expand the grant program for homeless veterans with special needs to include male homeless veterans with minor dependents and to establish a grant program for reintegration of homeless women veterans and homeless veterans with children, and for other purposes.

S. 1376

At the request of Ms. KLOBUCHAR, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 1376, a bill to restore immunization and sibling age exemptions for children adopted by United States citizens under the Hague Convention on Intercountry Adoption to allow their admission into the United States.

S. 1567

At the request of Mr. BROWNBACK, the name of the Senator from Colorado [Mr. UDALL] was added as a cosponsor of S. 1567, a bill to provide for the issuance of a Multinational Species Conservation Funds Semipostal Stamp.

S. 2129

At the request of Ms. COLLINS, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 2129, a bill to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia to provide for the establishment of a National Women's History Museum.

S. 3034

At the request of Mr. SCHUMER, the names of the Senator from Rhode Island [Mr. WHITEHOUSE], the Senator from Georgia [Mr. CHAMBLISS], the Senator from Massachusetts [Mr. BROWN] and the Senator from Mississippi [Mr. WICKER] were added as cosponsors of S. 3034, a bill to require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center.

S. 3043

At the request of Mrs. GILLIBRAND, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3043, a bill to award planning grants and implementation grants to State educational agencies to enable the State educational agencies to complete comprehensive planning to carry out activities designed to integrate engineering education into K-12 instruction and curriculum and to provide evaluation grants to measure efficacy of K-12 engineering education.

S. 3184

At the request of Mrs. BOXER, the names of the Senator from Wisconsin [Mr. FEINGOLD] and the Senator from Massachusetts [Mr. BROWN] were added as cosponsors of S. 3184, a bill to provide United States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes.

S. 3190

At the request of Ms. LANDRIEU, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 3190, a bill to reaffirm that the Small Business Reauthorization Act of 1997 does not limit a contracting officer's discretion regarding whether to make a contract available for award pursuant to any of the restricted competition programs authorized by the Small Business Act.

S. 3199

At the request of Ms. SNOWE, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 3199, a bill to amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss.

S. 3238

At the request of Mr. SCHUMER, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 3238, a bill to provide for a medal of appropriate design to be awarded by the President to the next of kin or other representative of those individuals killed as a result of the terrorist attacks of September 11, 2001, and to the memorials established at the 3 sites that were attacked on that day.

S. 3246

At the request of Mr. WYDEN, the name of the Senator from Alaska [Ms. MURKOWSKI] was added as a cosponsor of S. 3246, a bill to exclude from consideration as income under the Native American Housing Assistance and Self-Determination Act of 1996 amounts received by a family from the Department of Veterans Affairs for service-related disabilities of a member of the family.

S. 3339

At the request of Mr. KERRY, the name of the Senator from Mississippi [Mr. WICKER] was added as a cosponsor of S. 3339, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 3425

At the request of Mrs. MURRAY, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 3425, a bill to amend title 10, United States Code, to require the provision of behavioral health services to members of the reserve components of the Armed Forces necessary to meet pre-deployment and post-deployment readiness and fitness standards, and for other purposes.

S. 3493

At the request of Mr. SPECTER, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 3493, a bill to reauthorize and enhance Johanna's Law to increase public awareness and knowledge with respect to gynecologic cancers.

S. 3510

At the request of Mr. CONRAD, the name of the Senator from Oklahoma [Mr. INHOFE] was added as a cosponsor of S. 3510, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 3518

At the request of Mr. LEAHY, the name of the Senator from Delaware [Mr. KAUFMAN] was added as a cosponsor of S. 3518, a bill to amend title 28, United States Code, to prohibit recognition and enforcement of foreign defamation judgments in United States Courts where those judgments undermine the first amendment to the Constitution of the United States, and to provide a cause of action for declaratory judgment relief against a party who has brought a successful foreign defamation action whose judgment undermines the first amendment.

S. 3519

At the request of Ms. SNOWE, the names of the Senator from Michigan [Ms. STABENOW] and the Senator from New Hampshire [Mrs. SHAHEEN] were added as cosponsors of S. 3519, a bill to stabilize the matching requirement for participants in the Hollings Manufacturing Partnership Program.

S. 3552

At the request of Mr. ENSIGN, the name of the Senator from Alaska [Ms. MURKOWSKI] was added as a cosponsor of S. 3552, a bill to require an Air Force study on the threats to, and sustainability of, the air test and training range infrastructure.

SENATE JOINT RESOLUTION 30

At the request of Mr. ISAKSON, the names of the Senator from Maine [Ms. SNOWE], the Senator from Arizona [Mr. MCCAIN], the Senator from Alabama [Mr. SHELBY] and the Senator from Massachusetts [Mr. BROWN] were added as cosponsors of Senate Joint Resolution 30, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Mediation Board relating to representation election procedures.

SENATE RESOLUTION 555

At the request of Ms. STABENOW, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of Senate Resolution 555, a resolution supporting the goals and ideals of National Ovarian Cancer Awareness Month.

SENATE RESOLUTION 565

At the request of Mr. MERKLEY, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of Senate Resolution 565, a resolution supporting and recognizing the achievements of the family planning services programs operating under title X of the Public Health Service Act.

SENATE RESOLUTION 573

At the request of Mr. FEINGOLD, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of Senate Resolution 573, a resolution urging the development of a comprehensive strategy to ensure stability in Somalia, and for other purposes.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. SCHUMER,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on July 13, 2010, at 2:30 p.m.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on July 13, 2010, at 10 a.m. in SH-216 of the Hart Senate Office Building, to conduct an executive business meeting.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on July 13, 2010, at 2:30 p.m.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

The Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on July 13, 2010, at 2:30 p.m. to conduct a hearing entitled, "The Cost Effectiveness of Procuring Weapon Systems in Excess of Requirements."

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 4:15 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5503. An act to revise laws regarding liability in certain civil actions arising from maritime incidents, and for other purposes.

H.R. 5609. An act to amend the Lobbying Disclosure Act of 1995 to prohibit any person from performing lobbying activities on behalf of a client which is determined by the Secretary of State to be a State sponsor of terror.

H.R. 5618. An act to continue Federal unemployment programs.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 290. A concurrent resolution expressing support for designation of June 30 as "National ESIGN Day".

The message further announced that the House agrees to the amendment of the Senate to the bill (H.R. 4899) making emergency supplemental appropriations for the fiscal year ending September 30, 2010, and for other purposes, with an amendment, and agrees to the amendment of the Senate to the title of the bill.

HOUSE BILLS AND CONCURRENT RESOLUTION REFERRED

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

H.R. 5503. An act to revise laws regarding liability in certain civil actions arising from maritime incidents, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 5609. To amend the Lobbying Disclosure Act of 1995 to prohibit any person from performing lobbying activities on behalf of a client which is determined by the Secretary of State to be a State sponsor of terrorism; to the Committee on Homeland Security and Governmental Affairs.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 290. Concurrent resolution expressing support for designation of June 30 as "National ESIGN Day"; to the Committee on Commerce, Science, and Transportation.

RECESS

Pursuant to the order of yesterday, as modified,

At 12:35 p.m.,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) declared the Senate recessed until 2:15 p.m.

AT 2:15 P.M.

The PRESIDING OFFICER (Mr. BEGICH in the chair) called the Senate to order.

MOTION TO PROCEED TO CONSIDER CONFERENCE REPORT ON BILL H.R. 4173

On motion by Mr. REID that the Senate proceed to consider the conference report on bill H.R. 4173.

The question being on agreeing to the motion.

The motion was agreed to.

Whereupon,

CONFERENCE REPORT ON BILL H.R. 4173

The PRESIDING OFFICER (Mr. BURRIS in the chair) laid before the Senate the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4173) to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes; and

The Senate proceeded to consider the conference report.

The question being on agreeing to the conference report.

Mr. REID presented a motion to bring to a close debate on the pending conference report; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the conference report on bill H.R. 4173:

HARRY REID, CHRISTOPHER DODD, CHARLES SCHUMER, AMY KLOBUCHAR, TOM CARPER, BEN CARDIN, JEFF A. MERKLEY, KAY R. HAGAN, JOHN KERRY, TOM HARKIN, JACK REED, FRANK LAUTENBERG, MARK BEGICH, BARBARA BOXER, MARK R. WARNER, JOSEPH LIEBERMAN.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

The question being on agreeing to the conference report.

AMENDING CERTAIN PROVISIONS OF THE CREDIT CARD ACCOUNTABILITY RESPONSIBILITY AND DISCLOSURE ACT

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That the Committee on Banking, Housing, and Urban Affairs be discharged from the further consideration of the bill (H.R. 5502) to amend the effective date of the gift card provisions of the Credit Card Accountability Responsibility and Disclosure Act of 2009.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

COMMEMORATING THE LIFE AND WORK OF GEORGE M. STEINBRENNER

On the request of Mr. WHITEHOUSE,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 580) commemorating the life and work of George M. Steinbrenner of the State of New York, submitted today by Mr. SCHUMER (for himself, Mrs. GILLIBRAND, Mr. BILL NELSON, and Mr. LEMIEUX), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HOUSE BILL READ THE FIRST TIME

On the request of Mr. WHITEHOUSE,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 5618) to continue Federal unemployment programs, received from the House of Representatives for concurrence on today, and at the desk; which was read the first time.

Mr. WHITEHOUSE asked unanimous consent that the bill be read the second time.

Mr. WHITEHOUSE objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 12 noon, with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; and that the majority control the first 30 minutes therein, and the minority control the next 30 minutes therein.

ADJOURNMENT

By unanimous consent, on the request of Mr. WHITEHOUSE,

At 7:11 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

WEDNESDAY, JULY 14, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, July 14, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. TOM UDALL took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

HOUSE BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 5618) to continue Federal unemployment programs, received from the House of Representatives for concurrence on yesterday, and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6602. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Homobrassinolide; Exemption from the Requirement of a Tolerance" (FRL No. 8831-2), received during adjournment of the Senate in the Office of the President of the Senate on July 9, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6603. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acetic Acid; Exemption from the Requirement of a Tolerance" (FRL No. 8833-8), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6604. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Residues of Quaternary Ammonium Compounds, N-Alkyl (C12-14) Dimethyl Ethylbenzyl Ammonium Chloride; Exemption from the Requirement of a Tolerance" (FRL No. 8833-2), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6605. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Hexythiazox; Pesticide Tolerances" (FRL No. 8833-6), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6606. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Cyazofamid; Pesticide Tolerances" (FRL No. 8833-1), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6607. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection

Agency, transmitting, pursuant to law, the report of a rule entitled "Castor Oil, Ethoxylated, Oleate; Tolerance Exemption" (FRL No. 8834-4), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6608. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to violations of the Antideficiency Act in connection with a fiscal year 2009 health care facilities construction project in Nome, Alaska; to the Committee on Appropriations.

EC-6609. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General Stanley A. McChrystal, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-6610. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (4) officers authorized to wear the insignia of the grade of major general and brigadier general, as appropriate, in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-6611. A communication from the Commission on Wartime Contracting in Iraq and Afghanistan, transmitting, pursuant to law, a report entitled "Better Planning for Defense-to-State Transition in Iraq Needed to Avoid Mistakes and Waste"; to the Committee on Armed Services.

EC-6612. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6613. A communication from the Paperwork Clearance Officer, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Unfair or Deceptive Acts or Practices; Amendment" (RIN1550-AC38), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6614. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled "Report to Congress on Dedicated Ethanol Pipeline Feasibility"; to the Committee on Energy and Natural Resources.

EC-6615. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Lead; Clearance and Clearance Testing Requirements for the Renovation, Repair, and Painting Program; Reopening of Comment Period" (FRL No. 8836-1), received during adjournment of the Senate in the Office of the President of the Senate on July 9, 2010; to the Committee on Environment and Public Works.

EC-6616. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Extension of Deadline for Action on Section 126 Petition from New Jersey" (FRL No. 9174-5), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Environment and Public Works.

EC-6617. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Sacramento Metropolitan Air Quality Management District and South Coast Air Quality Management District" (FRL No. 9172-3), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Environment and Public Works.

EC-6618. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Terpene Constituents of the Extract of Chenopodium ambrosioides near ambrosioides (a-Terpinene, d-Limonene and p-Cymene) as Synthetically Manufactured; Exemption from the Requirement of a Tolerance" (FRL No. 8831-4), received during adjournment of the Senate in the Office of the President of the Senate on July 9, 2010; to the Committee on Environment and Public Works.

EC-6619. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Wisconsin; Redesignation of the Manitowoc County and Door County Areas to Attainment for Ozone" (FRL No. 9172-9), received during adjournment of the Senate in the Office of the President of the Senate on July 9, 2010; to the Committee on Environment and Public Works.

EC-6620. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; Revisions to the New Source Review (NSR) State Implementation Plan (SIP); Flexible Permits" (FRL No. 9174-1), received during adjournment of the Senate in the Office of the President of the Senate on July 9, 2010; to the Committee on Environment and Public Works.

EC-6621. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Mandatory Reporting of Greenhouse Gases from Magnesium Production, Underground Coal Mines, Industrial Wastewater Treatment, and Industrial Waste Landfills" (FRL No. 9171-1), received during adjournment of the Senate in the Office of the President of the Senate on July 9, 2010; to the Committee on Environment and Public Works.

EC-6622. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled "Clean Watersheds Needs Survey 2008 Report to Congress"; to the Committee on Environment and Public Works.

EC-6623. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, a report entitled "Report to Congress on Abnormal Occurrences: Fiscal Year 2009"; to the Committee on Environment and Public Works.

EC-6624. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice No. 2010-52), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Finance.

EC-6625. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Excise Taxes on Prohibited Tax Shelter Transactions and Related Disclosure Requirements; Disclosure Requirements with Respect to Prohibited Tax Shelter Transactions; Requirement of Return and Time for Filing" ((TD 9492)(RIN1545-BG18)), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Finance.

EC-6626. A communication from the Senior Advisor for Regulations, Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Amendments to Regulations

Regarding Major Life-Changing Events Affecting Income-Related Monthly Adjustment Amounts to Medicare Part B Premiums" (RIN0960-AH06), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Finance.

EC-6627. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and Medicaid Programs; Electronic Health Record Incentive Program" (RIN0938-AP78), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Finance.

EC-6628. A communication from the Office Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Changes to the Hospital Outpatient Prospective Payment System and Ambulatory Surgical Center Payment System for Calendar Year 2010, and Extension of Part B Payment for Services Furnished by Hospitals or Clinics Operated by the Indian Health Service, Indian Tribes, or Tribal Organizations Made by the Affordable Care Act and ASC Changes Made by Previous Correction Notices" (RIN0938-AQ08), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Finance.

EC-6629. A communication from the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Review of Medicare Contractor Information Security Program Evaluations for Fiscal Year 2007"; to the Committee on Finance.

EC-6630. A communication from the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, two reports entitled "Guidance and Standards on Language Access Services: Medicare Provides" and "Guidance and Standards on Language Access Services: Medicare Plans" ; to the Committee on Finance.

EC-6631. A communication from the Acting Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, Agency for International Development (USAID), transmitting, pursuant to law, a report relative to purchases of articles, materials, and supplies that were manufactured outside of the United States for fiscal year 2009; to the Committee on Foreign Relations.

EC-6632. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services to the United Kingdom in support of the sale of Hellfire II missiles in the amount of $25,000,000 or more; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 1376, A bill to restore immunization and sibling age exemptions for children adopted by United States citizens under the Hague Convention on Intercountry Adoption to allow their admission into the United States (Rept. No. 111-220).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

H.R. 2765. A bill to amend title 28, United States Code, to prohibit recognition and enforcement of foreign defamation judgments and certain foreign judgments against the providers of interactive computer services.

By Mr. BAUCUS, from the Committee on Finance, without amendment:

S.J. Res. 29. A joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. SCHUMER (for himself and Mr. DODD):

S. 3577. A bill to encourage savings, promote financial literacy, and expand opportunities for young adults by establishing Lifetime Savings Accounts; to the Committee on Finance.

By Mr. JOHANNS (for himself, Mr. INHOFE, Mr. COBURN, Mr. THUNE, Mr. VITTER, Mr. BARRASSO, Mr. CORNYN, Mr. RISCH, Mr. ENSIGN, Mr. CRAPO, Ms. MURKOWSKI, Mr. ISAKSON, Mr. ROBERTS, and Mr. ENZI):

S. 3578. A bill to repeal the expansion of information reporting requirements for payments of $600 or more to corporations, and for other purposes; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. BENNETT):

S. 3579. A bill to protect information relating to consumers, to require notice of security breaches, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BEGICH:

S. 3580. A bill to amend the Oil Pollution Act of 1990 to permit funds in the Oil Spill Liability Trust to be used by the National Oceanic and Atmospheric Administration, the Coast Guard, and other Federal agencies for certain research, prevention, and response capabilities with respect to discharges of oil, for environmental studies, and for grant programs to communities affected by oil spills on the outer Continental Shelf, and to provide funding for such uses; to the Committee on Finance.

By Mr. LUGAR:

S. 3581. A bill to implement certain defense trade treaties; to the Committee on Foreign Relations.

By Mr. CASEY (for himself, Mr. BURRIS, Mrs. MURRAY, Mr. KAUFMAN, Mrs. MCCASKILL, Mr. NELSON of Nebraska, and Mrs. BOXER):

S. 3582. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State; to the Committee on Finance.

By Mrs. MURRAY (for herself, Mr. SANDERS, Ms. SNOWE, and Ms. COLLINS):

S. 3583. A bill to amend title 38, United States Code, to increase flexibility in payments for State veterans homes, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BEGICH:

S. 3584. A bill to direct the Administrator of the National Oceanic and Atmospheric Administration to institute research into the special circumstances associated with oil spill prevention and response in the Arctic waters, including assessment of impacts on Arctic marine mammals and other wildlife, marine debris research and removal, and risk assessment, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. UDALL of Colorado (for himself and Mr. BENNET):

S. 3585. A bill to amend title 10, United States Code, to reform Department of Defense energy policy, and for other purposes; to the Committee on Armed Services.

By Mr. REID (for himself, Mr. TESTER, Mr. MERKLEY, Mr. UDALL of Colorado, and Mr. BEGICH):

S. 3586. A bill to promote the mapping and development of United States geothermal resources by establishing a direct loan program for high risk geothermal exploration wells; to the Committee on Energy and Natural Resources.

By Mr. REID (for himself and Mr. TESTER):

S. 3587. A bill to require the Secretary of the Interior to establish a competitive leasing program for wind and solar energy development on Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. VITTER (for himself, Mr. CORNYN, and Mr. WICKER):

S. 3588. A bill to limit the moratorium on certain permitting and drilling activities issued by the Secretary of the Interior, and for other purposes; read the first time.

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

S. 3589. A bill to provide financial incentives and a regulatory framework to facilitate the development and early deployment of carbon capture and sequestration technologies, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 3590. A bill to amend the Internal Revenue Code of 1986 to provide financial incentives to facilitate the development and early deployment of carbon capture and sequestration technologies, and for other purposes; to the Committee on Finance.

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

S. 3591. A bill to provide financial incentives and a regulatory framework to facilitate the development and early deployment of carbon capture and sequestration technologies, and for other purposes; to the Committee on Finance.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. UDALL of New Mexico:

S. Res. 581. A resolution honoring the educational and scientific significance of Dr. Jane Goodall on the 50th anniversary of the beginning of her work in what is today Gombe Stream National Park in Tanzania; to the Committee on the Judiciary.

By Mr. WICKER (for himself, Ms. LANDRIEU, Mr. COCHRAN, Mr. CORNYN, Mrs. HUTCHISON, Mr. LEMIEUX, Mr. NELSON of Florida, Mr. SESSIONS, Mr. SHELBY, and Mr. VITTER):

S. Res. 582. A resolution recognizing the economic and environmental impacts of the British Petroleum oil spill on the people of the Gulf Coast and their way of life and urging British Petroleum to give all due consideration to offers of assistance, products, or services from the States directly impacted by the Deepwater Horizon oil spill; to the Committee on Environment and Public Works.

ADDITIONAL COSPONSORS

S. 305

At the request of Mr. SCHUMER, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 305, a bill to amend title IV of the Public Health Service Act to create a National Childhood Brain Tumor Prevention Network to provide grants and coordinate research with respect to the causes of and risk factors associated with childhood brain tumors, and for other purposes.

S. 335

At the request of Mrs. GILLIBRAND, the names of the Senator from Alaska [Mr. BEGICH], the Senator from West Virginia [Mr. ROCKEFELLER] and the Senator from New Jersey [Mr. MENENDEZ] were added as cosponsors of S. 335, a bill to amend part D of title IV of the Social Security Act to repeal a fee imposed by States on certain child support collections.

S. 457

At the request of Mr. THUNE, the name of the Senator from Tennessee [Mr. CORKER] was added as a cosponsor of S. 457, a bill to establish pilot projects under the Medicare program to provide incentives for home health agencies to utilize home monitoring and communications technologies.

S. 981

At the request of Mr. REID, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 981, a bill to support research and public awareness activities with respect to inflammatory bowel disease, and for other purposes.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from Kansas [Mr. BROWNBACK] was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1249

At the request of Ms. KLOBUCHAR, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 1249, a bill to amend title XVIII of the Social Security Act to create a value indexing mechanism for the physician work component of the Medicare physician fee schedule.

S. 1273

At the request of Mr. DORGAN, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 1273, a bill to amend the Public health Service Act to provide for the establishment of permanent national surveillance systems for multiple sclerosis, Parkinson's disease, and other neurological diseases and disorders.

S. 1562

At the request of Mr. BEGICH, the name of the Senator from Alaska [Ms. MURKOWSKI] was added as a cosponsor of S. 1562, a bill to provide for a study and report on research on the United States Arctic Ocean and for other purposes.

S. 1674

At the request of Mr. WYDEN, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 1674, a bill to provide for an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 1775

At the request of Mr. BAYH, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 1775, a bill to amend the Higher Education Act of 1965 to provide that interest shall not accrue on Federal Direct Loans for members of the Armed Forces on active duty regardless of the date of disbursement.

S. 1932

At the request of Mr. MCCAIN, the name of the Senator from Mississippi [Mr. WICKER] was added as a cosponsor of S. 1932, a bill to amend the Elementary and Secondary Education Act of 1965 to allow members of the Armed Forces who served on active duty on or after September 11, 2001, to be eligible to participate in the Troops-to-Teachers Program, and for other purposes.

S. 3293

At the request of Mr. HARKIN, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3293, a bill to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

S. 3397

At the request of Ms. KLOBUCHAR, the name of the Senator from Tennessee [Mr. CORKER] was added as a cosponsor of S. 3397, a bill to amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, and for other purposes.

S. 3434

At the request of Mr. BINGAMAN, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 3434, a bill to provide for the establishment of a Home Star Retrofit Rebate Program, and for other purposes.

S. 3570

At the request of Ms. MURKOWSKI, the name of the Senator from Idaho [Mr. RISCH] was added as a cosponsor of S. 3570, a bill to improve hydropower, and for other purposes.

S. 3575

At the request of Mr. DURBIN, the name of the Senator from Tennessee [Mr. CORKER] was added as a cosponsor of S. 3575, a bill to amend and reauthorize the controlled substance monitoring program under section

399O of the Public Health Service Act and to authorize the Secretary of Veterans Affairs to share information about the use of controlled substances by veterans with State prescription monitoring programs to prevent misuse and diversion of prescription medicines.

SENATE RESOLUTION 519

At the request of Mr. DEMINT, the names of the Senator from Kansas [Mr. BROWNBACK] and the Senator from Kansas [Mr. ROBERTS] were added as cosponsors of Senate Resolution 519, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and children is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. HARKIN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on July 14, 2010, at 2:30 p.m.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on July 14, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "The Future of Individual Tax Rates: Effects on Economic Growth and Distribution."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on July 14, 2010, at 9:30 a.m., to hold a closed hearing entitled "The New START Treaty (Treaty Doc. 111-5): Monitoring and Verification of Treaty compliance."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on July 14, 2010, at 2 p.m., to hold a hearing entitled "Afghanistan: Governance and the Civilian Strategy."

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs be authorized to meet during the session of the Senate on July 14, 2010. The Committee will meet in room 418 of the Russell Senate Office Building beginning at 9:30 a.m.

SUBCOMMITTEE ON CRIME AND DRUGS

The Committee on the Judiciary, Subcommittee on Crime and Drugs, be authorized to meet during the session of the Senate, on July 14, 2010, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Evaluating The Justice Against Sponsors of Terrorism Act, S. 2930."

SUBCOMMITTEE ON INTERNATIONAL TRADE, CUSTOMS, AND GLOBAL COMPETITIVENESS

The Subcommittee on International Trade, Customs, and Global Competitiveness of the Committee on Finance be authorized to meet during the session of the Senate on July 14, 2010, at 3 p.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Marine Wealth: Promoting Conservation and Advancing American Exports."

SUBCOMMITTEE ON WATER AND POWER

The Subcommittee on Water and Power be authorized to meet during the session of the Senate in order to conduct a hearing on Wednesday, July 14, 2010, at 3:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10:03 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3923. An act to provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, and for other purposes.

H.R. 3967. An act to amend the National Great Black Americans Commemoration Act of 2004 to authorize appropriations through fiscal year 2015.

H.R. 3989. An act to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of adding the Heart Mountain Relocation Center, in the State of Wyoming, as a unit of the National Park System.

H.R. 4438. An act to authorize the Secretary of the Interior to expand the boundary of the Park, to conduct a study of Þpotential land acquisitions, and for other purposes.

H.R. 4514. An act to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of designating the Colonel Charles Young Home in Xenia, Ohio as a unit of the National Park System, and for other purposes.

H.R. 4686. An act to authorize the Secretary of the Interior to study the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System.

H.R. 4773. An act to authorize the Secretary of the Interior to lease certain lands within Fort Pulaski National Monument, and for other purposes.

H.R. 4973. An act to amend the Fish and Wildlife Act of 1956 to reauthorize volunteer programs and community partnerships for national wildlife refuges, and for other purposes.

The message also announced that the House agreed to the amendment of the Senate to the bill (H.R. 689) to interchange the administrative jurisdiction of certain Federal lands between the Forest Service and the Bureau of Land Management, and for other purposes.

At 12:27 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 83. Joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

At 2:47 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House agreed to the amendments of the Senate to the bill (H.R. 4840) to designate the facility of the United States Postal Service located at 1979 Cleveland Avenue in Columbus, Ohio, as the "Clarence D. Lumpkin Post Office".

HOUSE BILLS REFERRED

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

H.R. 3967. An act to amend the National Great Black Americans Commemoration Act of 2004 to authorize appropriations through fiscal year 2015; to the Committee on the Judiciary.

H.R. 4686. To authorize the Secretary of the Interior to study the suitability and feasibility of designating prehistoric, historic, and limestone forest sites on Rota, Commonwealth of the Northern Mariana Islands, as a unit of the National Park System; to the Committee on Energy and Natural Resources.

H.R. 4773. An act to authorize the Secretary of the Interior to lease certain lands within Fort Pulaski National Monument, and

for other purposes; to the Committee on Energy and Natural Resources.

H.R. 4973. An act to amend the Fish and Wildlife Act of 1956 to reauthorize volunteer programs and community partnerships for national wildlife refuges, and for other purposes; to the Committee on Environment and Public Works.

HOUSE BILL PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 3923. An act to provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, and for other purposes.

OBJECTION TO EXECUTIVE SESSION

Mrs. HAGAN asked unanimous consent, as in executive session, that, at a time to be determined by the majority leader, after consultation with the minority leader, the Senate proceed to executive session to consider, en bloc, the nominations of Albert Diaz and James Wynn, each to be United States Circuit Judge for the Fourth Circuit; that there be 3 hours, equally divided and controlled, for concurrent debate between Mr. LEAHY and Mr. SESSIONS, or their designees, on the nominations; that, upon conclusion of debate, the Senate vote on confirmation of the nominations in the aforementioned order; that, following the vote, a motion to reconsider be made and laid on the table; that the President be immediately notified of the Senate's action; and that the Senate resume its legislative session.

Mr. MCCONNELL objected.

ORDER FOR FURTHER CONSIDERATION OF CONFERENCE REPORT ON BILL H.R. 4173 ON TOMORROW

By unanimous consent, on the request of Mr. LEVIN,

Ordered, That, on tomorrow, following the time for the two leaders, the Senate resume consideration of the conference report on the bill (H.R. 4173) to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes; that the time until 11 a.m. be equally divided and controlled for debate between Mr. DODD and Mr. SHELBY, or their designees; that the final 20 minutes therein be equally divided and controlled for debate between Mr. SHELBY, Mr. DODD, Mr. MCCONNELL, and Mr. REID; and that, at 11 a.m., the Senate vote on the question of agreeing to the motion to bring to a close debate on the conference report.

CONSIDERATION OF CERTAIN BILLS ON THE CALENDAR EN BLOC

By unanimous consent, on the request of Mr. LEVIN,

The Senate proceeded to consider, en bloc, the following bills on the calendar:

H.R. 4861. A bill to designate the facility of the United States Postal Service located at 1343 West Irving Park Road in Chicago, Illinois, as the `Steve Goodman Post Office Building';

H.R. 5051. A bill to designate the facility of the United States Postal Service located at 23 Genesee Street in Hornell, New York, as the `Zachary Smith Post Office Building';

H.R. 5099. A bill to designate the facility of the United States Postal Service located at 15 South Main Street in Sharon, Massachusetts, as the `Michael C. Rothberg Post Office'.

The bills were read the third time, en bloc.

Resolved, That the bills, en bloc, do pass.

A motion to reconsider the vote on the passage of the bills, en bloc, was deemed made and laid on the table, by unanimous consent.

EMERGENCY MANAGEMENT ASSISTANCE COMPACT GRANT REAUTHORIZATION ACT

By unanimous consent, on the request of Mr. LEVIN,

The Senate proceeded to consider the bill (S. 1288) to authorize appropriations for grants to the States participating in the Emergency Management Assistance Compact, and for other purposes.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

The reported amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RELATIVE TO ENVIRONMENTAL PROTECTION AGENCY VESSEL DISCHARGE PERMITS

By unanimous consent, on the request of Mr. LEVIN,

The Senate proceeded to consider the bill (S. 3372) to modify the date on which the Administrator of the Environmental Protection Agency and applicable States may require permits for discharges from certain vessels.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

BILL READ THE FIRST TIME

On the request of Mr. LEVIN,

The PRESIDING OFFICER (Mr. BEGICH in the chair) laid before the Senate the bill (S. 3588) to limit the moratorium on certain permitting and drilling activities issued by the Secretary of the Interior, and for other purposes, introduced today by Mr. VITTER (for himself, Mr. CORNYN, and Mr. WICKER), and at the desk; which was read the first time.

Mr. LEVIN asked unanimous consent that the bill be read the second time.

Mr. LEVIN objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. LEVIN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of the conference report on bill H.R. 4173, as pursuant to the order of today.

ADJOURNMENT

By unanimous consent, on the request of Mr. LEVIN,

At 8:01 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

THURSDAY, JULY 15, 2010

Mrs. KIRSTEN E. GILLIBRAND, from the State of New York, called the Senate to order at 9:30 a.m., the Reverend Donna R. Kafer,

Chaplain of the Arizona State legislature, offered a prayer, and Mrs. GILLIBRAND led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, July 15, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mrs. GILLIBRAND took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3588) to limit the moratorium on certain permitting and drilling activities issued by the Secretary of the Interior, and for other purposes, introduced on yesterday by Mr. VITTER (for himself, Mr. CORNYN, and Mr. WICKER), and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

CONFERENCE REPORT ON BILL H.R. 4173

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4173) to provide for financial regulatory reform, to protect consumers and investors, to enhance Federal understanding of insurance issues, to regulate the over-the-counter derivatives markets, and for other purposes; and

The Senate resumed consideration of the conference report.

The question being on agreeing to the conference report.

Pending debate,

The hour of 11 a.m. having passed,

Pursuant to the order of yesterday, as modified,

The ACTING PRESIDENT pro tempore laid before the Senate the motion, presented by Mr. REID on Tuesday, July 13, 2010, to bring to a close debate on the conference report on bill H.R. 4173.

Pursuant to the order of Tuesday, July 13, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The ACTING PRESIDENT pro tempore stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the affirmative---
yeas... 60, nays... 38

[Rollcall Vote No. 206 Leg.]

YEAS --- 60

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown, Brown, Burris, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson, Nelson, Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall, Udall, Warner, Webb, Whitehouse, Wyden.

NAYS --- 38

Alexander, Barrasso, Bennett, Bond, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to; three-fifths of Senators duly chosen and sworn having voted in the affirmative.

The question being on agreeing to the conference report.

Pending debate,

By unanimous consent, on the request of Mr. DODD,

Ordered, That the time until 2 p.m. on today be equally divided and controlled for debate between Mr. DODD and Mr. SHELBY, or their designees, on the pending conference report; that, at 2 p.m., time for debate, pursuant to rule XXII of the Standing Rules of the Senate, be concluded; that, if a point of order under the Budget Act is raised against the conference report, a motion to waive be considered made; that, at 2 p.m., the Senate vote on the question of agreeing to said motion; and that, if the motion is agreed to, the Senate vote on the question of agreeing to the conference report, without further intervening action or debate.

The question being on agreeing to the conference report.

Mr. GREGG raised a point of order, viz, that the pending conference report violates section 311(b) of concurrent resolution S. Con. Res. 70 (110th Congress), and therefore is not in order.

On motion by Mr. DODD, under section 904 of the Congressional Budget Act and waiver provisions of applicable Budget Resolutions, to waive provisions of the Act and resolutions for consideration of the pending conference report.

On motion by Mr. DODD,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to waive.

The question being on agreeing to the motion.

Pending debate,

On motion by Mr. DODD,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the conference report.

The question being on agreeing to the motion to waive.

After debate,

The hour of 2 p.m. having arrived,

Pursuant to the order of today,

The question being taken.

It was determined in the affirmative---
yeas... 60, nays... 39

[Rollcall Vote No. 207 Leg.]

YEAS --- 60

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown, Brown, Burris, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson, Nelson, Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall, Udall, Warner, Webb, Whitehouse, Wyden.

NAYS --- 39

Alexander, Barrasso, Bennett, Bond, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign,

Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Thune, Vitter, Voinovich, Wicker.

So the motion was agreed to; three-fifths of the Senators duly chosen and sworn having voted in the affirmative.

The question being on agreeing to the conference report.

Pursuant to the order of today,

The question being taken.

It was determined in the affirmative---
yeas... 60, nays... 39

[Rollcall Vote No. 208 Leg.]

YEAS --- 60

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown, Brown, Burris, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson, Nelson, Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall, Udall, Warner, Webb, Whitehouse, Wyden.

NAYS --- 39

Alexander, Barrasso, Bennett, Bond, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Thune, Vitter, Voinovich, Wicker.

So the conference report was agreed to.

On motion by Mr. DODD to reconsider the vote agreeing to the conference report.

On motion by Mr. DODD,

The motion to reconsider was laid on the table.

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. MENENDEZ,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6633. A communication from the Executive Analyst, Office of the Secretary, Department of Health and Human Services, transmitting, pursuant to law, a report on the discontinuation of service in acting role and action on the nomination for the position of Assistant Secretary for Planning and Evaluation; to the Committee on Health, Education, Labor, and Pensions.

EC-6634. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Fiscal Year 2009 Medical Device User Fee and Modernization Act (MDUFMA) Financial Report"; to the Committee on Health, Education, Labor, and Pensions.

EC-6635. A communication from the Program Manager, Office of the National Coordinator for Health Information Technology, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Health Information Technology: Initial Set of Standards, Implementation Specifications, and Certification Criteria for Electronic Health Record Technology" (RIN0991-AB58), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6636. A communication from the Acting Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Circular 2005-44, Introduction" (FAC 2005-44), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6637. A communication from the Acting Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Circular 2008-039, Reporting Executive Compensation and First-Tier Subcontract Awards" (FAC 2005-44), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6638. A communication from the Acting Deputy Associate Administrator for Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; FAR Circular 2005-44, Small Entity Compliance Guide" (FAC 2005-44), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6639. A communication from the Associate General Counsel, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the Federal Emergency Management Agency in the position of Administrator, U.S. Fire Administration; to the Committee on Homeland Security and Governmental Affairs.

EC-6640. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Office's annual report on Federal agencies' use of the physicians comparability allowance (PCA) program; to the Committee on Homeland Security and Governmental Affairs.

EC-6641. A communication from the Director, Office of Personnel Management, transmitting a legislative proposal entitled "Federal Civilian Employees in Zones of Armed Conflict Benefits Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6642. A communication from the General Counsel of the Department of Defense, transmitting a legislative proposal entitled "Federal Civilian Employees in Zones of Armed Conflict Benefits Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6643. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Viruses, Serums, Toxins, and Analogous Products and Patent Term Restoration; Nonsubstantive Amendments" (Docket No. APHIS-2009-0069), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6644. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Tier I Issue: IRC § 118 Abuse Directive No. 9" (LMSB-4-0710-020), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Finance.

EC-6645. A communication from the Deputy Associate Director for Management and Administration and Designated Reporting Official, Office of National Drug Control Policy, Executive Office of the President, transmitting, pursuant to law, (2) reports relative to vacancies in the Office of National Drug Control Policy in the positions of Deputy Director for Demand Reduction and Deputy Director for State, Local and Tribal Affairs; to the Committee on the Judiciary.

EC-6646. A communication from the Secretary, Federal Trade Commission, transmitting, pursuant to law, a report entitled "College Scholarship Fraud Prevention Act of 2000 Annual Report to Congress: July 2010"; to the Committee on the Judiciary.

EC-6647. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fourth of July

Fireworks Event, Pagan River, Smithfield, VA" ((RIN1625-AA00)(Docket No. USCG-2010-0454)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6648. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Stockton Ports Baseball Club/City of Stockton, 4th of July Fireworks Display, Stockton, CA" ((RIN1625-AA00)(Docket No. USCG-2010-0369)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6649. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Jameson Beach 4th of July Fireworks Display" ((RIN1625-AA00)(Docket No. USCG-2010-0378)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6650. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Marine Events within the Captain of the Port Sector Northern New England Area of Responsibility, July through September" ((RIN1625-AA00)(Docket No. USCG-2010-0315)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6651. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Ship Repair in Penobscot Bay, ME" ((RIN1625-AA00)-(Docket No. USCG-2010-0519)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6652. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; AVI May Fireworks Display, Laughlin, Nevada, NV" ((RIN1625-AA00)(Docket No. USCG-2009-1132)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6653. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; America's Discount Tire 50th Anniversary, Fireworks Display, South Lake Tahoe, CA" ((RIN1625-AA00)(Docket No. USCG-2010-0151)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6654. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Tacoma Freedom Fair Air Show, Commencement Bay, Tacoma, Washington" ((RIN1625-AA00)-(Docket No. USCG-2010-0495)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6655. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Delta Independence Day Foundation Celebration, Mandeville Island, CA" ((RIN1625-AA00)-(Docket No. USCG-2010-0364)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6656. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; City of Pittsburg Independence Day Celebration, Pittsburg, CA" ((RIN1625-AA00)(Docket No. USCG-2010-0366)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6657. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fourth of July Fireworks Event, Cape Charles City Harbor, Cape Charles, VA" ((RIN1625-AA00)-(Docket No. USCG-2010-0477)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6658. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; July Firework Display in Captain of the Port, Puget Sound AOR" ((RIN1625-AA00)(Docket No. USCG-2010-0476)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6659. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Neptune Deep Water Port, Atlantic Ocean, Boston, MA" ((RIN1625-AA00)(Docket No. USCG-2010-0542)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6660. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; City of Martinez 4th of July Fireworks, Martinez, CA" ((RIN1625-AA00)(Docket No. USCG-2010-0371)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6661. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Grand Marais Splash-In, West Bay, Lake Superior, Grand Marais, MI" ((RIN1625-AA00)(Docket No. USCG-2010-0470)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6662. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; DEEPWATER HORIZON at Mississippi Canyon 252 Outer Continental Shelf MODU in the Gulf of Mexico" ((RIN1625-AA00)(Docket No. USCG-2010-0448)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6663. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Shore Thing and Independence Day Fireworks, Chesapeake Bay, Norfolk, VA" ((RIN1625-AA00)(Docket No. USCG-2010-0294)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6664. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Mackinac Island 4th of July Fireworks, Lake Huron, Mackinac Island, MI" ((RIN1625-AA00)(Docket No. USCG-2010-0497)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6665. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Festivals and Fireworks Celebration, East Moran Bay, Lake Huron, St. Ignace,

MI" ((RIN1625-AA00)(Docket No. USCG-2010-0452)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6666. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Reedville July 4th Celebration, Cockrell's Creek, Reedville, VA" ((RIN1625-AA00)(Docket No. USCG-2010-0293)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6667. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Sault Sainte Marie 4th of July Fireworks, St. Mary's River, Sault Sainte Marie, MI" ((RIN1625-AA00)(Docket No. USCG-2010-0543)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6668. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Michigan City Super Boat Grand Prix, Lake Michigan, Michigan City, IN" ((RIN1625-AA00)(Docket No. USCG-2010-0235)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6669. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Chicago Tall Ships Fireworks, Lake Michigan, Chicago, IL" ((RIN1625-AA00)-(Docket No. USCG-2010-0250)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6670. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Wicomico Community Fireworks, Great Wicomico River, Mila, VA" ((RIN1625-AA00)(Docket No. USCG-2010-0023)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6671. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Red Bull Air Race, Detroit River, Detroit, MI" ((RIN1625-AA00)(Docket No. USCG-2010-0174)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6672. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Private Fireworks, Wilson Creek, Gloucester, VA" ((RIN1625-AA00)(Docket No. USCG-2010-0257)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6673. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; City of Chicago's July 4th Celebration Fireworks, Lake Michigan, Chicago, IL" ((RIN1625-AA00)(Docket No. USCG-2010-0249)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6674. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Annual Firework Displays within the Captain of the Port, Puget Sound Area of Responsibility" ((RIN1625-AA00)(Docket No. USCG-2010-0063)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6675. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Michigan Orthopaedic Society 50th Anniversary Fireworks, Lake Huron, Mackinac Island, MI" ((RIN1625-AA00)-(Docket No. USCG-2010-0496)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6676. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; McNary-John Day Transmission Line Project, Columbia River, Hermiston, OR" ((RIN1625-AA00)(Docket No. USCG-2010-0504)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6677. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Milwaukee Air and Water Show, Lake Michigan, Milwaukee, WI" ((RIN1625-AA00)(Docket No. USCG-2010-0225)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6678. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; 2010 Muskegon Summer Celebration Air Show, Muskegon Lake, Muskegon, MI" ((RIN1625-AA00)(Docket No. USCG-2010-0506)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6679. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Parade of Ships, Seattle SeaFair Fleet Week, Pier 66, Elliot Bay, WA" ((RIN1625-AA00)(Docket No. USCG-2010-0525)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6680. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Marquette 4th of July Fireworks, Marquette Harbor, Lake Superior, Marquette, MI" ((RIN1625-AA00)(Docket No. USCG-2010-0512)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6681. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fireworks for the Virginia Lake Festival, Buggs Island Lake, Clarksville, VA" ((RIN1625-AA00)(Docket No. USCG-2010-0478)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6682. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; North Jetty, Named the Barview Jetty, Tillamook Bay, OR" ((RIN1625-AA00)-(Docket No. USCG-2010-0214)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6683. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fireworks Display in Stevenson, WA" ((RIN1625-AA00)(Docket No. USCG-2010-0332)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6684. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety

Zone; Pierce County, Washington, Department of Emergency Management, Regional Water Exercise" ((RIN1625-AA00)(Docket No. USCG-2010-0475)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6685. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Alligator River, NC" ((RIN1625-AA00)(Docket No. USCG-2010-0091)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6686. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Wilson Bay, Jacksonville, NC" ((RIN1625-AA00)(Docket No. USCG-2010-0158)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-l28. A resolution adopted by the House of Representatives of the State of Illinois urging Congress to pass legislation that would provide financial assistance to those states with budget deficits in order that the length and depth of the recession will not be worsened due to the limited resources and difficult alternatives presently confronting many states; to the Committee on Appropriations.

HOUSE RESOLUTION NO. 551

Whereas, at this time, the United States is continuing to experience one of the worst economic downturns in its history; and

Whereas, the Department of Labor recently reported that the unemployment rate in June rose to a level of 9.5%; and

Whereas, approximately 3.5 million jobs have been lost in the United States since the beginning of the year; and

Whereas, state governments furnish assistance to the unemployed and also provide direct and indirect services to the neediest people in our communities, including the elderly, the disabled, and the very young; and

Whereas, although the American Recovery and Reinvestment Act of 2009 is providing funds to state governments as part of the economic stimulus package designed to spur our nation's economic recovery, the budget deficits of many states have grown significantly, even with the original infusion of federal funds, as shown by the current budget gaps of $26.3 billion in California and approximately $9.2 billion in Illinois; and

Whereas, each state with a revenue shortfall faces difficult decisions involving raising taxes and fees on its citizens and businesses that are already adversely affected by the recession and unemployment; reducing financial assistance and grants to educational institutions, local governments, and social service agencies; and laying off significant numbers of employees from the state workforce; and

Whereas, the effect of a state, like Illinois, taking one or more of those difficult alternatives may be to worsen the effects of the recession in that state because of higher unemployment, increased state costs of health care for the uninsured, increased numbers of foreclosures, increased state expenditures for unemployment insurance, and lower state tax revenues due to reduced economic activity; and

Whereas, the federal government has the resources and the ability to assist states with budget deficits during this difficult time so that the rate of unemployment can be reduced, or at least not increased, and so that educational and social service programs can be continued at current levels; and

Whereas, the state budget deficits could be eliminated if Congress passed new legislation, with reasonable repayment requirements, to provide financial assistance to the states with budget deficits; therefore, be it

Resolved, by the House of Representatives of the Ninety-sixth General Assembly of the State of Illinois, That we urge Congress to pass legislation that would provide financial assistance to those states with budget deficits in order that the length and depth of the recession will not be worsened due to the limited resources and difficult alternatives presently confronting many states; and be it further

Resolved, That suitable copies of this resolution be presented to President Barack Obama, the Speaker of the United States House of Representatives, the President pro tempore of the United States Senate, and each member of the Illinois congressional delegation.

POM-l29. A resolution adopted by the Senate of the State of Louisiana urging the President of the United States, Congress, and the Federal Communications Commission to refrain from regulating Internet broadband services as common carrier services under Title II of the Communications Act of 1934; to the Committee on Commerce, Science, and Transportation.

SENATE RESOLUTION NO. 117

To memorialize the president of the United States, the United States Congress, and the Federal Communications Commission to refrain from regulating Internet broadband services as common carrier services under Title II of the Communications Act of 1934.

Whereas, due in large part to the unregulated efforts of private enterprise over the past twenty-five years, the development of the Internet has dramatically transformed the way Louisiana citizens work, live, and learn; and

Whereas, the deployment of efficient, fast, and reliable broadband networks throughout the state has created thousands of jobs and many benefits for local economies; and

Whereas, in order to encourage the growth and development of the Internet, the Federal Communications Commission (FCC) historically has refrained from regulating broadband Internet services as common carrier services under Title II of the Communications Act of 1934; and

Whereas, as a result, the United States has been at the forefront of technological, business, and social innovation on the Internet; and

Whereas, on May 6, 2010, the chairman of the FCC announced a policy to reclassify broadband Internet services as common carrier services so that they can be more tightly regulated, with a proposal to forebear from imposing certain common carrier obligations on broadband Internet providers; and

Whereas, using antiquated provisions of Title II of the Communications Act of 1934 to regulate the Internet will slow investment in Louisiana's Internet broadband infrastructure and jeopardize future job growth. Therefore, be it

Resolved, That the Senate of the Legislature of Louisiana memorializes the president of the United States, the United States Congress, and the Federal Communications Commission to refrain from regulating Internet broadband services as common carrier services under Title II of the Communications Act of 1934. Be it further

Resolved, That a copy of this Resolution be transmitted to the president of the United States, to the presiding officers of the Senate and the House of Representatives of the United States Congress, to each member of the Louisiana congressional delegation, and to the chairman of the Federal Communications Commission.

POM-130. A concurrent resolution adopted by the Legislature of the State of Louisiana urging Congress to support expansion and use of domestic natural gas reserves and alternative energies to reduce our reliance on imported oil by supporting H.R. 1835 and S. 1408; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT RESOLUTION NO. 8

To memorialize the United States Congress to support expansion and use of domestic

natural gas and alternative energies, and to urge agencies to operate vehicles using compressed natural gas.

Whereas, the United States imports more than sixty-five percent of its petroleum, two-thirds of which is used in the form of gasoline and diesel fuel to power vehicles; and

Whereas, a large percentage of worldwide petroleum reserves are located in politically volatile countries, making the United States vulnerable to supply disruptions; and

Whereas, the United States has an abundance of natural gas; and

Whereas, compressed natural gas provides safe, clean, reliable, efficient, and secure energy, and is the alternative fuel most used today for transportation in the United States, with more than two hundred thousand buses, taxis, delivery vehicles, and other fleet vehicles across the nation using compressed natural gas daily; and

Whereas, the United States Department of Energy indicates that compressed natural gas can be used as a replacement for gasoline in light-duty vehicles and as a replacement for diesel in heavy-duty vehicles; and

Whereas, vehicles powered by compressed natural gas discharge far fewer harmful emissions than vehicles powered by gasoline or diesel fuel; and

Whereas, studies indicate that maintenance costs for vehicles powered by compressed natural gas are lower than for vehicles powered by gasoline or diesel fuel; and

Whereas, the federal government currently provides, and is expected to increase, incentives for use of alternative fuels and, at the current price of various fuels, any additional costs to purchase vehicles to run on compressed natural gas would be quickly recouped; and

Whereas, in 2009, the United States imported four billion, three hundred and fifty million barrels of oil, spending roughly two hundred and sixty-five million dollars; and

Whereas, eighty-five million barrels of oil were produced daily around the world; and

Whereas, twenty-one million barrels of oil are used daily in the United States; and

Whereas, world oil production has been declining since 2005; and

Whereas, roughly twenty percent of every barrel of oil imported into the United States is used to fuel the transport of goods around the country by road. Therefore, be it

Resolved, That the Legislature of Louisiana memorializes the United States Congress to support expansion and use of domestic natural gas reserves and alternative energies to reduce our reliance on imported oil by supporting H.R. 1835 and S. 1408, which are under consideration by the United States Congress. Be it further

Resolved, That the Legislature of Louisiana urges state and federal agencies to purchase, when possible, vehicles that can be converted to run on compressed natural gas, when it is available. Be it further

Resolved, That a copy of this Resolution be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives, and to each member of the Louisiana delegation to the United States Congress.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. KOHL, from the Committee on Appropriations, without amendment:

S. 3606. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2011, and for other purposes (Rept. No. 111-221).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. CHAMBLISS (for himself and Mr. ISAKSON):

S. 3592. A bill to designate the facility of the United States Postal Service located at 100 Commerce Drive in Tyrone, Georgia, as the "First Lieutenant Robert Wilson Collins Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. JOHANNS:

S. 3593. A bill to require the Federal Government to pay the costs incurred by a State or local government in defending a State or local immigration law that survives a constitutional challenge by the Federal Government in Federal court; to the Committee on the Judiciary.

By Mr. NELSON of Florida:

S. 3594. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to mitigate the economic impact of the transition to sustainable fisheries on fishing communities, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BROWN of Ohio (for himself and Mr. SANDERS):

S. 3595. A bill to strengthen student achievement and graduation rates and prepare young people for college, careers, and citizenship through innovative partnerships that meet the comprehensive needs of children and youth; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. HAGAN:

S. 3596. A bill to establish the Culture of Safety Hospital Accountability Study and Demonstration Program; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 3597. A bill to improve the ability of the National Oceanic and Atmospheric Administration, the Coast Guard, and coastal States to sustain healthy ocean and coastal ecosystems by maintaining and sustaining their capabilities relating to oil spill preparedness, prevention, response, restoration, and research, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LAUTENBERG (for himself and Mrs. GILLIBRAND):

S. 3598. A bill to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency to reduce or eliminate the risk of releases of hazardous chemicals from public water systems and wastewater treatment works, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LAUTENBERG (for himself and Mrs. GILLIBRAND):

S. 3599. A bill to enhance the security of chemical facilities and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ROCKEFELLER:

S. 3600. A bill to amend the Jones Act and related statutes with respect to the liability of vessel owners and operators for damages; to the Committee on Commerce, Science, and Transportation.

By Mr. MERKLEY (for himself, Mr. CARPER, Mr. UDALL of New Mexico, and Mr. BENNET):

S. 3601. A bill to promote the oil independence of the United States, and for other purposes; to the Committee on Finance.

By Mr. CARDIN:

S. 3602. A bill to amend title 23, United States Code, to direct the Secretary to establish a comprehensive program to control and treat polluted stormwater runoff from federally funded highways and roads, and for other purposes; to the Committee on Environment and Public Works.

By Ms. CANTWELL:

S. 3603. A bill to amend the Oil Pollution Act of 1990 to establish the Federal Oil Spill Research Committee and to amend the Federal Water Pollution Control Act to include in a response plan certain planned and demonstrated investments in research relating to discharges of oil and to modify the dates by which a response plan is required to be updated; to the Committee on Commerce, Science, and Transportation.

By Ms. SNOWE (for herself, Mr. GRASSLEY, Mr. ENZI, Mr. ISAKSON, and Ms. COLLINS):

S. 3604. A bill to extend the small business loan enhancements; to the Committee on Small Business and Entrepreneurship.

By Mr. ROCKEFELLER:

S. 3605. A bill to invest in innovation through research and development, to improve the competitiveness of the United States, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KOHL:

S. 3606. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2011, and for other purposes; from the Committee on Appropriations; placed on the calendar.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. ENSIGN:

S. Res. 583. A resolution expressing support for designation of 2011 as "World Veterinary Year" to bring attention to and show appreciation for the veterinary profession on its 250th anniversary; to the Committee on the Judiciary.

By Mr. JOHANNS:

S. Res. 584. A resolution commemorating the 2010 Special Olympics USA National Games; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 28

At the request of Mr. SCHUMER, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 28, a bill to ensure that the courts of the United States may provide an impartial forum for claims brought by United States citizens and others against any railroad organized as a separate legal entity, arising from the deportation of United States citizens and others to Nazi concentration camps on trains owned or operated by such railroad, and by the heirs and survivors of such persons.

S. 311

At the request of Mrs. BOXER, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of S. 311, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 653

At the request of Mr. CARDIN, the names of the Senator from New York [Mrs. GILLIBRAND], the Senator from South Carolina [Mr. GRAHAM] and the Senator from South Dakota [Mr. THUNE] were added as cosponsors of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 749

At the request of Mr. COCHRAN, the name of the Senator from Indiana [Mr. BAYH] was added as a cosponsor of S. 749, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 831

At the request of Mr. KERRY, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 831, a bill to amend title 10, United States Code, to include service after September 11, 2001, as service qualifying for the determination of a reduced eligibility age for receipt of non-regular service retired pay.

S. 850

At the request of Mr. KERRY, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 850, a bill to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks.

S. 887

At the request of Mr. DURBIN, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 887, a bill to amend the Immigration and Nationality Act to reform and reduce fraud and abuse in certain visa programs for aliens working temporarily in the United States and for other purposes.

S. 1553

At the request of Mr. GRASSLEY, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1567

At the request of Mr. INHOFE, his name was added as a cosponsor of S. 1567, a bill to provide for the issuance of a Multinational Species Conservation Funds Semipostal Stamp.

S. 1674

At the request of Mr. WYDEN, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 1674, a bill to provide for an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 2747

At the request of Mr. BINGAMAN, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 2747, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 2982

At the request of Mr. KERRY, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 2982, a bill to combat international violence against women and girls.

S. 2989

At the request of Ms. LANDRIEU, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 2989, a bill to improve the Small Business Act, and for other purposes.

S. 2998

At the request of Mrs. GILLIBRAND, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 2998, a bill to temporarily expand the V nonimmigrant visa category to include Haitians whose petition for a family-sponsored immigrant visa was approved on or before January 12, 2010.

S. 3151

At the request of Mr. KERRY, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 3151, a bill to establish the Office for Global Women's Issues and the Women's Development Advisor to facilitate interagency coordination and the integration of gender considerations into the strategies, programming, and associated outcomes of the Department of State and the United States Agency for International Development, and for other purposes.

S. 3199

At the request of Ms. SNOWE, the names of the Senator from New Jersey [Mr. MENENDEZ] and the Senator from South Dakota [Mr. JOHNSON] were added as cosponsors of S. 3199, a bill to amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss.

S. 3235

At the request of Mr. DORGAN, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 3235, a bill to amend the Act titled "An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases", approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior.

S. 3406

At the request of Mrs. HAGAN, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 3406, a bill to amend title 10, United States Code, to eliminate the per-fiscal year calculation of days of certain active duty or active service used to reduce the minimum age at which a member of a reserve component of the uniformed services may retire for non-regular service.

S. 3414

At the request of Mr. HARKIN, the name of the Senator from Tennessee [Mr. CORKER] was added as a cosponsor of S. 3414, a bill to ensure that the Dietary Supplement Health and Education Act of 1994 and other requirements for dietary supplements under the jurisdiction of the Food and Drug Administration are fully implemented and enforced, and for other purposes.

S. 3419

At the request of Mr. MERKLEY, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 3419, a bill to exclude from consumer credit reports medical debt that has been in collection and has been fully paid or settled, and for other purposes.

S. 3424

At the request of Mr. DURBIN, the names of the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Rhode Island [Mr. WHITEHOUSE] and the Senator from New Jersey [Mr. LAUTENBERG] were added as cosponsors of S. 3424, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 3430

At the request of Ms. SNOWE, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 3430, a bill to amend the Internal Revenue Code of 1986 to expand the tip tax credit to employers of cosmetologists and to promote tax compliance in the cosmetology sector.

S. 3508

At the request of Mr. UDALL of New Mexico, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 3508, a bill to strengthen the capacity of the United States to lead the international community in reversing renewable natural resource degradation trends around the world that threaten to undermine global prosperity and security and eliminate the diversity of life on Earth, and for other purposes.

S. 3510

At the request of Mr. CONRAD, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 3510, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 3513

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 3513, a bill to amend the Internal Revenue Code of 1986 to extend for one year the special depreciation allowances for certain property.

S. 3519

At the request of Ms. SNOWE, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 3519, a bill to stabilize the matching requirement for participants in the Hollings Manufacturing Partnership Program.

S. 3521

At the request of Ms. MURKOWSKI, the names of the Senator from Wyoming [Mr. BARRASSO], the Senator from Louisiana [Mr. VITTER], the Senator from Wyoming [Mr. ENZI] and the Senator from Idaho [Mr. RISCH] were added as cosponsors of S. 3521, a bill to provide for the reestablishment of a domestic rare earths materials production and supply industry in the United States, and for other purposes.

S. 3561

At the request of Mr. UDALL of New Mexico, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 3561, a bill to establish centers of excellence for green infrastructure, and for other purposes.

S. 3566

At the request of Mr. LAUTENBERG, the names of the Senator from South Dakota [Mr. THUNE] and the Senator from Texas [Mrs. HUTCHISON] were added as cosponsors of S. 3566, a bill to authorize certain maritime programs of the Department of Transportation, and for other purposes.

S. 3572

At the request of Mrs. LINCOLN, the names of the Senator from New Hampshire [Mrs. SHAHEEN], the Senator from Maryland [Mr. CARDIN], the Senator from Ohio [Mr. BROWN] and the Senator from New Jersey [Mr. MENENDEZ] were added as cosponsors of S. 3572, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first law enforcement agency, the United States Marshals Service.

S. 3578

At the request of Mr. JOHANNS, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 3578, a bill to repeal the expansion of information reporting requirements for payments of $600 or more to corporations, and for other purposes.

SENATE CONCURRENT RESOLUTION 63

At the request of Mr. JOHNSON, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of Senate Concurrent Resolution 63, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

SENATE RESOLUTION 519

At the request of Mr. DEMINT, the name of the Senator from Alaska [Ms. MURKOWSKI] was added as a cosponsor of Senate Resolution 519, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and children is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on July 15, 2010, at 9:30 a.m.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 15, 2010, at 9 a.m.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 15, 2010, at 10 a.m. in Room 253 of the Russell Senate Office Building.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on July 15, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Choosing to Work During Retirement and the Impact on Social Security."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on July 15, 2010, at 2:30 p.m. to hold a hearing entitled "The New START Treaty: Maintaining a Safe, Secure and Effective Nuclear Arsenal."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on July 15, 2010, at 4 p.m., in room SD-226 of the Dirksen Senate Office

Building, to conduct a hearing entitled "Nominations."

SUBCOMMITTEE ON CONSUMER PROTECTION, PRODUCT SAFETY, AND INSURANCE

The Subcommittee on Consumer Protection, Product Safety, and Insurance of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 15, 2010, at 2 p.m., in room 253 of the Russell Senate Office Building.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

The Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on July 15, 2010, at 10 a.m., to conduct a hearing entitled, "Preventing and Recovering Government Payment Errors."

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

The Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on July 15, 2010, at 2:30 p.m., to conduct a hearing entitled "The Federal Government's Role in Empowering Americans to Make Informed Financial Decisions."

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10:24 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 5502. An act to amend the effective date of the gift card provisions of the Credit Card Accountability Responsibility and Disclosure Act of 2009.

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the PRESIDENT pro tempore.

At 11:10 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1722. An act to require the head of each executive agency to establish and implement a policy under which employees shall be authorized to telework, and for other purposes.

H.R. 2864. An act to amend the Hydrographic Services Improvement Act of 1998 to authorize funds to acquire hydrographic data and provide hydrographic services specific to the Arctic for safe navigation, delineating the United States extended continental shelf, and the monitoring and description of coastal changes.

H.R. 5390. An act to designate the facility of the United States Postal Service located at 13301 Smith Road in Cleveland, Ohio, as the "David John Donafee Post Office Building".

H.R. 5450. An act to designate the facility of the United States Postal Service located at 3894 Crenshaw Boulevard in Los Angeles, California, as the "Tom Bradley Post Office Building".

H.R. 5712. An act to provide for certain clarifications and extensions under Medicare, Medicaid, and the Children's Health Insurance Program.

At 2:38 p.m., a message from the House of Representatives, delivered by one of its reading clerks, Mrs. Cole, announced that the House has passed the following bill, without amendment:

S. 1508. An act to amend the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) in order to prevent the loss of billions in taxpayer dollars.

At 2:48 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 689. An act to interchange the administrative jurisdiction of certain Federal lands between the Forest Service and the Bureau of Land Management, and for other purposes.

H.R. 3360. An act to amend title 46, United States Code, to establish requirements to ensure the security and safety of passengers and crew on cruise vessels, and for other purposes.

H.R. 4840. An act to designate the facility of the United States Postal Service located at 1981 Cleveland Avenue in Columbus, Ohio, as the "Clarence D. Lumpkin Post Office".

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the PRESIDENT pro tempore.

At 5:52 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 4173. An act to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes.

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the PRESIDENT pro tempore.

HOUSE BILLS REFERRED

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

H.R. 1722. To require the head of each executive agency to establish and implement a policy under which employees shall be authorized to telework, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2864. An act to amend the Hydrographic Services Improvement Act of 1998 to authorize funds to acquire hydrographic data and provide hydrographic services specific to the Arctic for safe navigation, delineating the United States extended continental shelf, and the monitoring and description of coastal changes; to the Committee on Commerce, Science, and Transportation.

H.R. 5390. An act to designate the facility of the United States Postal Service located at 13301 Smith Road in Cleveland, Ohio, as the "David John Donafee Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5450. An act to designate the facility of the United States Postal Service located at 3894 Crenshaw Boulevard in Los Angeles, California, as the "Tom Bradley Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

ORDER RELATIVE TO CONSIDERATION OF HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

By unanimous consent, on the request of Mr. DORGAN,

Ordered, That, at 2:30 p.m. on Tuesday, July 20, 2010, the Senate resume consideration of the House amendment to the Senate amendment to the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; that the motion, entered by Mr. REID, to reconsider the vote disagreeing to the motion to bring to a close debate on the motion to concur, with amendment, be agreed to; and that the Senate then vote on the question of agreeing to the motion to bring to a close debate on the motion to concur in the House amendment to the Senate amendment, with an amendment (Numbered 4425).

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. DORGAN,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. DORGAN,

The Senate resumed its legislative session.

HOUSE BILL READ THE FIRST TIME

On the request of Mr. DORGAN,

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) laid before the Senate the bill (H.R. 5712) to provide for certain clarifications and extensions under Medicare, Medicaid, and the Children's Health Insurance Program, received from the House of Representatives for concurrence on today, and at the desk; which was read the first time.

Mr. DORGAN asked unanimous consent that the bill be read the second time.

Mr. DORGAN objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, JULY 19, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2 p.m. on Monday, July 19, 2010; that, on Monday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 3 p.m., with Senators permitted to speak for 10 minutes each therein; and that, following morning business, the Senate resume consideration of the bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes.

ADJOURNMENT

By unanimous consent, on the request of Mr. DURBIN,

At 6:33 p.m.,

The Senate adjourned, under its order of today, until 2 p.m. on Monday, July 19, 2010.

MONDAY, JULY 19, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, July 19, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

HOUSE BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 5712) to provide for certain clarifications and extensions under Medicare, Medicaid, and the Children's Health Insurance Program, received from the House of Representatives for concurrence on Thursday, July 15, 2010, and read the first time on that day; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

THE JOURNAL

Pursuant to the order of Thursday, July 15, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Thursday, July 15, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Thursday, July 15, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by Mr. Pate, one of his secretaries:

CONTINUATION OF THE NATIONAL EMERGENCY BLOCKING PROPERTY OF CERTAIN PERSONS AND PROHIBITING THE IMPORTATION OF CERTAIN GOODS FROM LIBERIA -- PM 64

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication stating that the national emergency and related measures dealing with the former Liberian regime of Charles Taylor are to continue in effect beyond July 22, 2010.

The actions and policies of former Liberian President Charles Taylor and other persons, in particular their unlawful depletion of Liberian resources and their removal from Liberia and secreting of Liberian funds and property, continue to undermine Liberia's transition to democracy and the orderly development of its political, administrative, and economic institutions and resources. These actions and policies continue to pose an unusual and extraordinary threat to the foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency with respect to the former Liberian regime of Charles Taylor.

BARACK OBAMA.

THE WHITE HOUSE, *July 19, 2010.*

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6687. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class C Airspace; Flint, MI" ((RIN2120-AA66)(Docket No. FAA-2010-0599)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6688. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and E Airspace; Yuma, AZ" ((RIN2120-AA66)(Docket No. FAA-2009-1141)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6689. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Kemmerer, WY" ((RIN2120-AA66)(Docket No. FAA-2009-1190)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6690. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Bryce Canyon, UT" ((RIN2120-AA66)(Docket No. FAA-2009-1011)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6691. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Lucin, UT" ((RIN2120-AA66)(Docket No. FAA-2009-1134)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6692. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Hamilton, TX" ((RIN2120-AA66)(Docket No. FAA-2009-0190)), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6693. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Osceola, AR" ((RIN2120-AA66)(Docket No. FAA-2009-1183)), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6694. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Cherokee, IA" ((RIN2120-AA66)(Docket No. FAA-2010-0085)), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6695. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Kelso, WA" ((RIN2120-AA66)(Docket No. FAA-2009-1135)), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6696. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model DHC-8-400 Series Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2009-1223)), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6697. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-1A11 (CL-600), CL-600-2A12 (CL-601), CL-600-2B16 (CL-601-3A, CL-601-3R, and CL-604 Variants (Including CL-605 Marketing Variant)) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0039)), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6698. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 737-200, -300, -400, and -500 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1224)), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6699. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 737-200, -300, -400, -500, -600, -700, -800, and -900 Series Airplanes; Model 747-400 Series Airplanes; Model 757-200 and 757-300 Series Airplanes; Model 767-200, 767-300, and 767-400ER Series Airplanes; and Model 777-200 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1223)), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6700. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747-400, 747-400F, 747SR and 747SP Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0275)), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6701. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Corporation Model DC-9-10 Series Airplanes, DC-9-30 Series Airplanes, DC-9-81 (MD-81) Airplanes, DC-9-82 (MD-82) Airplanes, DC-9-83 (MD-83) Airplanes, DC-9-87 (MD-87) Airplanes, MD-88 Airplanes, and MD-90-30 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0637)), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6702. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747-400, 747-400D, 747-400F, 747SR, and 747SP Series Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2009-0906)), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6703. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law,

the report of a rule entitled "Airworthiness Directives; Air Tractor, Inc. Models AT-802 and AT-802A Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2009-0707)), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6704. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; CFM International, S.A. CFM56-5, -5B, and -7B Series Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0026)), received in the Office of the President of the Senate on July 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6705. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2B16 (CL-604 Variant) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1227)), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6706. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-243, -341, -342, and -343 Airplanes; and Model A340-541 and -642 Airplanes; Equipped with Rolls-Royce Trent 500 and Trent 700 Series Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0177)), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6707. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 747-100, -200B, and -200F Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0132)), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6708. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 747-400, 747-400D, and 747-400F Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0454)), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6709. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 747-100B, 747-200B, 747-200F, 747-300, 747-400, 747-400F, and 747SP Series Airplanes Equipped with Rolls-Royce RB211-524 Series Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0641)), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6710. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 and 440) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1029)), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6711. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (90); Amdt. No. 3380" (RIN2120-AA65), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6712. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (27); Amdt. No. 3381" (RIN2120-AA65), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6713. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Use of One Additional Portable Oxygen Concentrator Device on Board Aircraft" (RIN2120-AJ77), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6714. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Low Altitude Area Navigation Route (T-284); Houston, TX" (RIN2120-AA66), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6715. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation for Marine Event; 2010 International Cup Regatta, Pasquotank River, Elizabeth City, NC" ((RIN1625-AA08)-(Docket No. USCG-2010-0363)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6716. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety and Security Zones; Tall Ships Challenge 2010, Great Lakes, Cleveland, OH, Bay City, MI, Duluth, MN, Green Bay, WI, Sturgeon Bay, WI, Chicago, IL, Erie, PA" ((RIN1625-AA87)(Docket No. USCG-2010-0073)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6717. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Maggie Fischer Memorial Great South Bay Cross Bay Swim, Great South Bay, NY" ((RIN1625-AA08)(Docket No. USCG-2009-0302)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6718. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments" ((RIN1625-ZA25)(Docket No. USCG-2010-0351)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6719. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation for Marine Event; Maryland Swim for Life, Chester River, Chestertown, MD" ((RIN1625-AA08)-(Docket No. USCG-2010-0113)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6720. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Gulf Intracoastal Waterway, Inner Harbor Navigation Canal, Harvey Canal, Algiers Canal, New Orleans, LA" ((RIN1625-AA11)(Docket No. USCG-2009-0139)),

received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6721. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Temporary Suspension of Certain Oil Spill Response Time Requirements to Support Deepwater Horizon Oil Spill of National Significance (SONS) Response" ((RIN1625-AB49)(Docket No. USCG-2010-0592)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6722. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Revision of LNG and LHG Waterfront Facility General Requirements" ((RIN1625-AB13)(Docket No. USCG-2007-27022)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6723. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Amended Safety Zone and Regulated Navigation Area, Chicago Sanitary and Ship Canal, Romeoville, IL" ((RIN1625-AA00 and RIN1625-AA11)(Docket No. USCG-2009-1080)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6724. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Swim Across the Sound, Long Island Sound, Port Jefferson, NY to Captain's Cove Seaport, Bridgeport, CT" ((RIN1625-AA08)-(Docket No. USCG-2009-0395)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6725. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation for Marine Events; Temporary Change of Dates for Recurring Marine Events in the Fifth Coast Guard District" ((RIN1625-AA08)-(Docket No. USCG-2010-0307)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6726. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Escorted U.S. Navy Submarines in Sector Seattle Captain of the Port Zone" ((RIN1625-AA87)(Docket No. USCG-2009-1057)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6727. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Hydroplane Exhibition, Detroit River, Detroit, MI" ((RIN1625-AA08)(Docket No. USCG-2010-0435)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6728. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation for Marine Events; Temporary Change of Dates for Recurring Marine Events in the Fifth Coast Guard District" ((RIN1625-AA08)-(Docket No. USCG-2010-0180)), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6729. A communication from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Safety Standard for Infant Bath Seats: Final Rule" (16 CFR Part 1215), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6730. A communication from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Revocation of Regulations Banning Certain Baby-Walkers" (16 CFR Part 1500), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6731. A communication from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled "Safety Standards for Infant Walkers: Final Rule" (16 CFR Part 1216), received in the Office of the President of the Senate on July 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6732. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Commerce Control List to Update and Clarify Crime Control License Requirements" (RIN0694-AE42), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6733. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Bridge Safety Standards" (RIN2130-AC04), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6734. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Minimum Levels of Financial Responsibility for Motor Carriers" (RIN2126-AB05), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6735. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of VOR Federal Airway V-625; Arizona" ((RIN2120-AA66)(Docket No. FAA-2009-0248)), received in the Office of the President of the Senate on July 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6736. A communication from the Deputy Chief Financial Officer, Department of Homeland Security, transmitting, pursuant to law, a report relative to the transfer of funds from the Oil Spill Liability Trust Fund to the Emergency Fund, which is administered by the United States Coast Guard; to the Committee on Commerce, Science, and Transportation.

EC-6737. A communication from the Associate General Counsel for General Law, Office of the General Counsel, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the Department of Homeland Security in the position of Assistant Secretary/Administrator of the Transportation Security Administration, received during adjournment of the Senate in the Office of the President of the Senate on July 8, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6738. A communication from the Under Secretary for Industry and Security, Department of Commerce, transmitting a report relative to the creation of a new entry on the Commerce Control List for specified human execution equipment; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LAUTENBERG, from the Committee on Appropriations, without amendment:

S. 3607. An original bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2011, and for other purposes (Rept. No. 111-222).

By Mrs. FEINSTEIN, from the Select Committee on Intelligence, without amendment:

S. 3611. An original bill to authorize appropriations for fiscal year 2010 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. No. 111-223).

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany H.R. 2765, A bill to amend title 28, United States Code, to prohibit recognition and enforcement of foreign defamation judgments and certain foreign judgments against the providers of interactive computer services (Rept. No. 111-224).

By Mr. KERRY, from the Committee on Foreign Relations, with amendments and an amendment to the title:

S. 3317. A bill to authorize appropriations for fiscal years 2010 through 2014 to promote long-term, sustainable rebuilding and development in Haiti, and for other purposes (Rept. No. 111-225).

By Mr. JOHNSON, from the Committee on Appropriations, without amendment:

S. 3615. An original bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2011, and for other purposes (Rept. No. 111-226).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. LAUTENBERG:

S. 3607. An original bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2011, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. SCHUMER (for himself and Mr. GRASSLEY):

S. 3608. A bill to amend the Internal Revenue Code of 1986 to modify the credit for qualified fuel cell motor vehicles by maintaining the level of credit for vehicles placed in service after 2009 and by allowing the credit for certain off-highway vehicles; to the Committee on Finance.

By Mr. AKAKA:

S. 3609. A bill to extend the temporary authority for performance of medical disability examinations by contract physicians for the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. SNOWE (for herself and Mr. KERRY):

S. 3610. A bill to require a study on spectrum occupancy and use; to the Committee on Commerce, Science, and Transportation.

By Mrs. FEINSTEIN:

S. 3611. An original bill to authorize appropriations for fiscal year 2010 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; from the Select Committee on Intelligence; placed on the calendar.

By Mr. SANDERS (for himself and Mr. LEAHY):

S. 3612. A bill to amend the Marsh-Billings-Rockefeller National Historical Park Establishment Act to expand the boundary of the Marsh-Billings-Rockefeller National Historical Park in the State of Vermont, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GRASSLEY (for himself and Mr. HARKIN):

S. 3613. A bill to direct the Secretary of Agriculture to convey certain Federally owned land located in Story County, Iowa; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. HUTCHISON (for herself and Mr. LEMIEUX):

S. 3614. A bill to authorize the establishment of a Maritime Center of Expertise for Maritime Oil Spill and Hazardous Substance Release Response, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. JOHNSON:

S. 3615. An original bill making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2011, and for other purposes; from the Committee on Appropriations; placed on the calendar.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. INOUYE:

S. Res. 585. A resolution designating the week of August 2 through August 8, 2010, as "National Convenient Care Clinic Week", and supporting the goals and ideals of raising awareness of the need for accessible and cost-effective health care options to complement the traditional health care model; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 46

At the request of Mr. ENSIGN, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 46, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 1156

At the request of Mr. HARKIN, the name of the Senator from New Mexico [Mr. UDALL] was added as a cosponsor of S. 1156, a bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to reauthorize and improve the safe routes to school program.

S. 1311

At the request of Mr. WICKER, the name of the Senator from Florida [Mr. NELSON] was added as a cosponsor of S. 1311, a bill to amend the Federal Water Pollution Control Act to expand and strengthen cooperative efforts to monitor, restore, and protect the resource productivity, water quality, and marine ecosystems of the Gulf of Mexico.

S. 1320

At the request of Mr. TESTER, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 1320, a bill to provide assistance to owners of manufactured homes constructed before January 1, 1976, to purchase Energy Star-qualified manufactured homes.

S. 1553

At the request of Mr. GRASSLEY, the names of the Senator from Colorado [Mr. BENNET] and the Senator from New York [Mrs. GILLIBRAND] were added as cosponsors of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1603

At the request of Mr. BROWN of Ohio, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 1603, a bill to amend section 484B of the Higher Education Act of 1965 to provide for tuition reimbursement and loan forgiveness to students who withdraw from an institution of higher education to serve in the uniformed services, and for other purposes.

S. 3034

At the request of Mr. SCHUMER, the names of the Senator from Oregon [Mr. WYDEN], the Senator from Pennsylvania [Mr. CASEY],

the Senator from Montana [Mr. TESTER], the Senator from New York [Mrs. GILLIBRAND], the Senator from Arkansas [Mr. PRYOR] and the Senator from Tennessee [Mr. CORKER] were added as cosponsors of S. 3034, a bill to require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center.

S. 3079

At the request of Mr. MERKLEY, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 3079, a bill to assist in the creation of new jobs by providing financial incentives for owners of commercial buildings and multifamily residential buildings to retrofit their buildings with energy efficient building equipment and materials and for other purposes.

S. 3150

At the request of Mr. BEGICH, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 3150, a bill to increase the mileage reimbursement rate for members of the armed services during permanent change of station and to authorize the transportation of additional motor vehicles of members on change of permanent station to or from nonforeign areas outside the continental United States.

S. 3317

At the request of Mr. KERRY, the names of the Senator from Louisiana [Ms. LANDRIEU] and the Senator from Michigan [Ms. STABENOW] were added as cosponsors of S. 3317, a bill to authorize appropriations for fiscal years 2010 through 2014 to promote long-term, sustainable rebuilding and development in Haiti, and for other purposes.

S. 3339

At the request of Mr. KERRY, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 3339, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 3371

At the request of Mrs. MCCASKILL, the names of the Senator from North Carolina [Mrs. HAGAN] and the Senator from Vermont [Mr. LEAHY] were added as cosponsors of S. 3371, a bill to amend title 10, United States Code, to improve access to mental health care counselors under the TRICARE program, and for other purposes.

S. 3409

At the request of Ms. LANDRIEU, the names of the Senator from Mississippi [Mr. COCHRAN] and the Senator from Mississippi [Mr. WICKER] were added as cosponsors of S. 3409, a bill to make certain adjustments to the price analysis of propane prepared by the Secretary of Commerce.

S. 3500

At the request of Mr. BROWN of Ohio, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 3500, a bill to provide funds to States, units of general local government, and community-based organizations to save and create local jobs through the retention, restoration, or expansion of services needed by local communities, and for other purposes.

S. 3521

At the request of Ms. MURKOWSKI, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of S. 3521, a bill to provide for the reestablishment of a domestic rare earths materials production and supply industry in the United States, and for other purposes.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 2:30 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5114. An act to extend the authorization for the national flood insurance program, to identify priorities essential to reform and ongoing stable functioning of the program, and for other purposes.

HOUSE BILL REFERRED

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

H.R. 5114. An act to extend the authorization for the national flood insurance program, to identify priorities essential to reform and ongoing stable functioning of the program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

SECURING THE PROTECTION OF OUR ENDURING AND ESTABLISHED CONSTITUTIONAL HERITAGE ACT

By unanimous consent, on the request of Mr. LEAHY,

The Senate proceeded to consider the bill (H.R. 2765) to amend title 28, United States Code, to prohibit recognition and enforcement of foreign defamation judgments and certain foreign judgments against the providers of interactive computer services.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

The reported amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

SMALL BUSINESS JOBS AND CREDIT ACT

Pursuant to the order of Thursday, July 15, 2010,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 4409, proposed by Mr. REID, to amendment No. 4408, proposed by Mr. REID, to the instructions (designated amendment No. 4407) contained in the motion, by Mr. REID, to refer the bill to the Committee on Finance with instructions to report back forthwith.

Pending debate,

APPOINTMENT BY THE MAJORITY LEADER

HEALTH INFORMATION TECHNOLOGY POLICY COMMITTEE

The PRESIDING OFFICER (Mr. KAUFMAN in the chair) announced that the majority leader, pursuant to Public Law 111-5, had reappointed the following individual to the Health Information Technology Policy Committee: Frank Nemec of Nevada.

APPOINTMENT BY THE MAJORITY LEADER

COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENION

The PRESIDING OFFICER announced that the majority leader, after consultation with the minority leader, pursuant to the provisions of Public Law 93-415, as amended by Public Law 102-586, had appointed the following individuals to the Coordinating Council on Juvenile Justice and Delinquency Prevention: Richard Vincent, of Nevada, and Deborah Schumacher, of Nevada.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. MERKLEY,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 12:30 p.m., with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; and that the majority control the first 30 minutes therein, and the minority control the second 30 minutes therein.

Ordered further, That the Senate recess from 12:30 p.m. until 2:15 p.m.

Ordered further, That, at 2:15 p.m., it be in order to swear in Carte Goodwin as Senator from the State of West Virginia.

Ordered further, That, following the swearing in, the Senate resume consideration of the House message on the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; that the time until 2:30 p.m. be equally divided and controlled for debate between the two leaders, or their designees; and that, at 2:30 p.m., the Senate vote on the question of agreeing to the motion to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to the bill, with an amendment (Numbered 4425).

ADJOURNMENT

By unanimous consent, on the request of Mr. MERKLEY,

At 5:18 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

TUESDAY, JULY 20, 2010

Mrs. JEANNE SHAHEEN, from the State of New Hampshire, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mrs. SHAHEEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, July 20, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mrs. SHAHEEN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, Tuesday, July 20, 2010, she had presented to the President of the United States the following enrolled bill:

S. 1508. A bill to amend the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) in order to prevent the loss of billions in taxpayer dollars.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6739. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Contract Reporting Requirements of Intrastate Natural Gas Companies" (FERC Docket No. RM09-2-000), received in the Office of the President of the Senate on July 15, 2010; to the Committee on Energy and Natural Resources.

EC-6740. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-445, "Commercial Driver's License Minimum Age Requirement Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6741. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-446, "Community Impact Statement Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6742. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-462, "Fiscal Year 2011 Budget Support Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6743. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-472, "Families Together Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6744. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-473, "Closing of a Public Alley in Square 6172, S.O. 08-7590, Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6745. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-478, "Adoption Reform Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6746. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-479, "Rental Housing Commission Quorum Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico):

S. 3616. A bill to withdraw certain land in the State of New Mexico, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BINGAMAN (for himself, Mr. WYDEN, and Mrs. SHAHEEN):

S. 3617. A bill to amend the Internal Revenue Code of 1986 to provide for an energy investment credit for energy storage property connected to the grid, and for other purposes; to the Committee on Finance.

By Mr. VOINOVICH:

S. 3618. A bill to further enable a nuclear renaissance in the United States to improve energy security, reduce future pollution and greenhouse gas emissions, provide large, reliable sources of electricity, and create thousands of high-quality jobs for the citizens of the United States, and for other purposes; to the Committee on Finance.

By Mr. TESTER:

S. 3619. A bill to amend the Energy Independence and Security Act of 2007 to improve geothermal energy technology and demonstrate the use of geothermal energy in large scale thermal applications, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WARNER (for himself, Ms. KLOBUCHAR, Mr. UDALL of New Mexico, and Mr. BEGICH):

S. 3620. A bill to require the Secretary of Commerce to conduct a study on the economic competitiveness and innovative capacity of the United States and to develop a national economic competitiveness strategy, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. FEINGOLD (for himself and Mr. MCCAIN):

S. Res. 586. A resolution supporting democracy, human rights, and civil liberties in Egypt; to the Committee on Foreign Relations.

By Mr. BURR (for himself and Mr. BURRIS):

S. Res. 587. A resolution designating August 26, 2010, as "Montford Point Marines Day"; to the Committee on the Judiciary.

By Mr. WICKER (for himself, Ms. LANDRIEU, Mr. COCHRAN, Mr. CORNYN, Mrs. HUTCHISON, Mr. LEMIEUX, Mr. NELSON of Florida, Mr. SESSIONS, Mr. SHELBY, and Mr. VITTER):

S. Res. 588. A resolution recognizing the economic and environmental impacts of the British Petroleum oil spill on the people of the Gulf Coast and their way of life and urging British Petroleum to give all due consideration to offers of assistance, products, or services from the States directly impacted by the Deepwater Horizon oil spill; considered and agreed to.

ADDITIONAL COSPONSORS

S. 653

At the request of Mr. CARDIN, the names of the Senator from Oregon [Mr. WYDEN], the Senator from California [Mrs. FEINSTEIN] and the Senator from North Dakota [Mr. DORGAN] were added as cosponsors of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 754

At the request of Mr. ROCKEFELLER, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 754, a bill to provide for increased Federal oversight of methadone treatment.

S. 831

At the request of Mr. KERRY, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of S. 831, a bill to amend title 10, United States Code, to include service after September 11, 2001, as service qualifying for the determination of a reduced eligibility age for receipt of non-regular service retired pay.

S. 1089

At the request of Mr. DODD, his name was added as a cosponsor of S. 1089, a bill to facilitate the export of United States agricultural commodities and products to Cuba as authorized by the Trade Sanctions Reform and Export Enhancement Act of 2000, to establish an agricultural export promotion program with respect to Cuba, to remove impediments to the export to Cuba of medical devices and medicines, to allow travel to Cuba by United States citizens and legal residents, to establish an agricultural export promotion program with respect to Cuba, and for other purposes.

S. 1703

At the request of Mr. DORGAN, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 1703, a bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes.

S. 1709

At the request of Ms. STABENOW, the name of the Senator from Colorado [Mr. UDALL] was added as a cosponsor of S. 1709, a bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to establish a grant program to promote efforts to develop, implement, and sustain veterinary services, and for other purposes.

S. 2781

At the request of Ms. MIKULSKI, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 2781, a bill to change references in Federal law to mental retardation to references to an intellectual disability, and to change references to a mentally retarded individual to references to an individual with an intellectual disability.

S. 2909

At the request of Mr. SANDERS, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 2909, a bill to provide State programs to encourage employee ownership and participation in business decisionmaking throughout the United States, and for other purposes.

S. 3018

At the request of Mr. WYDEN, the names of the Senator from Alaska [Mr. BEGICH] and the Senator from Utah [Mr. BENNETT] were added as cosponsors of S. 3018, a bill to amend the Internal Revenue Code of 1986 to make the Federal income tax system simpler, fairer, and more fiscally responsible, and for other purposes.

S. 3034

At the request of Mr. SCHUMER, the names of the Senator from Arkansas [Mrs. LINCOLN], the Senator from Michigan [Ms. STABENOW], the Senator from Maryland [Ms. MIKULSKI], the Senator from Oklahoma [Mr. INHOFE] and the Senator from Washington [Mrs. MURRAY] were added as cosponsors of S. 3034, a bill to require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center.

S. 3184

At the request of Mrs. BOXER, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 3184, a bill to provide United States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes.

S. 3238

At the request of Mr. SCHUMER, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 3238, a bill to provide for a medal of appropriate design to be awarded by the President to the next of kin or other representative of those individuals killed as a result of the terrorist attacks of September 11, 2001, and to the memorials established at the 3 sites that were attacked on that day.

S. 3262

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 3262, a bill to amend the Internal Revenue Code of 1986 to provide that the volume cap for private activity bonds shall not apply to bonds for facilities for the furnishing of water and sewage facilities.

S. 3467

At the request of Mr. SCHUMER, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 3467, a bill to require a Northern Border Counternarcotics Strategy.

S. 3493

At the request of Mr. SPECTER, the name of the Senator from Indiana [Mr. BAYH] was added as a cosponsor of S. 3493, a bill to reauthorize and enhance Johanna's Law to

increase public awareness and knowledge with respect to gynecologic cancers.

S. 3526

At the request of Mr. WICKER, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 3526, a bill to require the GAO to evaluate the propriety of assistance provided to General Motors Corporation under the Troubled Asset Relief Program, and for other purposes.

S. 3567

At the request of Mr. SCHUMER, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 3567, a bill to designate the facility of the United States Postal Service located at 100 Broadway in Lynbrook, New York, as the "Navy Corpsman Jeffrey L. Wiener Post Office Building".

S. 3578

At the request of Mr. JOHANNS, the names of the Senator from Ohio [Mr. VOINOVICH] and the Senator from Indiana [Mr. LUGAR] were added as cosponsors of S. 3578, a bill to repeal the expansion of information reporting requirements for payments of $600 or more to corporations, and for other purposes.

S. 3585

At the request of Mr. UDALL of Colorado, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 3585, a bill to amend title 10, United States Code, to reform Department of Defense energy policy, and for other purposes.

S. 3600

At the request of Mr. ROCKEFELLER, the names of the Senator from New York [Mr. SCHUMER] and the Senator from Rhode Island [Mr. WHITEHOUSE] were added as cosponsors of S. 3600, a bill to amend the Jones Act and related statutes with respect to the liability of vessel owners and operators for damages.

SENATE RESOLUTION 546

At the request of Mr. SPECTER, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of Senate Resolution 546, a resolution recognizing the National Museum of American Jewish History, an affiliate of the Smithsonian Institution, as the only museum in the United States dedicated exclusively to exploring and preserving the American Jewish experience.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. CASEY,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on July 20, 2010, at 9:30 a.m.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs, be authorized to meet during the session of the Senate on July 20, 2010, at 10 a.m., to conduct a hearing entitled "Continuing Oversight on International Cooperation to Modernize Financial Regulation."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on July 20, 2010, at 2:30 p.m.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on July 20, 2010, at 10 a.m., in SH-216 of the Hart Senate Office Building, to conduct an executive business meeting.

COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration be authorized to meet during the session of the Senate on July 20, 2010, at 2 p.m.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on July 20, 2010, at 2:30 p.m.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10:03 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 4861. An act to designate the facility of the United States Postal Service located at 1343 West Irving Park Road in Chicago, Illinois, as the "Steve Goodman Post Office Building".

H.R. 5051. An act to designate the facility of the United States Postal Service located at 23 Genesee Street in Hornell, New York, as the "Zachary Smith Post Office Building".

H.R. 5099. An act to designate the facility of the United States Postal Service located at 15 South Main Street in Sharon, Massachusetts, as the "Michael C. Rothberg Post Office".

S. 1508. An act to amend the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) in order to prevent the loss of billions in taxpayer dollars.

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the PRESIDENT pro tempore.

At 10:20 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1855. An act to promote industry growth and competitiveness and to improve worker training, retention, and advancement, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con Res. 126. Concurrent resolution recognizing the 50th anniversary of Title VI international education programs within the Department of Education.

HOUSE BILL AND CONCURRENT RESOLUTION REFERRED

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

H.R. 1855. An act to promote industry growth and competitiveness and to improve worker training, retention, and advancement, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 126. Concurrent resolution recognizing the 50th anniversary of Title VI international education programs within the Department of Education; to the Committee on Health, Education, Labor, and Pensions.

HOUSE JOINT RESOLUTION PLACED ON THE CALENDAR

The following joint resolution was read the first and second times by unanimous consent, and placed on the calendar:

H.J. Res. 83. Approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

NOTICES OF INTENT TO MOVE TO SUSPEND THE RULES

Mr. SCOTT BROWN, in accordance with rule V of the Standing Rules of the Senate, submitted notice in writing of his intent to move to suspend rule XXII, paragraph 2, for the purpose of proposing and considering amendment No. 4492 (in the nature of a substitute) to amendment No. 4425 (in the nature of a substitute), contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to bill H.R. 4213.

Mr. COBURN, in accordance with rule V of the Standing Rules of the Senate, submitted notice in writing of his intent to move to suspend rule XXII for the purpose of proposing and considering amendment No. 4493 to amendment No. 4425 (in the nature of a substitute), contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to bill H.R. 4213.

Mr. COBURN, in accordance with rule V of the Standing Rules of the Senate, submitted notice in writing of his intent to move to suspend rule XXII for the purpose of moving to recommit bill H.R. 4213 to the Committee on Finance with instructions to report the same back to the Senate with changes to include:

(A) a reduction in unnecessary government printing and publishing costs to save $4.6 billion over ten years;

(B) a requirement to sell off $15 billion worth of unused and unneeded federal real property;

(C) a requirement for the Internal Revenue Service to collect any unpaid taxes from federal employees, which would bring in $3 billion, including nearly $2.5 million owed by employees of the U.S. Senate;

(D) a prohibition on bogus bonuses for government contractors whose projects are over budget, behind schedule, or do not meet basic performance standards, saving more than $8 billion over ten years;

(E) a prohibition on nonessential travel by government employees to save $10 billion over ten years; and

(F) a requirement the Secretary of the Senate post on the Senate's public website the total dollar amount of new borrowing and spending and other violations of PAYGO approved by the Senate since the PAYGO law was signed into law.

Mr. DEMINT, in accordance with rule V of the Standing Rules of the Senate, submitted notice in writing of his intent to move to suspend rule XXII for the purpose of moving to commit the House Message with respect to H.R. 4213 to the Committee on the Judiciary with instructions to report the same back forthwith with an amendment (Numbered 4464).

Mr. DEMINT, in accordance with rule V of the Standing Rules of the Senate, submitted notice in writing of his intent to move to suspend rule XXII for the purpose of moving to commit the House Message with respect to H.R. 4213 to the Committee on on Finance with instructions to report the same back to the Senate with changes to include a permanent repeal of the estate and generation-skipping transfer taxes, and to include provisions which decrease spending as appropriate to offset such permanent repeal.

RECESS

Pursuant to the order of yesterday,

At 12:30 p.m.,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) declared the Senate recessed until 2:15 p.m.

AT 2:15 P.M.

The PRESIDING OFFICER (Mr. BEGICH in the chair) called the Senate to order.

CREDENTIALS OF SENATOR-DESIGNATE FOR UNEXPIRED TERM

The VICE PRESIDENT laid before the Senate the credentials of Carte P. Goodwin, appointed by the Governor of the State of West Virginia on July 16, 2010 to represent said state in the Senate of the United States for the until the vacancy therein caused by the death of Robert C. Byrd, is filled by election as provided by law, which was read and ordered placed on file.

STATE OF WEST VIRGINIA
CERTIFICATE OF APPOINTMENT

To the President of the Senate of the United States:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of West Virginia, I Joe Manchin III, the Governor of said State, do hereby appoint Carte Patrick Goodwin a Senator from said State to represent said State in the Senate of the United States until the vacancy therein caused by the death of Robert C. Byrd, is filled by election as provided by law.

Witness: His excellency our Governor Joe Manchin III, and our seal hereto affixed at Charleston, West Virginia this the Sixteenth day of July in the year of our Lord 2010.

By the Governor:

JOE MANCHIN III,
Governor.

NATALIE E. TENNANT,
Secretary of State.

Mr. CARTE P. GOODWIN appeared, and the oath of office prescribed by law having been administered by the Vice President, and subscribed by him, he took his seat in the Senate.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

The PRESIDING OFFICER (Mr. BEGICH in the chair) laid before the Senate the amendment received from the House of Representatives for concurrence to the amendment of the Senate to the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; and

The Senate resumed consideration of the House amendment.

The question being on agreeing to amendment No. 4429, proposed by Mr. REID, to amendment No. 4428, proposed by Mr. REID, to the instructions (designated amendment No. 4427) contained in the motion, by Mr. REID, to refer the House amendment to the Committee on Finance.

Pursuant to the order of Thursday, July 15, 2010,

The motion, entered by Mr. REID on Wednesday, June 30, 2010, to reconsider the vote disagreeing to the motion to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to bill H.R. 4213, with amendment, was agreed to; and

The PRESIDING OFFICER laid before the Senate the motion, presented by Mr. REID on June 29, 2010, to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to bill H.R. 4213, with amendment (No. 4425, in the nature of a substitute).

Pursuant to the order of Tuesday, June 29, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the affirmative---
yeas... 60, nays... 40

[Rollcall Vote No. 209 Leg.]

YEAS --- 60

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown, Burris, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson, Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall, Udall, Warner, Webb, Whitehouse, Wyden.

NAYS --- 40

Alexander, Barrasso, Bennett, Bond, Brown, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson, Risch, Roberts, Sessions, Shelby, Thune, Vitter, Voinovich, Wicker.

So, upon reconsideration, the motion was agreed to; three-fifths of Senators duly chosen and sworn having voted in the affirmative.

The motion having been agreed to,

The pending motion to refer the House amendment to the Committee on Finance with instructions (designated amendment No. 4427), and amendments Numbered 4428 and 4429 thereto, being inconsistent with cloture, fell.

The question being on agreeing to amendment No. 4426 to amendment No. 4425 (in the nature of a substitute) contained in the motion to concur in the House

amendment to the Senate amendment to the bill.

OBJECTION TO EXECUTIVE SESSION

Mr. LEAHY asked unanimous consent, as in executive session, that, at a time to be determined by the majority leader, after consultation with the minority leader, the Senate proceed to executive session to consider the nomination of Jane B. Stranch, of Tennessee, to be United States Circuit Judge for the Sixth Circuit; that there be 3 hours, equally divided and controlled, for debate between the chairman and the ranking member of the Committee on the Judiciary, or their designees, thereon; that, upon conclusion of debate, the Senate vote on confirmation of the nomination; that, following the vote, a motion to reconsider be made and laid on the table; that the President be immediately notified of the Senate's action; and that the Senate then resume its legislative session.

Mr. MCCONNELL objected.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

The Senate resumed consideration of the House amendment to the Senate amendment to bill H.R. 4213.

The question being on agreeing to amendment No. 4426 to amendment No. 4425 contained in the motion to concur in the House amendment to the Senate amendment to the bill.

Pending debate,

FEDERAL BUILDINGS PERSONNEL TRAINING ACT

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (S. 3250) to provide for the training of Federal building personnel, and for other purposes.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

COMMEMORATING THE 2010 SPECIAL OLYMPICS USA NATIONAL GAMES

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on Commerce, Science, and Transportation be discharged from the further consideration of the resolution (S. Res. 584) commemorating the 2010 Special Olympics USA National Games.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE ECONOMIC AND ENVIRONMENTAL IMPACTS OF THE BRITISH PETROLEUM OIL SPILL ON THE PEOPLE OF THE GULF COAST

On the request of Mr. REID,

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) laid before the Senate the resolution (S. Res. 588) recognizing the economic and environmental impacts of the British Petroleum oil spill on the people of the Gulf Coast and their way of life and urging British Petroleum to give all due consideration to offers of assistance, products, or services from the States directly impacted by the Deepwater Horizon oil spill, submitted today by Mr.WICKER (for himself, Ms. LANDRIEU, Mr. COCHRAN, Mr. CORNYN, Mrs. HUTCHISON, Mr. LEMIEUX, Mr. BILL NELSON, Mr. SESSIONS, Mr. SHELBY, and Mr. VITTER), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period of one hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; that the minority control the first half therein, and the majority control the second half therein; that, following morning business, the Senate resume consideration of the House amendment to the Senate amendment to bill H.R. 4213, as pursuant to the order of yesterday; and that time in adjournment, recess, or morning business be counted against time for debate pursuant to rule XXII of the Standing Rules of the Senate.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 6:57 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

WEDNESDAY, JULY 21, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, July 21, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. TOM UDALL took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6747. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "South American Cactus Moth Regulations; Quarantined Areas" (Docket No. APHIS-2010-0037), received in the Office of the President of the Senate on July 15, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6748. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Change of Address; Abbreviated New Drug Applications; Technical Amendment" (Docket No. FDA-2010-N-0010), received during the adjournment of the Senate in the Office of the President of the Senate on July 16, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6749. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "12 C.F.R. Parts 701, 702, 704, 708a, 709, 711, 712, 715, 716, 717, 721, 722, 741, 742, 745, 747, 790, 791, 792, 793, and 795; Technical Amendments" received during adjournment of the Senate in the Office of the President of the Senate on July 16, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6750. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Disclosures for Non-Federally Insured Depository Institutions Under the Federal Deposit Insurance Corporation Improvement Act (FDICIA)" (RIN3084-AA99), received in the Office of the President of the Senate on July 12, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6751. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Kingsland, Texas)" (MB Docket No. 09-180), received in the Office of the President of the Senate on July 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6752. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Boulder Town, Levan, Mount Pleasant, and Richfield, Utah)" (MB Docket No. 04-258, RM-11000, RM-11149), received in the Office of the President of the Senate on July 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6753. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Maupin, Oregon)" (MB Docket No. 09-130), received in the Office of the President of the Senate on July 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6754. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Temporary Rule to Implement Accountability Measures in Accordance with the Fishery Management Plan for Reef Fish Resources of the Gulf of Mexico (FMO): 2010 Accountability Measures for the Commercial and Recreational Harvest of Greater Amberjack" (RIN0648-AY89), received during adjournment of the Senate in the Office of the President of the Senate on July 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6755. A communication from the Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "2010 Final Specifications for the Spiny Dogfish Fishery Management Plan" (RIN0648-AY50), received during adjournment of the Senate in the Office of the President of the Senate on July 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6756. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Final Rule to Implement Comprehensive Ecosystem Based Amendment 1" (RIN0648-AY32), received during adjournment of the Senate in the Office of the President of the Senate on July 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6757. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled "Report to Congress on Dedicated Ethanol Pipeline Feasibility"; to the Committee on Energy and Natural Resources.

EC-6758. A communication from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Public Records" (RIN3150-AI87), received in the Office of the President of the Senate on July 19, 2010; to the Committee on Environment and Public Works.

EC-6759. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010-0098 - 2010-0102); to the Committee on Foreign Relations.

EC-6760. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "National Institute on Disability and Rehabilitation Research (NIDRR) - Disability and Rehabilitation Research Projects and Centers Program - Rehabilitation Research and Training Centers (RRTCs) - Effective Vocational Rehabilitation (VR) Service Delivery Practices" (CFDA No. 84.133B-8), received during adjournment of the Senate in the Office of the President of the Senate on July 16, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6761. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "National Institute on Disability and Rehabilitation Research (NIDRR) - Disability and Rehabilitation Research Projects and Centers Program - Disability Rehabilitation Research Project (DRRP) - International Exchange of Knowledge and Experts in Disability and Rehabilitation Research" (CFDA No. 84.133A-6), received during adjournment of the Senate in the Office of the President of the Senate on July 16, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6762. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "National Institute on Disability and Rehabilitation Research (NIDRR) - Disability and Rehabilitation Research Projects and Centers Program - Disability Rehabilitation Research Project

(DRRP) - Center on Knowledge Translation (KT) for Employment Research" (CFDA No. 84.133A-5), received during adjournment of the Senate in the Office of the President of the Senate on July 16, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6763. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Reasonable Contract or Arrangement Under Section 408(b)(2) - Fee Disclosure" (RIN1210-AB08), received in the Office of the President of the Senate on July 19, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6764. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Interim Final Rules for Group Health Plans and Health Insurance Issuers Relating to Coverage of Preventive Services Under the Patient Protection and Affordable Care Act" (RIN0938-AQ07), received in the Office of the President of the Senate on July 19, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6765. A communication from the Program Manager, Office of Consumer Information and Insurance Oversight, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Interim Final Rules for Group Health Plans and Health Insurance Issuers Relating to Coverage of Preventive Services under the Patient Protection and Affordable Care Act" (RIN0938-AQ07), received during adjournment of the Senate in the Office of the President of the Senate on July 16, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6766. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the University of Rochester Atomic Energy Project, Rochester, New York, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-6767. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the Los Alamos National Laboratory, Los Alamos, New Mexico, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-6768. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the Downey Facility, Los Angeles County, California, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-6769. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the BWX Technologies, Lynchburg, Virginia, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-6770. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the De Soto Avenue Facility, Los Angeles County, California, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-6771. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the Mound Plant, Miamisburg, Ohio, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-6772. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the St. Louis Airport Storage Site, St. Louis, Missouri, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-6773. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the Bethlehem Steel Corporation facility, Lackawanna, New York, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-6774. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Implementation of OMB Guidance on Drug-Free Workplace Requirements" (RIN1991-AB93), received in the Office of the President of the Senate on July 19, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6775. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on the Assets for Independence Program: Status at the Conclusion of the Ninth Year"; to the Committee on Health, Education, Labor, and Pensions.

EC-6776. A communication from the Acting Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "General Services Administration Acquisition Regulation; GSAR Case 2006-G504, Rewrite of GSAR Part 516, Types of Contracts" (RIN3090-AI58), received in the Office of the President of the Senate on July 19, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6777. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-449, "Georgia Avenue Main Street Authorization Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6778. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-461 "Fiscal Year 2010 Balanced Budget Support Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6779. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-468 "Elected Attorney General Referendum Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6780. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-469 "Health Services Planning Program Re-establishment Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6781. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-470 "Tenant Organization Petition Standing Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6782. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-471 "Priority Sidewalk Assurance Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-6783. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "Sufficiency Review of the Water and Sewer Authority's Fiscal Year 2010 Revenue Estimate in Support of the Issuance of $225,000,000 in Commercial Paper (Taxable and Tax Exempt)"; to the Committee on Homeland Security and Governmental Affairs.

EC-6784. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 10-048, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-6785. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-6786. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General Stanley A. McChrystal, United States Army, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-6787. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Keith J. Stalder, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-6788. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Joseph F. Peterson, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 148. A bill to restore the rule that agreements between manufacturers and retailers, distributors, or wholesalers to set the minimum price below which the manufacturer's product or service cannot be sold violates the Sherman Act (Rept. No. 111-227).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute and an amendment to the title:

S. 193. A bill to create and extend certain temporary district court judgeships.

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1346. A bill to penalize crimes against humanity and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. JOHNSON (for himself, Mr. CRAPO, Mr. BROWNBACK, Mr. COCHRAN, Mr. RISCH, Mr. BENNET, Ms. KLOBUCHAR, Mr. FRANKEN, Ms. SNOWE, Mr. DORGAN, Mr. JOHANNS, and Mr. HARKIN):

S. 3621. A bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs; to the Committee on Finance.

By Mr. JOHANNS (for himself and Mr. SCHUMER):

S. 3622. A bill to require the Administrator of the Environmental Protection Agency to finalize a proposed rule to amend the spill prevention, control, and countermeasure rule to tailor and streamline the requirements for the dairy industry, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SCHUMER:

S. 3623. A bill to amend the Internal Revenue Code of 1986 to extend the payroll tax relief under the HIRE Act, and for other purposes; to the Committee on Finance.

By Mr. DEMINT (for himself, Mr. HATCH, Mr. ENSIGN, Mr. THUNE, Mr. COBURN, Mr. CORNYN, and Mr. SESSIONS):

S. 3624. A bill to encourage continued investment and innovation in communications networks by establishing a new, competition analysis-based regulatory framework for the Federal Communications Commission; to the Committee on Commerce, Science, and Transportation.

By Mr. LIEBERMAN (for himself and Mr. MCCAIN):

S. 3625. A bill to enhance public safety by making more spectrum available to public safety agencies, to facilitate the development of a public safety broadband network, to provide for the spectrum needs of public safety agencies, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. FRANKEN (for himself and Mr. BOND):

S. 3626. A bill to encourage the implementation of thermal energy infrastructure, and for other purposes; to the Committee on Finance.

By Mr. COBURN:

S. 3627. A bill to ensure that United States global HIV/AIDS assistance prioritizes saving lives by focusing on access to treatment; to the Committee on Foreign Relations.

By Mr. SCHUMER:

S. 3628. A bill to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes; read the first time.

By Mr. HATCH:

S.J. Res. 35. A joint resolution proposing an amendment to the Constitution of the United States relative to a balanced budget; to the Committee on the Judiciary.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. SCHUMER (for himself and Mr. BENNETT):

S. Res. 589. A resolution to authorize the printing of a revised edition of the Nomination and Election of the President and Vice President of the United States; considered and agreed to.

By Mrs. LINCOLN (for herself and Mrs. HUTCHISON):

S. Res. 590. A resolution designating September 2010 as "Gospel Music Heritage Month" and honoring gospel music for its valuable contributions to the culture of the United States; considered and agreed to.

By Mr. HARKIN:

S. Res. 591. A resolution recognizing and honoring the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990; placed on the calendar.

ADDITIONAL COSPONSORS

S. 653

At the request of Mr. CARDIN, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 752

At the request of Mr. DURBIN, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 752, a bill to reform the financing of Senate elections, and for other purposes.

S. 2095

At the request of Ms. MIKULSKI, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 2095, a bill to amend the National Great Black Americans Commemoration Act of 2004 to authorize appropriations through fiscal year 2015.

S. 3034

At the request of Mr. SCHUMER, the names of the Senator from Indiana [Mr. BAYH], the Senator from Alabama [Mr. SESSIONS] and the Senator from Oklahoma [Mr. COBURN] were added as cosponsors of S. 3034, a bill to require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11

Memorial & Museum at the World Trade Center.

S. 3036

At the request of Mr. BAYH, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 3036, a bill to establish the National Alzheimer's Project.

S. 3188

At the request of Mrs. SHAHEEN, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3188, a bill to amend the Internal Revenue Code of 1986 to provide an investment tax credit for biomass heating property.

S. 3232

At the request of Mr. BURR, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 3232, a bill to amend the Internal Revenue Code of 1986 to make employers of spouses of military personnel eligible for the work opportunity credit.

S. 3238

At the request of Mr. SCHUMER, the name of the Senator from Indiana [Mr. BAYH] was added as a cosponsor of S. 3238, a bill to provide for a medal of appropriate design to be awarded by the President to the next of kin or other representative of those individuals killed as a result of the terrorist attacks of September 11, 2001, and to the memorials established at the 3 sites that were attacked on that day.

S. 3335

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 3335, a bill to require Congress to establish a unified and searchable database on a public website for congressional earmarks as called for by the President in his 2010 State of the Union Address to Congress.

S. 3339

At the request of Mr. KERRY, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 3339, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 3409

At the request of Ms. LANDRIEU, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3409, a bill to make certain adjustments to the price analysis of propane prepared by the Secretary of Commerce.

S. 3434

At the request of Mr. BINGAMAN, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 3434, a bill to provide for the establishment of a Home Star Retrofit Rebate Program, and for other purposes.

S. 3501

At the request of Mr. HATCH, the names of the Senator from Idaho [Mr. CRAPO], the Senator from Nebraska [Mr. JOHANNS] and the Senator from Oklahoma [Mr. COBURN] were added as cosponsors of S. 3501, a bill to protect American job creation by striking the job-killing Federal employer mandate.

S. 3502

At the request of Mr. HATCH, the names of the Senator from Idaho [Mr. CRAPO], the Senator from Nebraska [Mr. JOHANNS], the Senator from Georgia [Mr. ISAKSON], the Senator from Kentucky [Mr. BUNNING] and the Senator from Oklahoma [Mr. COBURN] were added as cosponsors of S. 3502, a bill to restore Americans' individual liberty by striking the Federal mandate to purchase insurance.

S. 3572

At the request of Mrs. LINCOLN, the names of the Senator from Indiana [Mr. BAYH], the Senator from Louisiana [Ms. LANDRIEU] and the Senator from New York [Mr. SCHUMER] were added as cosponsors of S. 3572, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first law enforcement agency, the United States Marshals Service.

S. 3583

At the request of Mrs. MURRAY, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 3583, a bill to amend title 38, United States Code, to increase flexibility in payments for State veterans homes, and for other purposes.

S. 3585

At the request of Mr. UDALL of Colorado, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 3585, a bill to amend title 10, United States Code, to reform Department of Defense energy policy, and for other purposes.

S. 3620

At the request of Mr. WARNER, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of S. 3620, a bill to require the Secretary of Commerce to conduct a study on the economic competitiveness and innovative capacity of the United States and to develop a national economic competitiveness strategy, and for other purposes.

SENATE RESOLUTION 519

At the request of Mr. DEMINT, the name of the Senator from Nebraska [Mr. JOHANNS] was added as a cosponsor of Senate Resolution 519, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and children is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent.

SENATE RESOLUTION 579

At the request of Mr. BROWNBACK, the names of the Senator from Illinois [Mr. BURRIS] and the Senator from New York [Mrs. GILLIBRAND] were added as cosponsors of Senate Resolution 579, a resolution honoring the life of Manute Bol and expressing the condolences of the Senate on his passing.

SENATE RESOLUTION 586

At the request of Mr. FEINGOLD, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of Senate Resolution 586, a resolution supporting democracy, human rights, and civil liberties in Egypt.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. CARDIN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on July 21, 2010, at 9 a.m. in room SR-328A of the Russell Senate Office Building.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 21, 2010, at 2 p.m.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 21, 2010, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 21, 2010, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on July 21, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "An Update on the TARP Program."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on July 21, 2010, at 2:30 p.m.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "Treating Rare and Neglected Pediatric Diseases: Promoting the Development of New Treatments and Cures" on July 21, 2010. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 21, 2010, at 10 a.m. to conduct a hearing entitled "Charting a Path Forward: The Homeland Security Department's Quadrennial Homeland Security Review and Bottom-Up Review."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on July 21, 2010, at 2:30 p.m. in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "The Second Chance Act: Strengthening Safe and Effective Community Reentry."

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs be authorized to meet during the session of the Senate on July 21, 2010, in room 418 of the Russell Senate Office Building beginning at 9:30 a.m.

SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND COAST GUARD

The Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 21, 2010, at 10 a.m., in room 253 of the Russell Senate Office Building.

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging be authorized to meet during the session of the Senate on July 21, 2010, in room 106 of the Dirksen Senate Office Building.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 12:05 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4684. An act to require the Secretary of the Treasury to strike medals in I commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial and Museum at the World Trade Center.

H.R. 4842. An act to authorize appropriations for the Directorate of Science and Technology of the Department of Homeland Security for fiscal years 2011 and 2012, and for other purposes.

H.R. 5266. An act to extend the final report deadline and otherwise reauthorize the National Commission on Children and Disasters.

H.R. 5301. An act to extend the period during which the Administrator of the Environmental Protection Agency and States are prohibited from requiring a permit under section 402 of the Federal Water Pollution Control Act for certain discharges that are incidental to normal operation of vessels, to reauthorize the National Estuary Program, and for other purposes.

H.R. 5545. An act to deauthorize a portion of the project for navigation, Potomac River, Washington Channel, District of Columbia, under the jurisdiction of the Corps of Engineers.

H.R. 5604. An act to rescind amounts authorized for certain surface transportation programs.

At 12:59 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 1749. An act to amend title 18, United States Code, to prohibit the possession or use of cell phones and similar wireless devices by Federal prisoners.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5283. An act to provide for adjustment of status for certain Haitian orphans paroled into the United States after the earthquake of January 12, 2010.

H.R. 5532. An act to amend the Immigration and Nationality Act with respect to adopted alien children.

At 4:35 p.m., a message from the House of Representatives, Mr. Novotny, one of its reading clerks, announced that the House agreed to the amendment of the Senate to the bill (H.R. 725) to protect Indian arts and crafts through the improvement of applicable criminal proceedings, and for other purposes.

HOUSE BILLS REFERRED

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

H.R. 4842. An act to authorize appropriations for the Directorate of Science and Technology of the Department of Homeland Security for fiscal years 2011 and 2012, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5266. An act to extend the final report deadline and otherwise reauthorize the National Commission on Children and Disasters; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5532. An act to amend the Immigration and Nationality Act with respect to adopted alien children; to the Committee on the Judiciary.

H.R. 5545. An act to deauthorize a portion of the project for navigation, Potomac River, Washington Channel, District of Columbia, under the jurisdiction of the Corps of Engineers; to the Committee on Environment and Public Works.

H.R. 5604. An act to rescind amounts authorized for certain surface transportation programs; to the Committee on Commerce, Science, and Transportation.

HOUSE BILL PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 5301. To extend the period during which the Administrator of the Environmental Protection Agency and States are prohibited from requiring a permit under section 402 of the Federal Water Control Act for certain discharges that are incidental to normal operation of vessels, to reauthorize the National Estuary Program, and for other purposes.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4213

The PRESIDING OFFICER (Mr. BURRIS in the chair) laid before the Senate the amendment received from the House of Representatives for concurrence to the amendment of the Senate to the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; and

The Senate resumed consideration of the House amendment.

The question being on agreeing to amendment No. 4426, proposed by Mr. REID, to amendment No. 4425 (in the nature of a substitute), proposed by Mr. REID (for himself and Mr. ROCKEFELLER), contained in the motion, by Mr. REID, that the Senate concur in the House amendment to the Senate amendment to the bill.

Pending debate,

By unanimous consent, on the request of Mr. REID,

Ordered, That Mr. COBURN, Mr. SCOTT BROWN, and Mr. DEMINT each be recognized to move to suspend rule XXII of the Standing Rules of the Senate; that said motions be identical to those printed on pages S6034 and

S6035 of the Congressional Record of yesterday; that said motions not be divisible; that there be 20 minutes, equally divided and controlled for debate on each between the proponents and the majority leader, or his designee; that, upon conclusion of time for debate on the motions, time for debate, pursuant to rule XXII of the Standing Rules of the Senate, be concluded; that amendment No. 4426 be withdrawn; that the Senate then vote in "stacked" sequence on the motions in the order made; that there be 2 minutes, equally divided and controlled, for debate between the proponents and the majority leader, or his designee, between each vote; that each vote following the first be 10 minutes in duration; that, upon disposition of said motions, an amendment (being a motion to strike all beginning on page 7, line 14 of amendment No. 4425 (in the nature of a substitute) through line 18, page 11) be proposed and agreed to; that no further motion or amendment be in order; that a PAYGO letter of the Chairman of the Committee on the Budget be read; and that the Senate then vote on the question of agreeing to the motion to concur with an amendment (No. 4425, in the nature of a substitute), as amended.

The question being on agreeing to amendment No. 4426 to amendment No. 4425 (in the nature of a substitute) contained in the pending motion to concur in the House amendment to the Senate amendment to the bill.

Pending debate,

Pursuant to the order of today,

On motion by Mr. SCOTT BROWN to suspend paragraph 2 of rule XXII of the Standing Rules of the Senate for the purpose of proposing amendment No. 4492.

Pursuant to the order of today,

On motion by Mr. COBURN to suspend provisions of rule XXII of the Standing Rules of the Senate for the purpose of proposing to refer the pending House amendment to the Committee on Finance with instructions to report back forthwith with changes.

Pursuant to the order of today,

On motion by Mr. COBURN to suspend rule XXII of the Standing Rules of the Senate for purpose of proposing amendment No. 4493.

Pending debate,

Pursuant to the order of today,

On motion by Mr. DEMINT to suspend rule XXII of the Standing Rules of the Senate for purpose of proposing to refer the pending House amendment to the Committee on Finance with instructions to report back forthwith with changes.

Pursuant to the order of today,

On motion by Mr. DEMINT to suspend rule XXII of the Standing Rules of the Senate for purpose of moving to refer the pending House amendment to the Committee on the Judiciary with instructions to report back forthwith with an amendment.

Pursuant to the order of today,

The time for debate, pursuant to rule XXII of the Standing Rules of the Senate, was concluded.

Pursuant to the order of today,

The amendment No. 4426 was withdrawn.

Pursuant to the order of today,

The question being on agreeing to the motion, by Mr. SCOTT BROWN, to suspend.

On motion by Mr. DORGAN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the negative---
yeas... 42, nays... 56

[Rollcall Vote No. 210 Leg.]

YEAS --- 42

Alexander, Barrasso, Bennett, Bond, Brown, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Voinovich, Wicker.

NAYS --- 56

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown, Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson, Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall, Udall, Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; two-thirds of Senators voting, a quorum being present, not having voted in the affirmative.

Pursuant to the order of today,

The question recurring on agreeing to the motion, by Mr. COBURN, to suspend rule XXII of the Standing Rules of the Senate for purpose of moving to refer the pending House amendment.

After debate,

On motion by Mr. COBURN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the negative---
yeas... 49, nays... 49

[Rollcall Vote No. 211 Leg.]

YEAS --- 49

Alexander, Barrasso, Bennett, Bond, Brown, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Isakson, Johanns, Klobuchar, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson, Pryor, Risch, Roberts, Sessions, Shelby, Snowe, Tester, Thune, Voinovich, Webb, Wicker.

NAYS --- 49

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown, Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Goodwin, Harkin, Inouye, Johnson, Kaufman, Kerry, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Udall, Udall, Warner, Whitehouse, Wyden.

So the motion was not agreed to; two-thirds of Senators voting, a quorum being present, not having voted in the affirmative.

Pursuant to the order of today,

The question recurring on agreeing to the motion, by Mr. COBURN, to suspend rule XXII of the Standing Rules of the Senate for the purpose of proposing amendment No. 4493.

On motion by Mr. INHOFE,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the negative---
yeas... 54, nays... 44

[Rollcall Vote No. 212 Leg.]

YEAS --- 54

Alexander, Barrasso, Bennett, Bond, Brown, Brownback, Bunning, Burr, Cantwell, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Isakson, Johanns, Klobuchar, Kyl, LeMieux, Lincoln, Lugar, McCain, McCaskill, McConnell, Murkowski, Murray, Nelson, Nelson, Pryor, Risch, Roberts, Sessions, Shelby, Snowe, Tester, Thune, Voinovich, Warner, Webb, Wicker, Wyden.

NAYS --- 44

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown, Burris, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Goodwin, Harkin, Inouye, Johnson, Kaufman, Kerry, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Menendez, Merkley, Mikulski, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Udall, Udall, Whitehouse.

So the motion was not agreed to; two-thirds of Senators voting, a quorum being present, not having voted in the affirmative.

Pursuant to the order of today.

The question recurring on agreeing to the motion, by Mr. DEMINT, to suspend rule XXII of the Standing Rules of the Senate for the purpose of moving to refer the pending House amendment to the Committee on Finance with instructions to report back forthwith with changes.

After debate,

On motion by Mr. DEMINT,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the negative---
yeas... 39, nays... 59

[Rollcall Vote No. 213 Leg.]

YEAS --- 39

Alexander, Barrasso, Bennett, Bond, Brown, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson, Risch, Roberts, Sessions, Shelby, Thune, Wicker.

NAYS --- 59

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown, Burris, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson, Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall, Udall, Voinovich, Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; two-thirds of Senators voting, a quorum being present, not having voted in the affirmative.

Pursuant to the order of today,

The question recurring on agreeing to the motion, by Mr. DEMINT, to suspend rule XXII of the Standing Rules of the Senate for the purpose of moving to refer the pending House amendment to the Committee on the Judiciary with instructions to report back forthwith with an amendment.

After debate,

On motion by Mr. DEMINT,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the negative---
yeas... 43, nays... 55

[Rollcall Vote No. 214 Leg.]

YEAS --- 43

Alexander, Barrasso, Baucus, Bennett, Bond, Brown, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson, Pryor, Risch, Roberts, Sessions, Shelby, Snowe, Tester, Thune, Wicker.

NAYS --- 55

Akaka, Begich, Bennet, Bingaman, Boxer, Brown, Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Udall, Udall, Voinovich, Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; two-thirds of Senators voting, a quorum being present, not having voted in the affirmative.

The question being on agreeing to the motion to concur in the House amendment to the Senate amendment to the bill, with an amendment (No. 4425, in the nature of a substitute).

Pursuant to the order of today,

On motion by Mr. REID to further amend the amendment No. 4425 (in the nature of a substitute, contained in the pending motion to concur) on page 7, by striking all beginning on line 14 through line 18, page 11 (being amendment No. 4497).

The amendment was agreed to.

The question being on agreeing to the motion to concur in the House amendment to the Senate amendment to the bill, with an amendment (No. 4425, in the nature of a substitute), as amended.

On motion by Mr. BEN NELSON,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 59, nays... 39

[Rollcall Vote No. 215 Leg.]

YEAS --- 59

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown, Burris, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson, Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall, Udall, Warner, Webb, Whitehouse, Wyden.

NAYS --- 39

Alexander, Barrasso, Bennett, Bond, Brown, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Nelson, Risch, Roberts, Sessions, Shelby, Thune, Voinovich, Wicker.

So it was

Resolved, That the Senate concur in the House amendment to the Senate amendment to the bill, with amendment No. 4425 (in the nature of a substitute), as amended.

On motion by Ms. CANTWELL to reconsider the vote agreeing to the motion.

On motion by Ms. CANTWELL,

The motion to reconsider was laid on the table.

SMALL BUSINESS JOBS AND CREDIT ACT

The PRESIDING OFFICER (Mr. BEGICH in the chair) laid before the Senate its pending business, viz, the bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 4409, proposed by Mr. REID, to amendment No. 4408, proposed by Mr. REID, to the instructions (designated amendment No. 4407) contained in the motion, by Mr. REID, to commit the bill to the Committee on Finance.

By unanimous consent, on the request of Mr. REID,

Ordered, That the pending motion to commit and amendments be withdrawn.

The question being on passage of the bill.

On motion by Mr. REID (for Mr. BAUCUS) to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 4499, in the nature of a substitute).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment (in the nature of a substitute).

On motion by Mr. REID for Mr. LEMIEUX (for himself, Ms. LANDRIEU, Mr. MERKLEY, Mrs. BOXER, Ms. KLOBUCHAR, Mrs. MURRAY, and Mr. BILL NELSON) to amend the pending amendment (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 4500).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

On motion by Mr. REID to amend the pending amendment, at the end thereof, by adding certain words (being amendment No. 4501).

On motion by Mr. REID to amend the language of the bill proposed to be stricken by amendment No. 4499 (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 4502).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

On motion by Mr. REID to amend the pending amendment, by striking "5" and inserting "4" (being amendment No. 4503).

Mr. REID presented a motion to bring to a close debate on the pending amendment No. 4500; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on amendment No. 4500 to amendment No. 4499 (in the nature of a substitute) to bill H.R. 5297:

HARRY REID, MARY LANDRIEU, S. WHITEHOUSE, BYRON L. DORGAN, ROLAND W. BURRIS, DICK DURBIN, JAY ROCKEFELLER, ROBERT MENENDEZ, CARL LEVIN, DANIEL K. AKAKA, DEBBIE STABENOW, PATTY MURRAY, JACK REED, MARIA CANTWELL, DIANNE FEINSTEIN, D.K. INOUYE, BERNARD SANDERS.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

Mr. REID presented a motion to bring to a close debate on the pending amendment No. 4499 (in the nature of a substitute); which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on amendment No. 4499 (in the nature of a substitute) to bill H.R. 5297:

HARRY REID, MAX BAUCUS, MARY LANDRIEU, TOM HARKIN, CHRISTOPHER DODD, PATRICK J. LEAHY, BILL NELSON, DICK DURBIN, CHARLES SCHUMER, AL FRANKEN, PATTY MURRAY, BEN CARDIN, JACK REED, ROLAND W. BURRIS, DIANNE FEINSTEIN, MARK BEGICH, AMY KLOBUCHAR, BYRON L. DORGAN.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

Mr. REID presented a motion to bring to a close debate on the pending bill; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on bill H.R. 5297:

HARRY REID, MAX BAUCUS, MARY LANDRIEU, TOM HARKIN, CHRISTOPHER DODD, PATRICK J. LEAHY, BILL NELSON, DICK DURBIN, CHARLES SCHUMER, AL FRANKEN, PATTY MURRAY, BEN CARDIN, JACK REED, ROLAND W. BURRIS, DIANNE FEINSTEIN, MARK BEGICH, AMY KLOBUCHAR, BYRON L. DORGAN.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

On motion by Mr. REID to commit the bill to the Committee on Finance, with instructions to report back forthwith with an amendment (Numbered 4504).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

On motion by Mr. REID to amend the instructions contained in the pending motion, at the end thereof, by inserting certain words (being amendment No. 4505).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

On motion by Mr. REID to amend the pending amendment, at the end thereof, by adding certain words (being amendment No. 4506)

The question being on agreeing to amendment No. 4506 to amendment No. 4505 to the instructions (designated amendment No. 4504) contained in the pending motion to commit.

ORDERS FOR RESOLUTION S. RES. 591 TO BE PLACED ON CALENDAR, AND FOR CONSIDERATION

By unanimous consent, on the request of Mr. REID,

Ordered, That the resolution (S. Res. 591) recognizing and honoring the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990, be placed on the calendar; that, after times for the recognition of the two leaders on tomorrow, the Senate proceed to consider the resolution; that there be 2 hours, equally divided and controlled, for debate between Mr. HARKIN and Mr. ENZI, or their designees; that no amendment or motion be in order to the resolution; and that, upon conclusion of debate, the resolution be laid aside.

ORDER FOR CONSIDERATION OF JOINT RESOLUTION H.J. RES. 83

By unanimous consent, on the request of Mr. REID,

Ordered, That, on tomorrow, upon conclusion of debate on resolution S. Res. 591, the Senate proceed to consider the joint resolution (H.J. Res. 83) approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes; that there be 20 minutes, equally divided and controlled, for debate between Mr. BAUCUS and Mr. MCCONNELL, or their designees; that, upon conclusion of said debate, statutory time for debate be concluded; that the joint resolution then be read the third time; that the Senate vote on passage of the joint resolution; that statutory provisions remain in effect; that, upon disposition of the joint resolution, the Senate resume consideration of resolution S. Res. 591; that the Senate then vote on the question of agreeing to the resolution; and that the accompanying preamble then be agreed to.

INTERNATIONAL ADOPTION SIMPLIFICATION ACT

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (S. 1376) to restore immunization and sibling age exemptions for children adopted by United States citizens under the Hague Convention on Intercountry Adoption to allow their admission into the United States.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. REID for Ms. KLOBUCHAR to insert, in lieu of the language proposed to be inserted by the pending reported amendment (in the nature of a substitute), other words (being amendment No. 4498, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The reported amendment (in the nature of a substitute), as amended, was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORIZING THE PRINTING OF A REVISED EDITION OF THE NOMINATION AND ELECTION OF THE PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 589) to authorize the printing of a revised edition of the Nomination and Election of the President and Vice President of the United States, submitted today by Mr. SCHUMER (for himself and Mr. BENNETT), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "GOSPEL MUSIC HERITAGE MONTH"

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 590) designating September 2010 as "Gospel Music Heritage Month" and honoring gospel music for its valuable contributions to the

culture of the United States, submitted today by Mrs. LINCOLN (for herself and Mrs. HUTCHISON), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

BILL READ THE FIRST TIME

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the bill (S. 3628) to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes, introduced today by Mr. SCHUMER, and at the desk; which was read the first time.

Mr. REID asked unanimous consent that the bill be read the second time.

Mr. REID objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then proceed to consider resolution S. Res. 591, as pursuant to the order of today.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 8:56 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

THURSDAY, JULY 22, 2010

Mrs. KIRSTEN E. GILLIBRAND, from the State of New York, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mrs. GILLIBRAND led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, July 22, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mrs. GILLIBRAND took the chair.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3628) to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes, introduced on yesterday by Mr. SCHUMER, and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

RECOGNIZING AND HONORING THE 20TH ANNIVERSARY OF THE ENACTMENT OF THE AMERICANS WITH DISABILITIES ACT

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate the resolution (S. Res. 591) recognizing and honoring the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990; and

The Senate proceeded to consider the resolution.

The question being on agreeing to the resolution.

Pending debate,

On motion by Mr. HARKIN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the resolution.

By unanimous consent, on the request of Mr. HARKIN,

Ordered, That the time for debate on the resolution be concluded.

APPROVING THE RENEWAL OF IMPORT RESTRICTIONS CONTAINED IN THE BURMESE FREEDOM AND DEMOCRACY ACT OF 2003

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate the joint resolution (H.J. Res. 83) approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes; and

The Senate proceeded to consider the joint resolution.

The question being on passage of the joint resolution.

Pending debate,

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That time for debate be concluded.

The question being on passage of the joint resolution.

Pursuant to the order of yesterday,

The joint resolution was read the third time.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of passage of the joint resolution.

On the question, Shall it pass?

It was determined in the affirmative---yeas... 99, nays... 1

[Rollcall Vote No. 216 Leg.]

YEAS --- 99

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown, Brown, Brownback, Bunning, Burr, Burris, Cantwell, Cardin, Carper, Casey, Chambliss, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dodd, Dorgan, Durbin, Ensign, Feingold, Feinstein, Franken, Gillibrand,

Goodwin, Graham, Grassley, Gregg, Hagan, Harkin, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lincoln, Lugar, McCain, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson, Nelson, Pryor, Reed, Reid, Risch, Roberts, Rockefeller, Sanders, Schumer, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall, Udall, Vitter, Voinovich, Warner, Webb, Whitehouse, Wicker, Wyden.

NAYS --- 1

Enzi.

So it was

Resolved, That the joint resolution do pass.

RECOGNIZING AND HONORING THE 20TH ANNIVERSARY OF THE ENACTMENT OF THE AMERICANS WITH DISABILITIES ACT

Pursuant to the order of yesterday,

The Senate resumed consideration of resolution S. Res. 591.

The question being on agreeing to the resolution.

Pursuant to the order of yesterday,

The question being taken on agreeing to the resolution.

It was determined in the affirmative--- yeas... 100, nays... 0

[Rollcall Vote No. 217 Leg.]

YEAS --- 100

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown, Brown, Brownback, Bunning, Burr, Burris, Cantwell, Cardin, Carper, Casey, Chambliss, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dodd, Dorgan, Durbin, Ensign, Enzi, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Graham, Grassley, Gregg, Hagan, Harkin, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lincoln, Lugar, McCain, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson, Nelson, Pryor, Reed, Reid, Risch, Roberts, Rockefeller, Sanders, Schumer, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall, Udall, Vitter, Voinovich, Warner, Webb, Whitehouse, Wicker, Wyden.

So it was

Resolved, That the Senate agree thereto, and to the accompanying preamble.

SMALL BUSINESS JOBS AND CREDIT ACT

The PRESIDING OFFICER (Mrs. HAGAN in the chair) laid before the Senate its pending business, viz, the bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 4506, proposed by Mr. REID, to amendment No. 4505, proposed by Mr. REID, to the instructions (designated amendment No. 4504) contained in the motion, by Mr. REID, to commit the bill to the Committee on Finance with instructions to report back forthwith.

Mr. REID asked unanimous consent that, at 8 p.m., the Senate vote on the question of agreeing to the motion to bring to a close debate on amendment No. 4500.

Mr. REID further asked unanimous consent that, if the motion is agreed to, notwithstanding rule XXII of the Standing Rules of the Senate, the Senate then proceed to consider the House amendment to the Senate amendment to the bill (H.R. 4899) making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes; that a motion to concur in the House amendment to the Senate amendment to the bill be made; that the Senate then vote on the question of agreeing to a motion to bring to a close debate on such motion to concur; that, if the motion to bring to a close debate is agreed to, the motion to concur be considered under the provisions of rule XXII of the Standing Rules of the Senate; that, if the motion to bring to a close debate is not agreed to, the motion to concur be withdrawn; that a motion to disagree to the House amendment to the Senate amendment be made; that the motion to disagree be agreed to; and that a motion to reconsider be made and laid on the table.

Mr. REID further asked unanimous consent that the following be the only motions to concur with amendment in order to be made:

A motion, by Mrs. LINCOLN, to concur with an amendment, relative to disaster assistance and child nutrition;

A motion, by Mr. LAUTENBERG, to concur with an amendment, relative to border security;

A motion, by Mr. SPECTER, to concur with an amendment, relative to construction of ocean-going vessels;

A motion, by Mr. REID, to concur with an amendment, relative Federal Land Transaction Facilitation Act; and

Motions to concur, with amendments, relative to class action settlements with respect to African American farmers, jobs for teachers, public safety employer-employee cooperation.

Mr. REID further asked unanimous consent that no debate be in order on the motions to concur with amendment; that each motion receive a minimum of 60 yea votes to be agreed to; that, if a motion fails to receive a minimum of 60 yea votes, it be withdrawn; that motions to reconsider be made and laid on the table; and that no other amendment or motion be in order.

Mr. REID further asked unanimous consent that, if the motion to bring to a close debate on amendment No. 4500 to amendment No. 4499 (in the nature of a substitute) to bill H.R. 5297 is not agreed to, the majority leader be recognized to enter a motion to reconsider the vote by which the motion to bring to a close debate on amendment No. 4500 was not agreed to; that the motions to bring to a close debate on amendment No. 4499 and the bill be withdrawn; and that the Senate proceed to consider the House amendment to the Senate amendment to bill H.R. 4899, as aforementioned.

Mrs. LINCOLN objected.

The question being on agreeing to amendment No. 4506 to amendment No. 4505 to the instructions (designated amendment No. 4504) contained in the motion to commit the bill to the Committee on Finance with instructions to report back forthwith.

By unanimous consent, on the request of Mr. REID,

Ordered, That the Senate immediately vote on the question of agreeing to the motion to bring to a close debate on amendment No. 4500.

Ordered further, That, if the motion is agreed to, notwithstanding rule XXII of the Standing Rules of the Senate, the Senate then proceed to consider the House amendment to the Senate amendment to bill H.R. 4899; that a motion to concur in the House amendment to the Senate amendment to the bill be made; that the Senate then vote on the question of agreeing to a motion to bring to a close debate on such motion to concur; that, if the motion to bring to a close debate is agreed to, the motion to concur be considered under the provisions of rule XXII of the Standing Rules of the Senate; that, if the motion to bring to a close debate is not agreed to, the motion to concur be withdrawn; that a motion to disagree to the House amendment to the Senate amendment be made; that the motion to disagree be agreed to; and that a motion to reconsider be made and laid on the table.

Ordered further, That, if the motion to bring to a close debate on amendment No. 4500 to amendment No. 4499 (in the nature of a substitute) to bill H.R. 5297 is not agreed to, the majority leader be recognized to enter a motion to reconsider the vote by which the motion to bring to a close debate on amendment No. 4500 was not agreed to; that the motions to bring to a close debate on amendment No. 4499 and the bill be withdrawn; and that the Senate proceed to consider the House amendment to the Senate amendment to bill H.R. 4899, as pursuant to the foregoing order.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived with respect to a motion to bring to a close debate, to be presented, on a motion to concur in the House amendment to the Senate amendment to bill H.R. 4899.

Pursuant to the foregoing order,

The PRESIDING OFFICER (Mr. WHITEHOUSE in the chair) laid before the Senate the motion, presented by Mr. REID on yesterday, to bring to a close debate on amendment No. 4500 to amendment No. 4499 (in the nature of a substitute) to the bill.

Pursuant to the order of yesterday,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the affirmative---
yeas... 60, nays... 37

[Rollcall Vote No. 218 Leg.]

YEAS --- 60

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown, Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, LeMieux, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson, Nelson, Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall, Udall, Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS --- 37

Alexander, Barrasso, Bennett, Brown, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Wicker.

So the motion was agreed to; three-fifths of Senators duly chosen and sworn having voted in the affirmative.

Cloture having been invoked,

The motion to commit the bill to the Committee on Finance with instructions to report back forthwith with amendment No. 4504, and amendments Numbered 4505 and 4506 thereto, fell.

SUPPLEMENTAL APPROPRIATIONS ACT, 2010

Pursuant to the order of today,

The PRESIDING OFFICER (Mr. BURRIS in the chair) laid before the Senate the amendment received from the House of Representatives for concurrence to the amendment of the Senate to the bill (H.R. 4899) making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes; and

The Senate proceeded to consider the House amendment.

On motion by Mr. REID that the Senate concur in the House amendment to the Senate amendment to the bill.

Pursuant to the order of today,

Mr. REID presented a motion to bring to a close debate on the pending motion to concur; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to the bill:

D.K. INOUYE, TOM HARKIN, CHRISTOPHER DODD, PATRICK J. LEAHY, MAX BAUCUS, DICK DURBIN, CHUCK SCHUMER, AL FRANKEN, PATTY MURRAY, BEN CARDIN, JACK REED, ROLAND W. BURRIS, DIANNE FEINSTEIN, MARK BEGICH, AMY KLOBUCHAR, BYRON L. DORGAN, MARK UDALL.

Pursuant to the order of today,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the negative---
yeas... 46, nays... 51

[Rollcall Vote No. 219 Leg.]

YEAS --- 46

Akaka, Baucus, Bingaman, Boxer, Brown, Burris, Cantwell, Cardin, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Lautenberg, Levin, Lincoln, Menendez, Merkley, Mikulski, Murray, Nelson, Nelson, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Stabenow, Tester, Udall, Whitehouse, Wyden.

NAYS --- 51

Alexander, Barrasso, Bayh, Begich, Bennet, Bennett, Brown, Brownback, Bunning, Burr, Carper, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, Landrieu, LeMieux, Lieberman, Lugar, McCain, McCaskill, McConnell, Murkowski, Pryor, Risch, Roberts, Sessions, Shelby, Snowe, Specter, Thune, Udall, Vitter, Voinovich, Warner, Webb, Wicker.

So the motion was not agreed to; three-fifths of Senators duly chosen and sworn not having voted in the affirmative.

Pursuant to the order of today,

The motion, not having been agreed to, was withdrawn.

Pursuant to the order of today,

A motion to disagree to the House amendment to the Senate amendment to bill H.R. 4899 was made and agreed to.

Pursuant to the order of today,

A motion to reconsider was made and laid on the table.

ORDER RELATIVE TO TIME FOR DEBATE ON BILL H.R. 5297

By unanimous consent, on the request of Mr. REID,

Ordered, That the time for debate on amendment No. 4500, pursuant to rule XXII of the Standing Rules of the Senate, be suspended until the Senate resumes consideration of bill H.R. 5297.

MOTION TO PROCEED TO CONSIDER BILL S. 3628

By unanimous consent, on the request of Mr. REID,

Ordered, That it be in order to move to proceed to consider bill S. 3628.

Under the authority of the foregoing order,

On motion by Mr. REID that the Senate proceed to consider the bill (S. 3628) to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes.

The question being on agreeing to the motion.

Mr. REID presented a motion to bring to a close debate on the pending motion to proceed to consider bill S. 3628; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to consider bill S. 3628:

HARRY REID, CHUCK SCHUMER, SHERROD BROWN, CLAIRE MCCASKILL, PATRICK LEAHY, JOHN KERRY, BYRON L. DORGAN, PATTY MURRAY, BARBARA BOXER, ROLAND W. BURRIS, ROBERT MENENDEZ, JACK REED, J. LIEBERMAN, TOM UDALL, KENT CONRAD, MARK BEGICH, ROBERT P. CASEY, JR.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived; that, at 2:45 p.m. on Tuesday, July 27, 2010, the Senate vote on the question of agreeing to the motion to bring to a close debate on the motion to proceed to consider bill S. 3628; that the time from 2:15 p.m. until 2:45 p.m. be equally divided and controlled for debate between the two leaders, or their designees; and that the majority leader control the final 15 minutes therein.

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. REID,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6789. A communication from the Director of the Regulatory Review Group, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Dairy Product Price Support Program and Dairy Indemnity Payment Program" (RIN0560-AH88), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6790. A communication from the Director of the Regulatory Review Group, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Wheat and Oilseed Programs; Durum Wheat Quality Program" (RIN0560-AH72), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6791. A communication from the Chairman of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Board's semiannual Monetary Policy Report to the Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-6792. A communication from the Deputy Assistant General Counsel, Office of Aviation Enforcement and Proceedings, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Posting of Flight Delay Data on Websites" (RIN2105-AE02), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6793. A communication from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Procedures for Abatement of Highway Traffic Noise and Construction Noise" (RIN2125-AF26), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6794. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Skate Complex Fishery; Amendment 3" (RIN0648-AW30), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6795. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Framework Adjustment 21" (RIN0648-AY43), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6796. A communication from the Acting Director for Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Closure" (RIN0648-XW90), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6797. A communication from the Acting Director for Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Suspension of the Primary Pacific Whiting Season for the Shore-based Sector South of 42 Degrees North Latitude" (RIN0648-XW80), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6798. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 777 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1249)), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6799. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Re-Registration and Renewal of Aircraft Registration" ((RIN2120-AI89)(Docket No. FAA-2008-0188)), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6800. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Certification of Aircraft and Airmen for the Operation of Light-Sport Aircraft; Modifications; OMB Approval of Information Collection" ((RIN2120-AJ10)(Docket No. FAA-2007-29015)), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6801. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates - August 2010" (Rev. Rul. 2010-19), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Finance.

EC-6802. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Preventive Services Under the Patient Protection and Affordable Care Act" ((RIN1545-BJ60)(TD 9493)), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Finance.

EC-6803. A communication from the Chairman, Medicare Payment Advisory Commission, transmitting, pursuant to law, a report entitled, "2010 Data Book: Healthcare Spending and the Medicare Program"; to the Committee on Finance.

EC-6804. A communication from the General Counsel of the Department of Defense, transmitting a legislative proposal relative to authorizing the President to transfer certain naval vessels by grant; to the Committee on Foreign Relations.

EC-6805. A communication from the General Counsel, Occupational Safety and Health Review Commission, transmitting, pursuant to law, the report of a rule entitled "Regulations Implementing the Freedom of Information Act" (29 CFR Part 2201), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6806. A communication from the Chief Privacy Officer, Privacy Office, Department of Homeland Security, transmitting, pursuant to law, a report entitled "Privacy Office Third Quarter Fiscal Year 2010 Report to Congress"; to the Committee on Homeland Security and Governmental Affairs.

EC-6807. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to the Tribal-State Road Maintenance Agreements Report; to the Committee on Indian Affairs.

EC-6808. A communication from the Department of State, transmitting, a report on the Verification of the Treaty Between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms (The New START Treaty)-(OSS Control No. 2010-1146) signed in April 8, 2010 in Prague; to the Committee on the Judiciary.

EC-6809. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2010-1061); to the Committee on the Judiciary.

EC-6810. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to the progress and status of compliance with the privatization requirements of the National Capital Revitalization and Self-Government Improvement Act of 1997; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-131. A resolution adopted by the Senate of the State of Louisiana urging Congress to oppose the creation of a new consumer regulatory agency for FDIC insured institutions; to the Committee on Banking, Housing, and Urban Affairs.

SENATE RESOLUTION, NO. 147

Whereas, H.R. 4173 and S. 3217 are sweepingly broad bills pending in conference in the United States Congress that would restructure the financial regulatory system; and

Whereas, both measures would create a new Consumer Financial Protection Agency/Bureau with overly broad powers that would have complete authority over Louisiana banks and thrifts with respect to writing future consumer regulations; and

Whereas, although improvements can and should be made to further protect consumers from unscrupulous practices, the creation of an enormous, new federal bureaucracy is the wrong approach because it will harm both Louisiana banks and their customers; and

Whereas, Louisiana banks and thrifts will be subject to greatly increased regulation and compliance costs, which will hamper their ability to effectively serve their customers' needs; and

Whereas, this increased regulatory burden will likely lead to increased costs of obtaining credit for consumers and overall less access to financial products and services; and

Whereas, the vast majority of FDIC insured institutions, especially Louisiana banks and thrifts, did not contribute to the financial crisis, yet would be subject to the broad jurisdiction of this proposed agency; and

Whereas, Louisiana banks and thrifts are already heavily regulated and examined on a regular basis for compliance with existing consumer laws and safety and soundness; and

Whereas, this new proposed agency, which has no experience as a bank regulator, would likely create a mountain of new regulation that is one sided in its focus without balancing bank safety and soundness considerations of the financial institution; and

Whereas, this will put Louisiana banks and thrifts in a position where they must try to comply with conflicting mandates that ultimately could put their businesses at risk; and

Whereas, creating another layer of bureaucracy in the banking industry also does not address the gaps in regulation that exist with respect to non-bank lenders; and

Whereas, the Obama administration itself has acknowledged that 94% of the high-cost mortgage loans that have so damaged our economy were made by non-bank financial companies; and

Whereas, with this in mind, Congress should concentrate on improving the supervision and examination of such non-bank institutions rather than adding to an already large regulatory compliance structure for banks and thrifts. Therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to oppose the creation of a new consumer regulatory agency for FDIC insured institutions. Be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-132. A resolution adopted by the Senate of the State of Louisiana urging the federal government to explore creating a federal entity to oversee and enforce federal, state, and local safety regulations on all deep-water drilling rigs; to the Committee on Energy and Natural Resources.

SENATE RESOLUTION NO. 136

Whereas, the safety of all individuals working on deep-water drilling rigs is paramount and a top priority; and

Whereas, after a tragedy like the Deepwater Horizon, governments at every level need to look at ways to incorporate new ideas and rules to prevent similar tragedies from happening again; and

Whereas, after the attacks on September 11, 2001, the federal government created the Transportation Security Administration and the office of law enforcement, Federal Air Marshal Service, to address the security issues that were highlighted by the attacks; and

Whereas, it is necessary for the well-being of this state and this country to have deep-water drilling rigs operating in the absolute safest manner possible; and

Whereas, the implementation of a federal entity whose sole job is to oversee the safety of all deep-water drilling rigs is a necessary and appropriate step in light of the Deepwater Horizon tragedy; and

Whereas, this federal entity may operate in a similar fashion to the Federal Air Marshal Service, with a federal employee stationed on every deep-water drilling rig.

Therefore, be it

Resolved, That the Senate of the Legislature of Louisiana does hereby urge and request the federal government explore creating a federal entity to oversee and enforce federal, state, and local safety regulations on all deep-water drilling rigs. Be it further

Resolved, That a copy of this Resolution be transmitted to secretary Ken Salazar, the United States Department of the Interior, and to each member of the Louisiana Congressional delegation.

POM-133. A resolution adopted by the Senate of the State of Louisiana urging the Department of Commerce to establish a foreign trade zone in the Delta region of Louisiana; to the Committee on Finance.

SENATE RESOLUTION NO. 125

Whereas, foreign-trade zones, established under the Foreign-Trade Zone Act of 1934, are secure areas under United States Customs and Border Protection supervision that are free-trade zones; and

Whereas, usual formal entry procedures and payments of duties are not required on foreign merchandise entering the zone unless it enters the territory for domestic consumption, at which point the importer generally has the choice of paying duties at the rate of either the original foreign materials or the finished product; and

Whereas, domestic goods moved into the zone for export may be considered exported upon admission to the zone for the purpose of excise tax rebates and drawback; and

Whereas, qualified public or private corporations may operate facilities within the zone; and

Whereas, foreign-trade zones offer several commercial advantages, such as the following:

(1) Customs and Border Protection duty and federal excise taxes, if applicable, are paid when merchandise is transferred from the zone for consumption;

(2) Goods may be exported from the zone free of duty and excise tax;

(3) Customs of Border Protection security requirements provide protection against theft;

(4) Merchandise may remain in the zone indefinitely; and

Whereas, the Mississippi River is a strategic asset to international manufacturers; and

Whereas, Act No. 347 of the 2007 Regular Session of the Legislature of Louisiana enacted Louisiana Revised Statutes 3:33, the Delta Develop Initiative; and

Whereas, Act 347 defined the "Delta Region" to include Caldwell, Catahoula, Concordia, East Carroll, Franklin, Madison, Morehouse, Ouachita, Pointe Coupee, Richland, Tensas, and West Carroll parishes, a cross roads intersection of the Mississippi River and the 1-20 corridor that connects the South Central United States from Dallas, Texas to Atlanta, Georgia; and

Whereas, a proposed foreign-trade zone in the Delta region could consolidate marine, rail and base transport; offer industrial storage facilities; provide light assembly, warehousing and logistics services; and provide inbound and outbound connections to rail, truck, air, and barge transportation. Therefore, be it

Resolved, That the Senate of the Legislature of Louisiana does hereby urge and request the United States Department of Commerce to establish a foreign trade zone in the Delta region of Louisiana. Be it further

Resolved, That a copy of this Resolution be transmitted to the secretary of the United States Department of Commerce, each member of the Louisiana Congressional delegation, and the governor of Louisiana.

POM-134. A concurrent resolution adopted by the Legislature of the State of Louisiana urging Congress to continue to support and invest in the National Cancer Institute Community Cancer Centers Program; to the Committee on Health, Education, Labor, and Pensions.

SENATE CONCURRENT RESOLUTION NO. 122

Whereas, the National Cancer Institute (NCI) Community Cancer Centers Program (NCCCP) began in 2007 to provide community cancer centers and their patients across the United States better access to the most advanced cancer research; and

Whereas, NCI estimates that the vast majority of cancer patients (about 85 percent) are treated at community hospitals in or near the communities in which they live and only about 15 percent of U.S. cancer patients are diagnosed and treated at the nation's major academic-based cancer centers; and

Whereas, many patients choose community hospitals because they are close to family, friends, and jobs, whereas treatment at the major cancer centers may require long commutes or extended stays away from home; and

Whereas, the NCCCP extends NCI programs into local communities, giving patients easier access to state-of-the-art cancer care and clinical trial opportunities; and

Whereas, the NCI Community Cancer Centers Program has formed a national network of community cancer centers to expand cancer research and deliver the most advanced cancer care to more Americans in the communities where they live; and

Whereas, the Cancer Program of Our Lady of the Lake and Mary Bird Perkins was one of only 16 community cancer programs in the country selected to participate in the NCI Community Cancer Centers Program because of its proven medical leadership, phenomenal community outreach and experience in conducting clinical trials; and

Whereas, the Cancer Program of Our Lady of the Lake and Mary Bird Perkins was the only cancer program in Louisiana, and the only program in the Gulf South, selected for the NCI Community Cancer Centers Program; and

Whereas, the NCI Community Cancer Centers Program is designed to create a community-based cancer center network to support basic, clinical and population-based research initiatives, addressing the full cancer care continuum from prevention, screening, diagnosis, treatment and survivorship through end-of-life care; and

Whereas, the seven major focus areas of the NCI Community Cancer Centers Program are to reduce cancer healthcare disparities, improve quality of care, increase participation in clinical trials, enhance cancer survivorship and palliative care services, participate in biospecimen research initiatives to support personalized medicine, expand use of electronic health records and connect to cancer research data network and enhance cancer advocacy; and

Whereas, the sixteen initial pilot hospitals have made considerable progress toward achieving the major program goals and are defining for NCI what it takes to build a national network of community hospitals that are fully engaged in cancer research and offer the latest evidence-based, multidisciplinary care to diverse populations in their home communities; and

Whereas, funding from the American Recovery and Reinvestment Act helped the NCI Community Cancer Centers Program expand from its original pilot network of sixteen to thirty hospitals in twenty-two states. Therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to continue to support and invest in the National Cancer Institute Community Cancer Centers Program, a vital and innovative program that is transforming the way cancer care is delivered across the nation. Be it further

Resolved, That a copy of this Resolution be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-135. A concurrent resolution adopted by the Legislature of the State of Louisiana urging Congress to adopt and submit to the states for ratification the Parental Rights Amendment to the Constitution of the United States; to the Committee on the Judiciary.

SENATE CONCURRENT RESOLUTION NO. 38

Whereas, the right of parents to direct the upbringing and education of their children is a fundamental right protected by the Constitution of the United States and the Constitution of Louisiana; and

Whereas, our nation has historically relied first and foremost upon parents to meet the real and constant needs of children; and

Whereas, the interests of children are best served when parents are free to make child-rearing decisions about education, religion, and other areas of a child's life without state interference; and

Whereas, the United States Supreme Court, in Wisconsin v. Yoder, 406 U.S. 205 (1972), held that "This primary role of the parents in the upbringing of their children is now established beyond debate as an enduring American tradition"; and

Whereas, however, in Troxel v. Granville, 530 U.S. 57 (2000), six justices of the United States Supreme Court filed opinions on the nature and enforceability of parental rights under the Constitution of the United States; and

Whereas, the number of written opinions in Troxel v. Granville has created confusion and ambiguity about the fundamental nature of parental rights in the laws and society of the several states; and

Whereas, H.J. Res. 42 and S.J. Res. 16 were introduced during the First Session of the 111th Congress to provide for an amendment to the United States Constitution to prevent erosion of the enduring American tradition of treating parental rights as fundamental rights, and the legislation states:

"Section One: The liberty of parents to direct the upbringing and education of their children is a fundamental right.

Section Two: Neither the United States nor any State shall infringe upon this right without demonstrating that its governmental interest as applied to the person is of the highest order and not otherwise served.

Section Three: No treaty may be adopted nor shall any source of international law be employed to supersede, modify, interpret, or apply to the rights guaranteed by this article"; and

Whereas, this amendment would add explicit text to the Constitution of the United States to forever protect the rights of parents as they are now enjoyed, without substantive

change to current state or federal laws respecting these rights; and

Whereas, the enumeration of these rights in the text of the Constitution of the United States would preserve these rights from being infringed upon by shifting ideologies and interpretations of the United States Supreme Court. Therefore, be it

Resolved, that the Legislature of Louisiana memorializes the Congress of the United States to adopt and submit to the states for ratification the Parental Rights Amendment to the Constitution of the United States. Be it further

Resolved, that a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DORGAN, from the Committee on Appropriations, without amendment:

S. 3635. An original bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2011, and for other purposes (Rept. No. 111-228).

By Ms. MIKULSKI, from the Committee on Appropriations, without amendment:

S. 3636. An original bill making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2011, and for other purposes (Rept. No. 111-229).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 258. A bill to amend the Controlled Substances Act to provide enhanced penalties for marketing controlled substances to minors.

S. 1684. A bill to establish guidelines and incentives for States to establish criminal arsonist and criminal bomber registries and to require the Attorney General to establish a national criminal arsonist and criminal bomber registry program, and for other purposes.

By Mr. DODD, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 3638. An original bill to establish a national safety plan for public transportation, and for other purposes.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. LAUTENBERG (for himself, Mrs. MURRAY, and Ms. CANTWELL):

S. 3629. A bill to improve the efficiency, operation, and security of the national transportation system to move freight by leveraging investments and promoting partnerships that advance interstate and foreign commerce, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHAR (for herself and Mr. LEMIEUX):

S. 3630. A bill to improve the commercialization potential of National Science Foundation grants, enhance the metrics used to assess such potential, and for other purposes; to the Committee on Finance.

By Mrs. MURRAY:

S. 3631. A bill to encourage innovation to create clean technologies, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND:

S. 3632. A bill to provide for enhanced penalties to combat Medicare and Medicaid fraud, a Medicare data-mining system, and a Beneficiary Verification Pilot Program, and for other purposes; to the Committee on Finance.

By Mr. CARPER (for himself and Ms. SNOWE):

S. 3633. A bill to amend the Solid Waste Disposal Act to improve a provision relating to Federal procurement of recycled materials to reduce greenhouse gas emissions; to the Committee on Environment and Public Works

By Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico):

S. 3634. A bill to amend the Internal Revenue Code of 1986 to clarify the types of energy conservation subsidies provided by public utilities eligible for income exclusion; to the Committee on Finance.

By Mr. DORGAN:

S. 3635. An original bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2011, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Ms. MIKULSKI:

S. 3636. An original bill making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2011, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. KOHL (for himself, Ms. SNOWE, and Mr. INOUYE):

S. 3637. A bill to authorize appropriations for the Housing Assistance Council; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DODD:

S. 3638. An original bill to establish a national safety plan for public transportation, and for other purposes; from the Committee on Banking, Housing, and Urban Affairs; placed on the calendar.

By Mr. ROCKEFELLER (for himself and Mrs. HUTCHISON):

S. 3639. A bill to provide for greater maritime transportation security, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. UDALL of Colorado (for himself, Mr. CRAPO, Mr. GREGG, Mr. BENNET, and Ms. KLOBUCHAR):

S. 3640. A bill to amend the Internal Revenue Code of 1986 to increase the limitations on the amount excluded from the gross estate with respect to land subject to a qualified conservation easement; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself, Ms. SNOWE, and Mr. ROCKEFELLER):

S. 3641. A bill to create the National Endowment for the Oceans to promote the protection and conservation of United States ocean, coastal, and Great Lakes ecosystems, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. BOXER (for herself, Mr. MERKLEY, Mrs. GILLIBRAND, and Mr. BEGICH):

S. 3642. A bill to ensure that the underwriting standards of Fannie Mae and Freddie Mac facilitate the use of property assessed clean energy programs to finance the installation of renewable energy and energy efficiency improvements; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MCCONNELL (for himself, Ms. MURKOWSKI, Mr. ALEXANDER, Mr. INHOFE, and Mr. THUNE):

S. 3643. A bill to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf, to improve oil spill compensation, to terminate the moratorium on deepwater drilling, and for other purposes; read the first time.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. KOHL (for himself and Mr. HATCH):

S. Res. 592. A resolution designating the week of September 13-19, 2010, as "Polycystic Kidney Disease Awareness Week", and supporting the goals and ideals of Polycystic Kidney Disease Awareness Week to raise awareness and understanding of polycystic kidney disease and the impact the disease has on patients now and for future

generations until it can be cured; to the Committee on the Judiciary.

By Mrs. MURRAY (for herself, Mr. ISAKSON, and Mr. BEGICH):

S. Res. 593. A resolution expressing support for designation of October 7, 2010, as "Jumpstart's Read for the Record Day"; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID:

S. Res. 594. A resolution to constitute the majority party's membership on certain committees for the One Hundred Eleventh Congress, or until their successors are chosen; considered and agreed to.

ADDITIONAL COSPONSORS

S. 28

At the request of Mr. SCHUMER, the name of the Senator from California [Mrs. FEINSTEIN] was withdrawn as a cosponsor of S. 28, a bill to ensure that the courts of the United States may provide an impartial forum for claims brought by United States citizens and others against any railroad organized as a separate legal entity, arising from the deportation of United States citizens and others to Nazi concentration camps on trains owned or operated by such railroad, and by the heirs and survivors of such persons.

At the request of Mr. SCHUMER, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 28, supra.

S. 493

At the request of Mr. CASEY, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 493, a bill to amend the Internal Revenue Code of 1986 to provide for the establishment of ABLE accounts for the care of family members with disabilities, and for other purposes.

S. 653

At the request of Mr. CARDIN, the names of the Senator from Pennsylvania [Mr. SPECTER], the Senator from North Dakota [Mr. CONRAD], the Senator from Nebraska [Mr. NELSON], the Senator from Virginia [Mr. WEBB], the Senator from Idaho [Mr. CRAPO], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Alabama [Mr. SESSIONS], the Senator from Oregon [Mr. MERKLEY], the Senator from Florida [Mr. LEMIEUX] and the Senator from Maine [Ms. COLLINS] were added as cosponsors of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 828

At the request of Mr. HARKIN, the name of the Senator from Nebraska [Mr. JOHANNS] was added as a cosponsor of S. 828, a bill to amend the Energy Policy Act of 2005 to provide loan guarantees for projects to construct renewable fuel pipelines, and for other purposes.

S. 850

At the request of Mr. KERRY, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 850, a bill to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks.

S. 941

At the request of Mr. CRAPO, the name of the Senator from Arizona [Mr. KYL] was added as a cosponsor of S. 941, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearm laws and regulations, protect the community from criminals, and for other purposes.

S. 1112

At the request of Mr. DODD, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 1112, a bill to make effective the proposed rule of the Food and Drug Administration relating to sunscreen drug products, and for other purposes.

S. 1553

At the request of Mr. GRASSLEY, the names of the Senator from Pennsylvania [Mr. CASEY] and the Senator from New York [Mr. SCHUMER] were added as cosponsors of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1674

At the request of Mr. WYDEN, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 1674, a bill to provide for an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 2747

At the request of Mr. BINGAMAN, the names of the Senator from New Jersey [Mr. MENENDEZ] and the Senator from South Dakota [Mr. JOHNSON] were added as cosponsors of S. 2747, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 3034

At the request of Mr. SCHUMER, the names of the Senator from Florida [Mr. NELSON], the Senator from California [Mrs. FEINSTEIN], the Senator from Delaware [Mr. CARPER], the Senator from Colorado [Mr. BENNET], the Senator from Tennessee [Mr. ALEXANDER], the Senator from Hawaii [Mr. INOUYE], the Senator from Illinois [Mr. BURRIS], the Senator from Illinois [Mr. DURBIN], the Senator from Nebraska [Mr. NELSON], the Senator from Iowa [Mr. GRASSLEY] and the Senator from New Hampshire [Mr. GREGG] were added as cosponsors of S. 3034, a bill to require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center.

S. 3079

At the request of Mr. MERKLEY, the names of the Senator from New Jersey [Mr. LAUTENBERG] and the Senator from Washington [Mrs. MURRAY] were added as cosponsors of S. 3079, a bill to assist in the creation of new jobs by providing financial incentives for owners of commercial buildings and multifamily residential buildings to retrofit their buildings with energy efficient building equipment and materials and for other purposes.

S. 3084

At the request of Ms. KLOBUCHAR, the name of the Senator from West Virginia [Mr. ROCKEFELLER] was added as a cosponsor of S. 3084, a bill to increase the competitiveness of United States businesses, particularly small and medium-sized manufacturing firms, in interstate and global commerce, foster job creation in the United States, and assist United States businesses in developing or expanding commercial activities in interstate and global commerce by expanding the ambit of the Hollings Manufacturing Extension Partnership program and the Technology Innovation Program to include projects that have potential for commercial exploitation in nondomestic markets, providing for an increase in related resources of the Department of Commerce, and for other purposes.

S. 3297

At the request of Mr. FEINGOLD, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 3297, a bill to update United States policy and authorities to help advance a genuine transition to democracy and to promote recovery in Zimbabwe.

S. 3397

At the request of Ms. KLOBUCHAR, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 3397, a bill to amend the Controlled Substances Act to provide for take-back

disposal of controlled substances in certain instances, and for other purposes.

S. 3434

At the request of Mr. BINGAMAN, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 3434, a bill to provide for the establishment of a Home Star Retrofit Rebate Program, and for other purposes.

S. 3508

At the request of Mr. UDALL of New Mexico, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 3508, a bill to strengthen the capacity of the United States to lead the international community in reversing renewable natural resource degradation trends around the world that threaten to undermine global prosperity and security and eliminate the diversity of life on Earth, and for other purposes.

S. 3513

At the request of Mr. GRAHAM, the name of the Senator from Oklahoma [Mr. INHOFE] was added as a cosponsor of S. 3513, a bill to amend the Internal Revenue Code of 1986 to extend for one year the special depreciation allowances for certain property.

S. 3578

At the request of Mr. JOHANNS, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of S. 3578, a bill to repeal the expansion of information reporting requirements for payments of $600 or more to corporations, and for other purposes.

S. 3597

At the request of Mr. ROCKEFELLER, the name of the Senator from Florida [Mr. NELSON] was added as a cosponsor of S. 3597, a bill to improve the ability of the National Oceanic and Atmospheric Administration, the Coast Guard, and coastal States to sustain healthy ocean and coastal ecosystems by maintaining and sustaining their capabilities relating to oil spill preparedness, prevention, response, restoration, and research, and for other purposes.

S. 3619

At the request of Mr. TESTER, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 3619, a bill to amend the Energy Independence and Security Act of 2007 to improve geothermal energy technology and demonstrate the use of geothermal energy in large scale thermal applications, and for other purposes.

S. 3621

At the request of Mr. JOHNSON, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3621, a bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs.

S. 3622

At the request of Mr. JOHANNS, the name of the Senator from Iowa [Mr. GRASSLEY] was added as a cosponsor of S. 3622, a bill to require the Administrator of the Environmental Protection Agency to finalize a proposed rule to amend the spill prevention, control, and countermeasure rule to tailor and streamline the requirements for the dairy industry, and for other purposes.

SENATE JOINT RESOLUTION 29

At the request of Mr. MCCONNELL, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of Senate Joint Resolution 29, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

SENATE RESOLUTION 519

At the request of Mr. DEMINT, the name of the Senator from Wyoming [Mr. ENZI] was added as a cosponsor of Senate Resolution 519, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and children is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent.

SENATE RESOLUTION 585

At the request of Mr. INOUYE, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of Senate Resolution 585, a resolution designating the week of August 2 through August 8, 2010, as "National Convenient Care Clinic Week", and supporting the goals and ideals of raising awareness of the need for accessible and cost-effective health care options to complement the traditional health care model.

SENATE RESOLUTION 586

At the request of Mr. FEINGOLD, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of Senate Resolution 586, a resolution supporting democracy, human rights, and civil liberties in Egypt.

SENATE RESOLUTION 591

At the request of Mr. HARKIN, the names of the Senator from Nevada [Mr. REID], the Senator from Massachusetts [Mr. KERRY], the Senator from Maryland [Mr. CARDIN], the Senator from Connecticut [Mr. DODD], the Senator from Illinois [Mr. DURBIN], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Minnesota [Ms. KLOBUCHAR], the Senator from Pennsylvania [Mr. CASEY], the Senator from Pennsylvania [Mr. SPECTER], the Senator from Maryland [Ms. MIKULSKI], the Senator from South Dakota [Mr. JOHNSON], the Senator from Washington [Mrs. MURRAY], the Senator from Vermont [Mr. LEAHY], the Senator from New Mexico [Mr. BINGAMAN], the Senator from Ohio [Mr. BROWN], the Senator from Indiana [Mr. BAYH], the Senator from Oregon [Mr. MERKLEY], the Senator from Illinois [Mr. BURRIS], the Senator from California [Mrs. BOXER], the Senator from California [Mrs. FEINSTEIN], the Senator from Michigan [Ms. STABENOW], the Senator from Wisconsin [Mr. FEINGOLD], the Senator from Delaware [Mr. KAUFMAN], the Senator from North Dakota [Mr. DORGAN], the Senator from New York [Mrs. GILLIBRAND], the Senator from Hawaii [Mr. AKAKA], the Senator from Arkansas [Mr. PRYOR], the Senator from Minnesota [Mr. FRANKEN], the Senator from Utah [Mr. HATCH], the Senator from Wyoming [Mr. ENZI], the Senator from Maine [Ms. SNOWE], the Senator from Wyoming [Mr. BARRASSO], the Senator from Rhode Island [Mr. REED], the Senator from Michigan [Mr. LEVIN] and the Senator from South Dakota [Mr. THUNE] were added as cosponsors of Senate Resolution 591, a resolution recognizing and honoring the 20th anniversary of the enactment of the Americans with Disabilities Act of 1990.

At the request of Mr. MENENDEZ, his name was added as a cosponsor of Senate Resolution 591, supra.

At the request of Ms. COLLINS, her name was added as a cosponsor of Senate Resolution 591, supra.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. HARKIN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 22, 2010, in room 253 of the Russell Senate Office Building.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 22, 2010, at 11 a.m., in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on July 22, 2010, at 10 a.m.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, to conduct a hearing entitled "Workplace Safety and Worker Protections at BP" on July 22, 2010. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs be authorized to meet during the session of the Senate on July 22, 2010, at 10:30 a.m. in room 628 of the Dirksen Senate Office Building.

AD HOC SUBCOMMITTEE ON STATE, LOCAL, AND PRIVATE SECTOR PREPAREDNESS AND INTEGRATION

The Ad Hoc Subcommittee on State, Local, and Private Sector Preparedness and Integration of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 22, 2010, at 10 a.m. to conduct a hearing entitled, "A Review of Disaster Medical Preparedness: Improving Coordination and Collaboration in the Delivery of Medical Assistance during Disasters."

SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR SAFETY

The Subcommittee on Clean Air and Nuclear Safety of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on July 22, 2010, at 9:15 a.m. in room 406 of the Dirksen Office Building.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

The Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on July 22, 2010, at 2:30 p.m. to conduct a hearing entitled, "The Gulf of Mexico Oil Spill: Ensuring a Financially Responsible Recovery Part II."

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 11:13 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2693. An act to amend title VII of the Oil Pollution Act of 1990, and for other purposes.

H.R. 4380. An act to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, and for other purposes.

H.R. 5566. An act to amend title 18, United States Code, to prohibit interstate commerce in animal crush videos, and for other purposes.

H.R. 5716. An act to provide for enhancement of existing efforts in support of research, development, demonstration, and commercial application activities to advance technologies for the safe and environmentally responsible exploration, development, and production of oil and natural gas resources.

The House also announced it passed the following bill, without amendment:

S. 1053. An act to amend the National Law Enforcement Museum Act to extend the termination date.

The message further announced that the House agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 292. Concurrent resolution supporting the goals and ideals of National Aerospace Week, and for other purposes.

At 3 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House agreed to the amendment of the Senate to the amendment of the House to the amendment of the Senate to the bill (H.R. 4213) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

At 4:31 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 4213. An act to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the PRESIDENT pro tempore.

HOUSE BILL AND CONCURRENT RESOLUTION REFERRED

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

H.R. 2693. An act to amend title VII of the Oil Pollution Act of 1990, and for other purposes; to the Committee on Commerce, Science, and Transportation.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 292. Concurrent resolution supporting the goals and ideals of National Aerospace Week, and for other purposes; to the Committee on Commerce, Science, and Transportation.

NATIONAL SEPTEMBER 11 MEMORIAL & MUSEUM COMMEMORATIVE MEDAL ACT

On the request of Mr. DURBIN,

The PRESIDING OFFICER (Mr. BURRIS in the chair) laid before the Senate the bill (H.R. 4684) to require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center, received from the House of Representatives for concurrence on yesterday, and remaining undisposed of; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE NATIONAL MUSEUM OF AMERICAN JEWISH HISTORY

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on Rules and Administration be discharged from the further consideration of the resolution (S. Res. 546) recognizing the National Museum of American Jewish History, an affiliate of the Smithsonian Institution, as the only museum in the United States dedicated exclusively to exploring and preserving the American Jewish experience.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL CONVENIENT CARE CLINIC WEEK"

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 585) designating the week of August 2 through August 8, 2010, as "National Convenient Care Clinic Week", and supporting the goals and ideals of raising awareness of the need for accessible and cost-effective health care options to complement the traditional health care model.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "MONTFORD POINT MARINES DAY"

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 587) designating August 26, 2010, as "Montford Point Marines Day".

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

BILL READ THE FIRST TIME

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the bill (S. 3643) to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf, to improve oil spill compensation, to terminate the moratorium on deepwater drilling, and for other purposes, introduced today by Mr. MCCONNELL (for himself, Ms. MURKOWSKI, Mr. ALEXANDER, Mr. INHOFE, And Mr. THUNE), and at the desk; which was read the first time.

Mr. DURBIN asked unanimous consent that the bill be read the second time.

Mr. DURBIN objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

MAKING MAJORITY PARTY COMMITTEE APPOINTMENTS FOR THE 111TH CONGRESS

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 594) to constitute the majority party's membership on certain committees for the One Hundred Eleventh Congress, or until their successors are chosen, submitted today by Mr. REID, and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 3 P.M. ON MONDAY, JULY 26, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 3 p.m. on Monday, July 26, 2010; that, on Monday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of the motion to proceed to consider bill S. 3628.

ADJOURNMENT

By unanimous consent, on the request of Mr. DURBIN,

At 11:05 p.m.,

The Senate adjourned, under its order of today, until 3 p.m. on Monday, July 26, 2010.

MONDAY, JULY 26, 2010

Ms. MARY L. LANDRIEU, from the State of Louisiana, called the Senate to order at 3 p.m., the Chaplain offered a prayer, and Ms. LANDRIEU led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, July 26, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARY L. LANDRIEU, a Senator from the State of Louisiana, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Ms. LANDRIEU took the chair.

ORDER FOR MORNING BUSINESS

By unanimous consent, on the request of Mr. REID,

Ordered, That, following the remarks of the two leaders, there be a period of one hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

THE JOURNAL

Pursuant to the order of Thursday, July 22, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Thursday, July 22, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of today,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

REPORT OF COMMITTEE SUBMITTED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 6, 2009, the following report of committee was submitted on July 23, 2010:

By Mrs. MURRAY, from the Committee on Appropriations, without amendment:

S. 3644. An original bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2011, and for other purposes (Rept. No. 111-230).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 1862. A bill to provide that certain Secret Service employees may elect to transition to coverage under the District of Columbia Police and Fire Fighter Retirement and Disability System (Rept. No. 111-231).

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

Report to accompany S. 3638, An original bill to establish a national safety plan for public transportation, and for other purposes (Rept. No. 111-232).

By Mrs. BOXER, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute and an amendment to the title:

H.R. 3562. To designate the federally occupied building located at 1220 Echelon Parkway in Jackson, Mississippi, as the "James Chaney, Andrew Goodman, and Michael Schwerner Federal Building".

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mrs. MURRAY:

S. 3645. A bill to direct the Secretary of Education to establish and administer an awards program recognizing excellence exhibited by public school system employees providing services to students in pre-kindergarten through higher education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LIEBERMAN:

S. 3646. A bill to provide for the furnishing of statues by the District of Columbia for display in Statuary Hall in the United States Capitol; to the Committee on Rules and Administration.

By Mr. TESTER:

S. 3647. A bill to amend the Public Health Service Act to provide for the participation of particular specialists determined by the Secretary of Health and Human Services to be directly related to the health needs stemming from environmental health hazards that have led to its declaration as a Public Health Emergency to be eligible under the National Health Service Corps in the National Health Service Corps Loan Repayment Program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DORGAN (for himself, Mr. THUNE, Mr. CONRAD, and Mr. JOHNSON):

S. 3648. A bill to establish a commission to conduct a study and provide recommendations on a comprehensive resolution of impacts caused to certain Indian tribes by the Pick-Sloan Program; to the Committee on Indian Affairs.

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

S. 3649. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to provide for use of excess funds available under that Act to provide for certain benefits, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself, Mr. AKAKA, Mr. VOINOVICH, Ms. COLLINS, Ms. LANDRIEU, and Mr. LIEBERMAN):

S. 3650. A bill to amend chapter 21 of title 5, United States Code, to provide that fathers of certain permanently disabled or deceased veterans shall be included with mothers of such veterans as preference eligibles for treatment in the civil service; to the Committee on Homeland Security and Governmental Affairs.

ADDITIONAL COSPONSORS

S. 369

At the request of Mr. KOHL, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 369, a bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market.

S. 653

At the request of Mr. CARDIN, the names of the Senator from Missouri [Mr. BOND] and the Senator from Iowa [Mr. HARKIN] were added as cosponsors of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 984

At the request of Mrs. BOXER, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 984, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 1612

At the request of Mrs. LINCOLN, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 1612, a bill to amend the Internal Revenue Code of 1986 to improve the operation of employee stock ownership plans, and for other purposes.

S. 2128

At the request of Mr. LEMIEUX, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 2128, a bill to provide for the establishment of the Office of Deputy Secretary for Health Care Fraud Prevention.

S. 2750

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 2750, a bill to amend the Public Health Service Act to authorize the Secretary of Health and Human Services to make grants to eligible States for the purpose of reducing the student-to-school nurse ratio in public secondary schools, elementary schools, and kindergarten.

S. 2755

At the request of Mr. MENENDEZ, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 2755, a bill to amend the Internal Revenue Code of 1986 to provide an investment credit for equipment used to fabricate solar energy property, and for other purposes.

S. 2801

At the request of Mr. FRANKEN, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 2801, a bill to provide children in foster care with school stability and equal access to educational opportunities.

S. 2920

At the request of Mr. LAUTENBERG, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 2920, a bill to amend chapter 1 of title 23, United States Code, to condition the receipt of certain highway funding by States on the enactment and enforcement by States of certain laws to prevent repeat intoxicated driving.

S. 3079

At the request of Mr. MERKLEY, the name of the Senator from Indiana [Mr. BAYH] was added as a cosponsor of S. 3079, a bill to assist in the creation of new jobs by providing financial incentives for owners of commercial buildings and multifamily residential buildings to retrofit their buildings with energy efficient building equipment and materials and for other purposes.

S. 3339

At the request of Mr. KERRY, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 3339, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 3390

At the request of Mr. FRANKEN, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 3390, a bill to end the discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 3401

At the request of Mr. BURR, the name of the Senator from Iowa [Mr. GRASSLEY] was added as a cosponsor of S. 3401, a bill to provide for the use of unobligated discretionary stimulus dollars to address AIDS Drug Assistance Program waiting lists and other cost containment measures impacting State ADAP programs.

S. 3434

At the request of Mr. BINGAMAN, the names of the Senator from New Jersey [Mr. LAUTENBERG], the Senator from New Jersey [Mr. MENENDEZ] and the Senator from Washington [Mrs. MURRAY] were added as cosponsors of S. 3434, a bill to provide for the establishment of a Home Star Retrofit Rebate Program, and for other purposes.

S. 3510

At the request of Mr. CONRAD, the name of the Senator from Texas [Mrs. HUTCHISON] was added as a cosponsor of S. 3510, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery

period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 3572

At the request of Mrs. LINCOLN, the name of the Senator from Kansas [Mr. ROBERTS] was added as a cosponsor of S. 3572, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first law enforcement agency, the United States Marshals Service.

S. 3578

At the request of Mr. JOHANNS, the name of the Senator from Texas [Mrs. HUTCHISON] was added as a cosponsor of S. 3578, a bill to repeal the expansion of information reporting requirements for payments of $600 or more to corporations, and for other purposes.

S. 3581

At the request of Mr. LUGAR, the names of the Senator from Arizona [Mr. MCCAIN] and the Senator from Arizona [Mr. KYL] were added as cosponsors of S. 3581, a bill to implement certain defense trade treaties.

S. 3617

At the request of Mr. BINGAMAN, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 3617, a bill to amend the Internal Revenue Code of 1986 to provide for an energy investment credit for energy storage property connected to the grid, and for other purposes.

S. 3622

At the request of Mr. JOHANNS, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 3622, a bill to require the Administrator of the Environmental Protection Agency to finalize a proposed rule to amend the spill prevention, control, and countermeasure rule to tailor and streamline the requirements for the dairy industry, and for other purposes.

S. 3628

At the request of Mr. SCHUMER, the names of the Senator from Colorado [Mr. UDALL], the Senator from New Mexico [Mr. BINGAMAN], the Senator from New York [Mrs. GILLIBRAND], the Senator from Oregon [Mr. WYDEN] and the Senator from Vermont [Mr. LEAHY] were added as cosponsors of S. 3628, a bill to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes.

S. 3643

At the request of Mr. MCCONNELL, the names of the Senator from Utah [Mr. BENNETT], the Senator from Wyoming [Mr. BARRASSO], the Senator from Texas [Mr. CORNYN] and the Senator from Mississippi [Mr. WICKER] were added as cosponsors of S. 3643, a bill to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf, to improve oil spill compensation, to terminate the moratorium on deepwater drilling, and for other purposes.

SENATE RESOLUTION 519

At the request of Mr. DEMINT, the name of the Senator from Wyoming [Mr. BARRASSO] was added as a cosponsor of Senate Resolution 519, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and children is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent.

SENATE RESOLUTION 586

At the request of Mr. FEINGOLD, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of Senate Resolution 586, a resolution supporting democracy, human rights, and civil liberties in Egypt.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 3:05 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1469. An act to amend the National Child Protection Act of 1993 to establish a permanent background check system.

H.R. 5341. An act to designate the facility of the United States Postal Service located at 100 Orndorf Drive in Brighton, Michigan, as the "Joyce Rogers Post Office Building".

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

H.J. Res. 83. A joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

S. 1053. An act to amend the National Law Enforcement Museum Act to extend the termination date.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The enrolled bill and joint resolution were subsequently signed by the PRESIDENT pro tempore.

HOUSE BILLS REFERRED

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

H.R. 1469. An act to amend the National Child Protection Act of 1993 to establish a permanent background check system; to the Committee on the Judiciary.

H.R. 5341. An act to designate the facility of the United States Postal Service located at 100 Orndorf Drive in Brighton, Michigan, as the "Joyce Rogers Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3643) to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf, to improve oil spill compensation, to terminate the moratorium on deepwater drilling, and for other purposes, introduced on Thursday, July 22, 2010 by Mr. MCCONNELL (for himself, Ms. MURKOWSKI, Mr. ALEXANDER, Mr. INHOFE, Mr. THUNE, Mr. BENNETT, Mr. BARRASSO, Mr. CORNYN, and Mr. WICKER), and read the first time on that day; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

MOTION TO PROCEED TO CONSIDER BILL S. 3628

Pursuant to the order of Thursday, July 22, 2010,

The PRESIDING OFFICER (Mr. KAUFMAN in the chair) laid before the Senate the motion, made by Mr. REID, on Thursday, July 22, 2010, that the Senate proceed to consider the bill (S. 3628) to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes; and

The Senate resumed consideration of the motion to proceed.

The question being on agreeing to the motion.

Pending debate,

NOTICES OF INTENT TO MOVE TO SUSPEND

Mr. JOHANNS, in accordance with rule V of the Standing Rules of the Senate, submitted notice in writing of his intent to move to suspend rule XXII of the Standing Rules of the Senate for purpose of proposing amendment No. 4515 to amendment No. 4500 to amendment No. 4499 (in the nature of a substitute) to the bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes.

Mr. VITTER, in accordance with rule V of the Standing Rules of the Senate, submitted notice in writing of his intent to move to suspend rule XXII, paragraph 2, of the Standing Rules of the Senate for purpose of proposing amendment No. 4516 to amendment No. 4500 to amendment No. 4499 (in the nature of a substitute) to bill H.R. 5297.

Ms. MURKOWSKI, in accordance with rule V of the Standing Rules of the Senate, submitted notice in writing of her intent to move to suspend rule XXII, paragraph 2, of the Standing Rules of the Senate for purpose of proposing amendment No. 4517 to amendment No. 4500 to amendment No. 4499 (in the nature of a substitute) to bill H.R. 5297.

Mr. MCCONNELL, in accordance with rule V of the Standing Rules of the Senate, submitted notice in writing of his intent to move to suspend rule XXII, paragraph 2, of the Standing Rules of the Senate for purpose of proposing amendment No. 4514 to amendment No. 4500 to amendment No. 4499 (in the nature of a substitute) to bill H.R. 5297.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. SPECTER,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 12:30 p.m., with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; and that the majority control the first 30 minutes therein, and the minority control the second 30 minutes therein.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 2:15 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mr. SPECTER,

At 6:17 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

TUESDAY, JULY 27, 2010

Mrs. JEANNE SHAHEEN, from the State of New Hampshire, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mrs. SHAHEEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, July 27, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mrs. SHAHEEN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, Tuesday, July 27, 2010, she had presented to the President of the United States the following enrolled bill:

S. 1053. A bill to amend the National Law Enforcement Museum Act to extend the termination date.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6811. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pyraclostrobin; Pesticide Tolerances" (FRL No. 8834-8), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6812. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Poly(oxy-1,2-ethanediyl), a-isotridecyl-w-methoxy; Exemption from the Requirement of a Tolerance" (FRL No. 8830-6), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6813. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Trichoderma Hamatum Isolate 382; Exemption from the Requirement of a Tolerance" (FRL No. 8835-6), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6814. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2-Propanol, 1,1',1"-nitrilotris-; Exemption from the Requirement of a Tolerance" (FRL No. 8825-6), received in the Office of the President of the Senate on

July 21, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6815. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of a violation of the Antideficiency Act that occurred on August 25, 2004 in one of the Agency's two-year appropriation accounts titled "Science and Technology"; to the Committee on Appropriations.

EC-6816. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Reporting of Commercially Available Off-the-Shelf Items that Contain Specialty Metals-Deletion of Obsolete Clause" (DFARS Case 2009-D024), received in the Office of the President of the Senate on July 22, 2010; to the Committee on Armed Services.

EC-6817. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Excessive Pass-Through Charges" (DFARS Case 2006-D057), received in the Office of the President of the Senate on July 22, 2010; to the Committee on Armed Services.

EC-6818. A communication from the Under Secretary of Defense (Comptroller), Department of Defense, transmitting, pursuant to law, a quarterly report entitled, "Acceptance of Contributions for Defense Programs, Projects, and Activities; Defense Cooperation Account"; to the Committee on Armed Services.

EC-6819. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Recreational Management Measures for the Summer Flounder, Scup, and Black Sea Bass Fisheries; Fishing Year 2010" (RIN0648-AY04), received in the Office of the President of the Senate on July 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6820. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Comprehensive Ecosystem-Based Amendment 1 for the South Atlantic Region; Correction" (RIN0648-AY32), received in the Office of the President of the Senate on July 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6821. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Deep-Water Species Fishery by Catcher Vessels in the Gulf of Alaska" (RIN0648-XX32), received in the Office of the President of the Senate on July 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6822. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XX53), received in the Office of the President of the Senate on July 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6823. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Adjustment to the Loligo Trimester 2 and 3 Quota" (RIN0648-XW95), received in the Office of the President of the Senate on July 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6824. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XX39), received in the Office of the President of the Senate on July 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6825. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Greenland Turbot in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Management Area" (RIN0648-XX19), received in the Office of the President of the Senate on July 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6826. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Greenland Turbot in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Management Area" (RIN0648-XX17), received in the Office of the President of the Senate on July 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6827. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2010 Harvest Specifications for Yelloweye Rockfish and In-Season Adjustments to Fishery Management Measures" (RIN0648-BA00), received in the Office of the President of the Senate on July 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6828. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Economic Exclusive Zone Off Alaska; Shallow-Water Species Fishery by Catcher/Processors in the Gulf of Alaska" (RIN0648-XX31), received in the Office of the President of the Senate on July 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6829. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Economic Exclusive Zone Off Alaska; Deep-Water Species Fishery by Catcher/Processor Rockfish Cooperatives in the Gulf of Alaska" (RIN0648-XX33), received in the Office of the President of the Senate on July 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6830. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Amboy, California)" (MB Docket No. 10-63), received in the Office of the President of the Senate on July 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6831. A communication from the Policy Advisor/Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Review of Personal Radio Services Rules" (FCC 10-106), received in the Office of the President of the Senate on July 26, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6832. A communication from the Acting Director of Sustainable Fisheries,

National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish and Pelagic Shelf Rockfish for Trawl Catcher Vessels Participating in the Entry Level Rockfish Fishery in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XX34), received in the Office of the President of the Senate on July 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6833. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Elemental Mercury Used in Flow Meters, Natural Gas Manometers, and Pyrometers; Significant New Use Rule" (FRL No. 8832-2), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Environment and Public Works.

EC-6834. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Amendments to National Emission Standards for Hazardous Air Pollutants: Area Source Standards for Prepared Feeds Manufacturing" (FRL No. 9176-7), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Environment and Public Works.

EC-6835. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Texas; Revisions to Emissions Inventory Reporting Requirements and Conformity of General Federal Actions, Including Revisions Allowing Electronic Reporting Consistent with the Cross Media Electronic Reporting Rule" (FRL No. 9177-4), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Environment and Public Works.

EC-6836. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Rhode Island: Final Authorization of State Hazardous Waste Management Program Revisions" (FRL No. 9179-5), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Environment and Public Works.

EC-6837. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of One-Year Extension for Attaining the 1997 8-Hour Ozone Standard in the Baltimore Moderate Nonattainment Area" (FRL No. 9179-1), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Environment and Public Works.

EC-6838. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New York Reasonably Available Control Technology and Reasonably Available Control Measures" (FRL No. 9178-5), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Environment and Public Works.

EC-6839. A communication from the Program Manager, Office of Consumer Information and Insurance Oversight, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Interim Final Rules for Group Health Plans and Health Insurance Issuers Relating to Internal Claims and Appeals and External Review Processes Under the Patient Protection and Affordable Care Act" (RIN0991-AB70), received in the Office of the President of the Senate on July 22, 2010; to the Committee on Finance.

EC-6840. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Hospice Wage Index for Fiscal Year 2011" (RIN0938-AP84), received in the Office of the President of the Senate on July 22, 2010; to the Committee on Finance.

EC-6841. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Prospective Payment System and Consolidated Billing for Skilled Nursing Facilities for Fiscal Year 2011" (RIN0938-AP87), received in the Office of the President of the Senate on July 22, 2010; to the Committee on Finance.

EC-6842. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, including, technical data, and defense services to the United Arab Emirates to Support the sale of F-16 Block 60 Fighter Aircraft in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-6843. A communication from the Director of Human Resources, Railroad Retirement Board, transmitting, pursuant to law, a report relative to the category rating system; to the Committee on Health, Education, Labor, and Pensions.

EC-6844. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "Sufficiency Certification for the Washington Convention and Sports Authority's Projected Revenues and Excess Reserve to Meet Projected Operating and Debt Service Expenditures and Reserve Requirements for Fiscal Year 2011"; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 1132, A bill to amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, and for other purposes (Rept. No. 111-233).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

H.R. 1454. A bill to provide for the issuance of a Multinational Species Conservation Funds Semipostal Stamp (Rept. No. 111-234).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Ms. KLOBUCHAR:

S. 3651. A bill to amend title 18, United States Code, with respect to the offense of stalking; to the Committee on the Judiciary.

By Mr. THUNE:

S. 3652. A bill to provide for comprehensive budget reform in order to increase transparency and reduce the deficit; to the Committee on the Budget.

By Mr. CORNYN (for himself, Mr. HATCH, Mr. ROBERTS, Mr. COBURN, Mr. KYL, and Mr. MCCAIN):

S. 3653. A bill to remove unelected, unaccountable bureaucrats from seniors' personal health decisions by repealing the Independent Payment Advisory Board; to the Committee on Finance.

By Mr. LEAHY (for himself, Mr. FEINGOLD, and Mr. WEBB):

S. 3654. A bill to amend title 11 of the United States Code to include firearms in the types of property allowable under the alternative provision for exempting property from the estate; to the Committee on the Judiciary.

By Mr. JOHANNS:

S. 3655. A bill to establish a point of order against certain climate change legislation; to the Committee on Rules and Administration.

By Mrs. LINCOLN (for herself, Mr. CHAMBLISS, Mr. GRASSLEY, Mr. NELSON, of Nebraska, Mr. JOHANNS, Mr. BAUCUS, Mr. BENNET, Mr. HARKIN, and Mr. ROBERTS):

S. 3656. A bill to amend the Agricultural Marketing Act of 1946 to improve the reporting on sales of livestock and dairy products, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. WYDEN (for himself, Mr. GRASSLEY, and Mrs. MCCASKILL):

S. 3657. A bill to establish as a standing order of the Senate that a Senator publicly disclose a notice of intent to objecting to any measure or matter; read the first time.

By Mr. UDALL, of Colorado (for himself, Mr. BENNET, Mr. BEGICH, Mrs. SHAHEEN, and Mr. CASEY):

S. 3658. A bill to provide professional development for elementary school principals in early childhood education and development; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS (for herself and Mrs. MURRAY):

S. 3659. A bill to reauthorize certain port security programs, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BAUCUS:

S.J. Res. 36. A joint resolution proposing an amendment to the Constitution of the United States relative to authorizing regulation of contributions to candidates for State public office and Federal office by corporations and labor organizations, and expenditures by corporate entities and labor organizations in support of, or opposition to such candidates; to the Committee on the Judiciary.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. GRAHAM (for himself, Mr. ALEXANDER, Mr. BAYH, Mr. BOND, Mrs. BOXER, Mr. BROWN, of Ohio, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BURRIS, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Mr. CORKER, Mr. CORNYN, Mr. DEMINT, Mr. DURBIN, Mrs. HAGAN, Mrs. HUTCHISON, Mr. ISAKSON, Mr. KAUFMAN, Ms. LANDRIEU, Mr. LEMIEUX, Mr. LEVIN, Mrs. LINCOLN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Ms. MIKULSKI, Mr. NELSON, of Florida, Mr. SESSIONS, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, and Mr. WICKER):

S. Res. 595. A resolution designating the week beginning September 12, 2010, as "National Historically Black Colleges and Universities Week"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 538

At the request of Mrs. LINCOLN, the name of the Senator from Indiana [Mr. BAYH] was added as a cosponsor of S. 538, a bill to increase the recruitment and retention of school counselors, school social workers, and school psychologists by low-income local educational agencies.

S. 653

At the request of Mr. CARDIN, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 654

At the request of Mr. BUNNING, the name of the Senator from Mississippi [Mr. WICKER] was added as a cosponsor of S. 654, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from Arizona [Mr. MCCAIN] was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1295

At the request of Mrs. SHAHEEN, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 1295, a bill to amend title XVIII of the Social Security Act to cover transitional care services to improve the quality and cost effectiveness of care under the Medicare program.

S. 1553

At the request of Mr. GRASSLEY, the name of the Senator from Tennessee [Mr. ALEXANDER] was added as a cosponsor of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1633

At the request of Ms. CANTWELL, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of S. 1633, a bill to require the Secretary of Homeland Security, in consultation with the Secretary of State, to establish a program to issue Asia-Pacific Economic Cooperation Business Travel Cards, and for other purposes.

S. 2902

At the request of Ms. COLLINS, the names of the Senator from Hawaii [Mr. AKAKA], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Ohio [Mr. VOINOVICH] and the Senator from Massachusetts [Mr. BROWN] were added as cosponsors of S. 2902, a bill to improve the Federal Acquisition Institute.

S. 2942

At the request of Mr. PRYOR, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 2942, a bill to amend the Federal Food, Drug, and Cosmetic Act to establish a nanotechnology program.

S. 3078

At the request of Mrs. FEINSTEIN, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 3078, a bill to provide for the establishment of a Health Insurance Rate Authority to establish limits on premium rating, and for other purposes.

S. 3260

At the request of Mr. HARKIN, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 3260, a bill to enhance and further research into the prevention and treatment of eating disorders, to improve access to treatment of eating disorders, and for other purposes.

S. 3320

At the request of Mr. WHITEHOUSE, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 3320, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 3466

At the request of Mr. LEAHY, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 3466, a bill to require restitution for victims of criminal violations of the Federal Water Pollution Control Act, and for other purposes.

S. 3621

At the request of Mr. JOHNSON, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 3621, a bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary

student loan repayment or forgiveness programs.

S. 3622

At the request of Mr. JOHANNS, the name of the Senator from Louisiana [Mr. VITTER] was added as a cosponsor of S. 3622, a bill to require the Administrator of the Environmental Protection Agency to finalize a proposed rule to amend the spill prevention, control, and countermeasure rule to tailor and streamline the requirements for the dairy industry, and for other purposes.

S. 3628

At the request of Mr. SCHUMER, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 3628, a bill to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes.

S. 3640

At the request of Mr. UDALL of Colorado, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 3640, a bill to amend the Internal Revenue Code of 1986 to increase the limitations on the amount excluded from the gross estate with respect to land subject to a qualified conservation easement.

S. 3642

At the request of Mrs. BOXER, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 3642, a bill to ensure that the underwriting standards of Fannie Mae and Freddie Mac facilitate the use of property assessed clean energy programs to finance the installation of renewable energy and energy efficiency improvements.

S. 3643

At the request of Mr. MCCONNELL, the names of the Senator from Arizona [Mr. MCCAIN], the Senator from South Carolina [Mr. GRAHAM], the Senator from Texas [Mrs. HUTCHISON] and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of S. 3643, a bill to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf, to improve oil spill compensation, to terminate the moratorium on deepwater drilling, and for other purposes.

SENATE RESOLUTION 555

At the request of Ms. STABENOW, the names of the Senator from Georgia [Mr. CHAMBLISS] and the Senator from Connecticut [Mr. LIEBERMAN] were added as cosponsors of Senate Resolution 555, a resolution supporting the goals and ideals of National Ovarian Cancer Awareness Month.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. SCHUMER,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on July 27, 2010, at 9:30 a.m.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on July 27, 2010, at 3 p.m.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 27, 2010, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on July 27, 2010, at 9:30 a.m., to hold a hearing entitled "Perspectives on Reconciliation Options in Afghanistan."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on July 27, 2010, at 2:15 p.m.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on July 27, 2010, at 3 p.m.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on July 27, 2010, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building to conduct a hearing entitled "Exxon Valdez to Deepwater Horizon: Protecting Victims of Major Oil Spills."

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on July 27, 2010, at 10 a.m. to conduct a hearing entitled "Deepwater Drilling Moratorium: A Second Economic Disaster for Small Business?"

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on July 27, 2010, at 2:30 p.m.

SUBCOMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

The Committee on Homeland Security and Government Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on July 27, 2010, at 2:30 p.m. to conduct a hearing entitled, "High-Risk Logistics Planning: Progress on Improving Department of Defense Supply Chain Management."

SUBCOMMITTEE ON WATER AND WILDLIFE

The Subcommittee on Water and Wildlife of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on July 27, 2010, at 2:30 p.m. in room 406 of the Dirksen Office Building.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10:03 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 226. Concurrent resolution supporting the observance of "Spirit of '45 Day".

H. Con. Res. 275. Concurrent resolution expressing support for designation of the week beginning on the second Sunday of September as Arts in Education Week.

H. Con. Res. 304. Concurrent resolution directing the Clerk of the House of Representatives to correct the enrollment of bill H.R. 725.

At 11:37 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1320. An act to amend the Federal Advisory Committee Act to increase the transparency and accountability of Federal advisory committees, and for other purposes.

H.R. 3101. An act to ensure that individuals with disabilities have access to emerging Internet Protocol-based communication and video programming technologies in the 21st century.

At 2:17 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5849. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

At 3:30 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 725. An act to protect Indian arts and crafts through the improvement of applicable criminal proceedings, and for other purposes.

H.R. 4684. An act to require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center.

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the PRESIDENT pro tempore.

HOUSE BILL AND CONCURRENT RESOLUTIONS REFERRED

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

H.R. 1320. An act to amend the Federal Advisory Committee Act to increase the transparency and accountability of Federal advisory committees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 226. Concurrent resolution supporting the observance of "Spirit of '45 Day"; to the Committee on Foreign Relations.

H. Con. Res. 275. Concurrent resolution expressing support for designation of the week beginning on the second Sunday of September as Arts in Education Week; to the Committee on Health, Education, Labor, and Pensions.

CORRECTING THE ENROLLMENT OF BILL H.R. 725

On the request of Mr. REID,

The ACTING PRESIDENT pro tempore laid before the Senate the concurrent resolution (H. Con. Res. 304) directing the Clerk of the House of Representatives to correct the enrollment of bill H.R. 725, received from the House of Representatives for concurrence on today, and at the desk.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

INDEPENDENT LIVING CENTERS TECHNICAL ADJUSTMENT ACT

By unanimous consent, on the request of Mr. SCHUMER,

Ordered, That the Committee on Health, Education, Labor, and Pensions be discharged from the further consideration of the bill (H.R. 5610) to provide a technical adjustment with respect to funding for independent living centers under the Rehabilitation Act of 1973 in order to ensure stability for such centers.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on passage of the bill.

On motion by Mr. SCHUMER (for Mr. HARKIN) to amend the bill in section 2(a)(2)-(A), by striking "July 30" and inserting "August 5" (being amendment No. 4518).

The amendment was agreed to.

The question being on the passage of the bill, as amended.

The bill, as amended, was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDER RELATIVE TO CONSIDERATION OF BILL S. 3628

By unanimous consent, on the request of Mr. SCHUMER,

Ordered, That the order of Thursday, July 22, 2010, that the Senate vote on the question of agreeing to the motion to bring to a close debate on the motion to proceed to consider bill S. 3628, to occur at 2:45 p.m. on today, be modified such that the Senate instead vote at 3 p.m. on today; that the additional time be equally divided and controlled for debate between the two leaders, or their designees; and that all other provision of said order remain in effect.

RECESS

Pursuant to the order of yesterday, as modified,

At 12:31 p.m.,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) declared the Senate recessed until 2:15 p.m.

AT 2:16 P.M.

The PRESIDING OFFICER (Mr. BEGICH in the chair) called the Senate to order.

MOTION TO PROCEED TO CONSIDER BILL S. 3628

Pursuant to the order of Thursday, July 22, 2010, as modified,

The Senate proceeded to a period for debate on the motion to proceed to consider the bill (S. 3628) to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes.

The hour of 3 p.m. having passed,

Pursuant to the order of Thursday, July 22, 2010, as modified,

The PRESIDING OFFICER (Mr. GOODWIN in the chair) laid before the Senate the motion, presented by Mr. REID on Thursday, July 22, 2010, to bring to a close debate on the motion to proceed to consider bill S. 3628.

Pursuant to the order of Thursday, July 22, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the negative---
yeas... 57, nays... 41

[Rollcall Vote No. 220 Leg.]

YEAS --- 57

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown, Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson, Nelson, Pryor, Reed, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall, Udall, Warner, Webb, Whitehouse, Wyden.

NAYS --- 41

Alexander, Barrasso, Bennett, Bond, Brown, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Reid, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was not agreed to; three-fifths of Senators duly chosen and sworn not having voted in the affirmative.

Mr. REID, having voted on the prevailing side, entered a motion to reconsider the vote disagreeing to the motion to bring to a close debate on the motion to proceed to consider bill S. 3628.

Pending debate,

SMALL BUSINESS JOBS AND CREDIT ACT

The PRESIDING OFFICER laid before the Senate its pending business, viz, the bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 4503, proposed by Mr. REID,

to amendment No. 4502, proposed by Mr. REID, to the language of the bill proposed to be stricken by amendment No. 4499 (in the nature of a substitute), proposed by Mr. REID for Mr. BAUCUS (for himself and Mr. BILL NELSON).

Pending debate,

By unanimous consent, on the request of Mr. REID,

Ordered, That the pending amendments be withdrawn.

The question being on passage of the bill.

By unanimous consent, on the request of Mr. REID,

Ordered, That the motions to bring to a close debate be withdrawn.

The question being on passage of the bill.

On motion by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 4519, in the nature of a substitute).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment (in the nature of a substitute).

On motion by Mr. REID to amend the pending amendment (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 4520).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

On motion by Mr. REID to amend the pending amendment, at the appropriate place, by striking "10" and inserting "5" (being amendment No. 4521).

On motion by Mr. REID to amend the language of the bill proposed to be stricken by amendment No. 4519 (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 4522).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

On motion by Mr. REID to amend the pending amendment, at the appropriate place, by striking "6" and inserting "4" (being amendment No. 4523).

Mr. REID presented a motion to bring to a close debate on the pending amendment No. 4519 (in the nature of a substitute); which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on amendment No. 4519 (in the nature of a substitute) to bill H.R. 5297:

HARRY REID, MAX BAUCUS, EDWARD E. KAUFMAN, AMY KLOBUCHAR, MARK R. WARNER, J. A. MERKLEY, JACK REED, JON TESTER, JAY ROCKEFELLER, DIANNE FEINSTEIN, DANIEL K. AKAKA, SHERROD BROWN, BARBARA MIKULSKI, PATTY MURRAY, JEFF BINGAMAN, DEBBIE STABENOW, BILL NELSON, CARL LEVIN.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

Mr. REID presented a motion to bring to a close debate on the pending bill; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on bill H.R. 5297:

HARRY REID, MAX BAUCUS, EDWARD E. KAUFMAN, AMY KLOBUCHAR, MARK R. WARNER, J. A. MERKLEY, JACK REED, JON TESTER, JAY ROCKEFELLER, DIANNE FEINSTEIN, DANIEL K. AKAKA, SHERROD BROWN, BARBARA MIKULSKI, PATTY MURRAY, JEFF BINGAMAN, DEBBIE STABENOW, BILL NELSON, CARL LEVIN.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

On motion by Mr. REID to commit the bill to the Committee on Finance with instructions to report back forthwith with an amendment (Numbered 4524).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

On motion by Mr. REID to amend the instructions (designated amendment No. 4524, in the nature of a substitute) contained in the pending motion to refer, at the end thereof, by adding certain words (being amendment No. 4525).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

On motion by Mr. REID to amend the pending amendment, at the end thereof, by adding certain words (being amendment No. 4526).

The question being on agreeing to amendment No. 4526 to amendment No. 4525 to the instructions (designated amendment No. 4524) contained in the pending motion to commit the bill to the Committee on Finance.

Pending debate,

NOTICE OF INTENT TO MOVE TO SUSPEND

Mr. JOHANNS, in accordance with rule V of the Standing Rules of the Senate, submitted notice in writing of his intent to move to suspend paragraph 2 of rule XXII of the Standing Rules of the Senate for the purpose of proposing amendment No. 4527 to bill H.R. 5297.

NOTICE OF INTENT TO MOVE TO SUSPEND

Mr. DEMINT, in accordance with rule V of the Standing Rules of the Senate, submitted notice in writing of his intent to move to suspend rule XXII of the Standing Rules of the Senate for the purpose of moving to commit bill H.R. 5297 to the Committee on Finance with instructions to report the same back to the Senate with changes to extend all current individual income tax rates on small businesses and to include provisions which decrease spending as appropriate to offset such a permanent extension.

NOTICE OF INTENT TO MOVE TO SUSPEND

Mr. DEMINT, in accordance with rule V of the Standing Rules of the Senate, submitted notice in writing of his intent to move to suspend rule XXII of the Standing Rules of the Senate for the purpose of moving to commit bill H.R. 5297 to the Committee on Finance with instructions to report the same back to the Senate with changes to include a permanent extension of the 2010 individual income tax rates, and to include provisions which decrease spending as appropriate to offset such a permanent extension.

UNITED STATES MANUFACTURING ENHANCEMENT ACT

On the request of Mrs. HAGAN,

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) laid before the Senate the bill (H.R. 4380) to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, and for other purposes, received from the House of Representatives for concurrence on Thursday, July 22, 2010, and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

TEMPORARILY EXTENDING PROGRAMS UNDER THE SMALL BUSINESS ACT AND SMALL BUSINESS INVESTMENT ACT

On the request of Mrs. HAGAN,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 5849) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes, received from the House of Representatives for concurrence on today, and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK"

On the request of Mrs. HAGAN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 595) designating the week beginning September 12, 2010, as "National Historically Black Colleges and Universities Week", submitted today by Mr. GRAHAM (for himself, Mr. ALEXANDER, Mr. BAYH, Mr. BOND, Mrs. BOXER, Mr. SHERROD BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BURRIS, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Mr. CORKER, Mr. CORNYN, Mr. DEMINT, Mr. DURBIN, Mrs. HAGAN, Mrs. HUTCHISON, Mr. ISAKSON, Mr. KAUFMAN, Ms. LANDRIEU, Mr. LEMIEUX, Mr. LEVIN, Mrs. LINCOLN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Ms. MIKULSKI, Mr. BILL NELSON, Mr. SESSIONS, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, and Mr. WICKER), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

BILL READ THE FIRST TIME

On the request of Mrs. HAGAN,

The PRESIDING OFFICER laid before the Senate the bill (S. 3657) to establish as a standing order of the Senate that a Senator publicly disclose a notice of intent to objecting to any measure or matter, introduced today by Mr. WYDEN (for himself, Mr. GRASSLEY, and Mrs. MCCASKILL), and at the desk; which was read the first time.

Mrs. HAGAN asked unanimous consent that the bill be read the second time.

Mrs. HAGAN objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mrs. HAGAN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period of one hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; that the minority control the first half therein, and the majority control the second half therein; and that, following morning business, the Senate resume consideration of bill H.R. 5297.

AUTHORITY FOR ADJOURNMENT ON TODAY

By unanimous consent, on the request of Mrs. HAGAN,

Ordered, That the Senate adjourn, following remarks by Mr. SPECTER.

After debate,

ADJOURNMENT

Under the authority of the order of today,

At 6:37 p.m.,

The PRESIDING OFFICER declared the Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

WEDNESDAY, JULY 28, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, July 28, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. TOM UDALL took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3657) to establish as a standing order of the Senate that a Senator publicly disclose a notice of intent to objecting to any measure or matter, introduced on yesterday by Mr. WYDEN (for himself, Mr. GRASSLEY, and Mrs. MCCASKILL), and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with

accompanying papers, reports, and documents, and were referred as indicated:

EC-6845. A communication from the Deputy to the Chairman, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Final Rule Regarding Amendment of the Temporary Liquidity Guarantee Program to Extend the Transaction Account Guarantee Program" (RIN3064-AD37), received during adjournment of the Senate in the Office of the President of the Senate on July 23, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6846. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Arrow Falcon Exporters, Inc.; AST, Inc.; Rotorcraft Development Corporation; Global Helicopter Technology, Inc.; Hagglund Helicopters, LLC; International Helicopters, Inc.; Northwest Rotorcraft, LLC; Robinson Air Crane, Inc.; San Joaquin Helicopters; S.M. and T. Aircraft; Smith Helicopters; Southern Helicopter, Inc.; Southwest Florida Aviation International, Inc.; Tamarack Helicopters, Inc.; US Helicopter, Inc.; West Coast Fabrications; and Overseas Aircraft Support Inc. Model AH-1G, AH-1S, HH-1K, TH-1F, TH-1L, UH-1A, UH-1B, UH-1E, UH-1F, UH-1H, UH-1L, and UH-1P Helicopters; and Southwest Florida Aviation Model UH-1B (SW204 and SW204HP) and UH-1H (SW205) Helicopters" ((RIN2120-AA64)-(Docket No. FAA-2010-0565)), received in the Office of the President of the Senate on July 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6847. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Aircraft Industries a.s. (Type Certificate G60EU Previously Held by LETECKE ZAVODY a.s. and LET Aeronautical Works) Model L-13 Blanik Gliders" ((RIN2120-AA64)(Docket No. FAA-2010-0684)), received in the Office of the President of the Senate on July 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6848. A communication from the Executive Analyst, Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator of the Centers for Medicare and Medicaid Services in the Department of Health and Human Services; to the Committee on Finance.

EC-6849. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Internal Claims and Appeals and External Review Processes Under the Patient Protection and Affordable Care Act" ((RIN1545-BJ63)(TD 9494)), received in the Office of the President of the Senate on July 27, 2010; to the Committee on Finance.

EC-6850. A communication from the Chairman of the U.S. International Trade Commission, transmitting, pursuant to law, a report entitled "The Year in Trade 2009"; to the Committee on Finance.

EC-6851. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a Report to Congress on Costs of Treatment in the President's Emergency Plan for AIDS Relief (PEPFAR); to the Committee on Foreign Relations.

EC-6852. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of State (Educational and Cultural Affairs); to the Committee on Foreign Relations.

EC-6853. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, status reports relative to Iraq for the period of April 14, 2010 through June 16, 2010; to the Committee on Foreign Relations.

EC-6854. A communication from the Assistant General Counsel for Regulatory Services, Office of Elementary and Secondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Notice of Final Priorities, Requirements, Definition, and Selection Criteria - - Smaller Learning Communities" (CFDA No. 84.215L), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6855. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Interim Final Rules for Group Health Plans and Health Insurance Issuers Relating to Internal Claims and Appeals and External Review Process Under the Patient Protection and Affordable Care Act" (RIN1210-AB45), received during adjournment of the Senate in the Office of the President of the Senate on July 23, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6856. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Children and Families in the Department of Health and Human Services, received in the Office of the President of the Senate on July 22, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6857. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Legislation in the Department of Health and Human Services, received in the Office of the President of the Senate on July 22, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6858. A communication from the Director of Human Resources, Railroad Retirement Board, transmitting, pursuant to law, a report relative to the category rating system; to the Committee on Health, Education, Labor, and Pensions.

EC-6859. A communication from the General Counsel, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, the report of a proposed rule entitled "Employee Contribution Elections and Contribution Allocations" (5 CFR Part 1600), received in the Office of the President of the Senate on July 26, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-6860. A communication from the General Counsel, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, the report of a proposed rule entitled "Uniformed Services Accounts and Death Benefits" (5 CFR Parts 1604 and 1651), received in the Office of the President of the Senate on July 26, 2010; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 3267. A bill to improve the provision of assistance to fire departments, and for other purposes (Rept. No. 111-235).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with amendments:

S. 3516. A bill to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf, and for other purposes (Rept. No. 111-236).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 5278. A bill to designate the facility of the United States Postal Service located at 405 West Second Street in Dixon, Illinois, as the "President Ronald W. Reagan Post Office Building".

H.R. 5395. A bill to designate the facility of the United States Postal Service located at 151 North Maitland Avenue in Maitland, Florida, as the "Paula Hawkins Post Office Building".

S. 3567. A bill to designate the facility of the United States Postal Service located at 100 Broadway in Lynbrook, New York, as the "Navy Corpsman Jeffrey L. Wiener Post Office Building".

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. CRAPO (for himself, Mr. BARRASSO, Mr. ENSIGN, Mr. ENZI, Mr. HATCH, Ms. MURKOWSKI, Mr. RISCH, and Mr. ROBERTS):

S. 3660. A bill to amend the Act of June 8, 1906, to require certain procedures for designating national monuments, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LAUTENBERG (for himself, Ms. MIKULSKI, Mr. KERRY, and Mr. CARDIN):

S. 3661. A bill to amend the Federal Water Pollution Control Act to ensure the safe and proper use of dispersants in the event of an oil spill or release of hazardous substances, and for other purposes; to the Committee on Environment and Public Works.

By Ms. STABENOW:

S. 3662. A bill to require the President to prepare a quadrennial National Manufacturing Strategy, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. REID:

S. 3663. A bill to promote clean energy jobs and oil company accountability, and for other purposes; read the first time.

By Mrs. FEINSTEIN (for herself, Mr. CRAPO, Mr. UDALL, of Colorado, Mr. BENNET, and Mrs. BOXER):

S. 3664. A bill to amend the Internal Revenue Code of 1986 to exempt certain farmland from the estate tax, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent and Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. WHITEHOUSE (for himself, Mr. CARDIN, Ms. MIKULSKI, Mr. CASEY, Mr. REED, Mrs. MURRAY, Mr. KERRY, Mr. WYDEN, Mrs. FEINSTEIN, Mr. LIEBERMAN, Mr. WARNER, Mr. MERKLEY, Mr. MENENDEZ, Ms. LANDRIEU, Mr. SCHUMER, Mr. NELSON, of Florida, Mr. KAUFMAN, Ms. COLLINS, Mr. GREGG, Mr. WEBB, and Mrs. BOXER):

S. Res. 596. A resolution to designate September 25, 2010, as "National Estuaries Day"; to the Committee on the Judiciary.

By Mr. SESSIONS (for himself, Mr. BAYH, Mr. BENNETT, Mrs. BOXER, Mr. BURR, Mr. BURRIS, Mr. CARDIN, Mr. CASEY, Mr. CHAMBLISS, Mr. COCHRAN, Mr. CRAPO, Mr. DODD, Mr. DORGAN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. INHOFE, Mr. INOUYE, Mr. JOHNSON, Mr. JOHANNS, Mr. KERRY, Ms. LANDRIEU, Mr. LUGAR, Mr. SCHUMER, Mr. SHELBY, Mr. SPECTER, Mr. TESTER, and Mr. VITTER):

S. Res. 597. A resolution designating September 2010 as "National Prostate Cancer Awareness Month"; to the Committee on the Judiciary.

By Mr. BURR (for himself and Mrs. FEINSTEIN):

S. Res. 598. A resolution designating September 2010 as "National Child Awareness Month" to promote awareness of charities benefitting children and youth-serving organizations throughout the United States and recognizing efforts made by these charities and organizations on behalf of children and youth as critical contributions to the future of the Nation; considered and agreed to.

By Ms. MURKOWSKI (for herself, Mr. REED, Mr. REID, Mrs. HAGAN, Mr. BURR, Mrs. LINCOLN, Mr. VOINOVICH, Mr. INHOFE, Mr. CRAPO, Ms. SNOWE, Mr. BAUCUS, Mr. ISAKSON, Mr. BEGICH, Mr. BROWN, of Massachusetts, Mr. LIEBERMAN, Mr. THUNE, Mr. AKAKA, Mr. BURRIS, Mr. SESSIONS, Mr. ROBERTS, Mr. WHITEHOUSE, Mr. BOND, Mr. BENNETT, Ms. LANDRIEU, Mr. CHAMBLISS, Mr. INOUYE, and Mr. CORKER):

S. Res. 599. A resolution designating August 16, 2010, as "National Airborne Day"; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 600. A resolution to authorize document production and testimony by, and representation of, the Select Committee on Intelligence; considered and agreed to.

By Mr. ENZI:

S. Con. Res. 69. A concurrent resolution recognizing the 500th anniversary of the birth of Italian architect Andrea Palladio; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 322

At the request of Mr. SCHUMER, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 322, a bill to amend the Internal Revenue Code of 1986 to equalize the exclusion from gross income of parking and transportation fringe benefits and to provide for a common cost-of-living adjustment, and for other purposes.

S. 379

At the request of Mr. LEAHY, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 379, a bill to provide fair compensation to artists for use of their sound recordings.

S. 1553

At the request of Mr. GRASSLEY, the name of the Senator from Mississippi [Mr. WICKER] was added as a cosponsor of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

At the request of Mr. BARRASSO, his name was added as a cosponsor of S. 1553, supra.

S. 2828

At the request of Mr. KERRY, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 2828, a bill to amend the Public Health Service Act to authorize the National Institute of Environmental Health Sciences to conduct a research program on endocrine disruption, to prevent and reduce the production of, and exposure to, chemicals that can undermine the development of children before they are born and cause lifelong impairment to their health and function, and for other purposes.

S. 2982

At the request of Mr. KERRY, the name of the Senator from Virginia [Mr. WEBB] was added as a cosponsor of S. 2982, a bill to combat international violence against women and girls.

S. 3231

At the request of Mr. GRASSLEY, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of S. 3231, a bill to amend the Internal Revenue Code of 1986 to extend certain tax incentives for alcohol used as fuel and to amend the Harmonized Tariff Schedule of the United States to extend additional duties on ethanol.

S. 3232

At the request of Mr. BURR, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 3232, a bill to amend the Internal Revenue Code of 1986 to make employers of spouses of military personnel eligible for the work opportunity credit.

S. 3424

At the request of Mr. DURBIN, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 3424, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 3501

At the request of Mr. HATCH, the names of the Senator from Oklahoma [Mr. INHOFE], the Senator from Texas [Mr. CORNYN], the Senator from Kansas [Mr. ROBERTS], the Senator from Mississippi [Mr. WICKER] and the Senator from Georgia [Mr. CHAMBLISS] were added as cosponsors of S. 3501, a bill to protect American job creation by striking the job-killing Federal employer mandate.

S. 3502

At the request of Mr. HATCH, the names of the Senator from Oklahoma [Mr. INHOFE], the Senator from Texas [Mr. CORNYN], the Senator from Texas [Mrs. HUTCHISON], the Senator from Kansas [Mr. ROBERTS], the Senator from Mississippi [Mr. WICKER] and the Senator from Georgia [Mr. CHAMBLISS] were added as cosponsors of S. 3502, a bill to restore Americans' individual liberty by striking the Federal mandate to purchase insurance.

S. 3528

At the request of Ms. SNOWE, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 3528, a bill to promote coastal jobs creation, promote sustainable fisheries and fishing communities, revitalize waterfronts, and for other purposes.

S. 3578

At the request of Mr. JOHANNS, the name of the Senator from South Carolina [Mr. GRAHAM] was added as a cosponsor of S. 3578, a bill to repeal the expansion of information reporting requirements for payments of $600 or more to corporations, and for other purposes.

S. 3583

At the request of Mrs. MURRAY, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 3583, a bill to amend title 38, United States Code, to increase flexibility in payments for State veterans homes, and for other purposes.

S. 3640

At the request of Mr. UDALL of Colorado, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 3640, a bill to amend the Internal Revenue Code of 1986 to increase the limitations on the amount excluded from the gross estate with respect to land subject to a qualified conservation easement.

S. 3647

At the request of Mr. TESTER, the name of the Senator from Montana [Mr. BAUCUS] was added as a cosponsor of S. 3647, a bill to amend the Public Health Service Act to provide for the participation of particular specialists determined by the Secretary of Health and Human Services to be directly related to the health needs stemming from environmental health hazards that have led to its declaration as a Public Health Emergency to be eligible under the National Health Service Corps in the National Health Service Corps Loan Repayment Program, and for other purposes.

S. 3653

At the request of Mr. CORNYN, the names of the Senator from Kentucky [Mr. BUNNING] and the Senator from Mississippi [Mr. WICKER] were added as cosponsors of S. 3653, a bill to remove unelected, unaccountable bureaucrats from seniors' personal health decisions by repealing the Independent Payment Advisory Board.

SENATE RESOLUTION 519

At the request of Mr. DEMINT, the name of the Senator from Utah [Mr. BENNETT] was added as a cosponsor of Senate Resolution 519, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and children is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent.

SENATE RESOLUTION 579

At the request of Mr. BROWNBACK, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of Senate Resolution 579, a resolution honoring the life of Manute Bol and expressing the condolences of the Senate on his passing.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. MARK UDALL,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS

The Committee on Banking, Housing and Urban Affairs be authorized to meet during the session of the Senate on July 28, 2010, at 2:30 p.m.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works be authorized to meet during the session of the Senate on July 28, 2010, at 2:30 p.m. in room 406 of the Dirksen Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on July 28, 2010, at 10 a.m.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on July 28, 2010.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 28, 2010, at 10 a.m.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on July 28, 2010, at 10 a.m., in room SD-226 of the Dirksen Senate Office building, to conduct a hearing entitled "Oversight of the Federal Bureau of Investigation."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on July 28, 2010, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations."

COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration be authorized to meet during the session of the Senate on July 28, 2010, at 10:30 a.m., to conduct a hearing entitled "Examining the Filibuster: Legislative Proposals to Change Senate Procedures."

AD HOC SUBCOMMITTEE ON STATE, LOCAL, AND PRIVATE SECTOR PREPAREDNESS AND INTEGRATION AND THE AD HOC SUBCOMMITTEE ON DISASTER RECOVERY

The Ad Hoc Subcommittee on State, Local, and Private Sector Preparedness and Integration and the Ad Hoc Subcommittee on Disaster Recovery of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 28, 2010, at 3 p.m. to conduct a hearing entitled, "Flood Preparedness and Mitigation: Map Modernization, Levee Inspection, and Levee Repairs."

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 11:37 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 415. An act to provide Capitol-flown flags to the immediate family of fire fighters, law enforcement officers, emergency medical technicians, and other rescue workers who are killed in the line of duty.

H.R. 2780. An act to correct and simplify the drafting of section 1752 (relating to restricted buildings or grounds) of title 18, United States Code.

H.R. 4748. An act to amend the Office of National Drug Control Policy Reauthorization Act of 2006 to require a northern border counternarcotics strategy, and for other purposes.

H.R. 5138. An act to protect children from sexual exploitation by mandating reporting requirements for convicted sex traffickers and other registered sex offenders against minors intending to engage in international travel, providing advance notice of intended travel by high interest registered sex offenders outside the United States to the government of the country of destination, requesting foreign governments to notify the United States when a known child sex offender is seeking to enter the United States, and for other purposes.

H.R. 5143. An act to establish the National Criminal Justice Commission.

H.R. 5281. An act to amend title 28, United States Code, to clarify and improve certain provisions relating to the removal of litigation against Federal officers or agencies to Federal courts, and for other purposes.

H.R. 5662. An act to amend title 18, United States Code, with respect to the offense of stalking.

H.R. 5681. An act to improve certain administrative operations of the Library of Congress, and for other purposes.

H.R. 5682. An act to improve the operations of certain facilities and programs of the House of Representatives, and for other purposes.

H.R. 5730. An act to rescind earmarks for certain surface transportation projects.

H.R. 5810. An act to amend title 18, United States Code, to provide penalties for aiming laser pointers at airplanes, and for other purposes.

H.R. 5825. An act to review, update, and revise the factors to measure the severity, magnitude, and impact of a disaster and to evaluate the need for assistance to individuals and households.

The message also announced that the House has agreed to the following concurrent resolution:

H. Con. Res. 258. Concurrent resolution congratulating the Commandant of the Coast Guard and the Superintendent of the Coast Guard Academy and its staff for 100 years of operation of the Coast Guard Academy in New London, Connecticut, and for other purposes.

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

H.R. 5849. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the PRESIDENT pro tempore.

The message also announced that pursuant to section 201(B) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431), and the order of the House of January 6, 2009, the Speaker announces the following correction to the appointment of June 23, 2010, of the following member on the part of the House of Representatives to the Commission on International Religious Freedom, upon the recommendation of the Minority Leader: Mr. Ted Van Der Meid of Rochester, New York, for a two-year term ending May 14, 2012, to succeed Ms. Felice Gaer.

At 3:59 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House recedes from its amendment to the amendment of the Senate to the bill (H.R. 4899) making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes.

The message further announced that the House agrees to the amendment of the Senate to bill H.R. 4899.

At 6:47 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 1789. An act to restore fairness to Federal cocaine sentencing.

HOUSE BILLS AND CONCURRENT RESOLUTION REFERRED

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

H.R. 415. An act to provide Capitol-flown flags to the immediate family of fire fighters, law enforcement officers, emergency medical technicians, and other rescue workers who are killed in the line of duty; to the Committee on Rules and Administration.

H.R. 2780. An act to correct and simplify the drafting of section 1752 (relating to restricted buildings or grounds) of title 18, United States Code; to the Committee on the Judiciary.

H.R. 4748. An act to amend the Office of National Drug Control Policy Reauthorization Act of 2006 to require a northern border counternarcotics strategy, and for other purposes; to the Committee on the Judiciary.

H.R. 5281. An act to amend title 28, United States Code, to clarify and improve certain provisions relating to the removal of litigation against Federal officers or agencies to Federal courts, and for other purposes; to the Committee on the Judiciary.

H.R. 5662. An act to amend title 18, United States Code, with respect to the offense of stalking; to the Committee on the Judiciary.

H.R. 5681. An act to improve certain administrative operations of the Library of Congress, and for other purposes; to the Committee on Rules and Administration.

H.R. 5682. An act to improve the operation of certain facilities and programs of the House of Representatives, and for other purposes; to the Committee on Rules and Administration.

H.R. 5810. An act to amend title 18, United States Code, to provide penalties for aiming laser pointers at airplanes, and for other purposes; to the Committee on the Judiciary.

H.R. 5825. An act to review, update, and revise the factors to measure the severity, magnitude, and impact of a disaster and to evaluate the need for assistance to individuals and households; to the Committee on Homeland Security and Governmental Affairs.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 258. Concurrent resolution congratulating the Commandant of the Coast Guard and the Superintendent of the Coast Guard Academy and its staff for 100 years of operation of the Coast Guard Academy in New London, Connecticut, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SMALL BUSINESS JOBS AND CREDIT ACT

The PRESIDING OFFICER (Mr. BEGICH in the chair) laid before the Senate its pending business, viz, the bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 4526, proposed by Mr. REID, to amendment No. 4525, proposed by Mr. REID, to the instructions (designated amendment No. 4524) contained in the pending motion to commit the bill to the Committee on Finance.

Pending debate,

Mr. REID asked unanimous consent that the pending motion to commit be withdrawn; that pending amendments, except for amendment No. 4519 (in the nature of a substitute), be withdrawn; that no motion to commit or motion to suspend the Standing Rules of the Senate be in order during the pendency of the

bill; and that the following be the only amendments in order to be proposed thereto:

An alternative amendment (in "side-by-side" fashion), intended to be proposed by Mr. BAUCUS, relative to information reporting provisions health care;

An amendment, intended to be proposed by Mr. JOHANNS, relative to 1099 reporting;

An amendment, intended to be proposed by Mrs. MURRAY (for herself and Mr. HARKIN), relative to education funding;

A minority-party alternative amendment (in "side-by-side" fashion), relative to education funding;

An alternative amendment (in "side-by-side" fashion), intended to be proposed by Mr. BAUCUS, relative to expiring provisions;

An amendment, intended to be proposed by Mr. HATCH, relative to research and development;

An amendment, intended to be proposed by Mr. REID, relative to FMAP/Cobell funding; and

An amendment, intended to be proposed by Mr. GRASSLEY, relative to biodiesel.

Mr. REID further asked unanimous consent that that there be a limitation of 60 minutes, equally divided and controlled in the usual form, for debate on each amendment; that each amendment receive a minimum of 60 yea votes to be agreed to; that, if the Senate fails to agree to an amendment with a minimum of 60 yea votes, the amendment be withdrawn; that, if the Senate agrees to an amendment with a minimum of 60 yea votes, a motion to reconsider be deemed made and laid on the table; and that, if the Senate votes in "stacked" sequence in relation to the amendments, it first vote on the majority-party "side-by-side" amendment, and then on the minority-party amendment.

Mr. REID further asked unanimous consent that, upon disposition of the amendments, amendment No. 4519 (in the nature of a substitute), as may be amended, be agreed to; that the bill, as amended, be read the third time; that the Senate then vote on passage of the bill, as amended, without further intervening action or debate; and that motions to bring to a close debate on amendment No. 4519 (in the nature of a substitute) and the bill be withdrawn.

Mr. MCCONNELL objected.

The question being on agreeing to amendment No. 4526 to amendment No. 4525 to the instructions (designated amendment No. 4524) contained in the motion to commit the bill to the Committee on Finance.

HOUSE AMENDMENT TO BILL S. 1749

On the request of Mr. WHITEHOUSE,

The PRESIDING OFFICER laid before the Senate the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the bill (S. 1749) to amend title 18, United States Code, to prohibit the possession or use of cell phones and similar wireless devices by Federal prisoners.

On motion by Mr. WHITEHOUSE,

Resolved, That the Senate concur in the amendment of the House of Representatives to the bill.

DESIGNATING "NATIONAL CHILD AWARENESS MONTH"

On the request of Mr. WHITEHOUSE,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 598) designating September 2010 as "National Child Awareness Month" to promote awareness of charities benefitting children and youth-serving organizations throughout the United States and recognizing efforts made by these charities and organizations on behalf of children and youth as critical contributions to the future of the Nation, submitted today by Mr. BURR (for himself and Mrs. FEINSTEIN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL AIRBORNE DAY"

On the request of Mr. WHITEHOUSE,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 599) designating August 16, 2010, as "National Airborne Day", submitted today by Ms. MURKOWSKI (for herself, Mr. REED, Mr. REID, Mrs. HAGAN, Mr. BURR, Mrs. LINCOLN, Mr. VOINOVICH, Mr. INHOFE, Mr. CRAPO, Ms. SNOWE, Mr. BAUCUS, Mr. ISAKSON, Mr. BEGICH, Mr. SCOTT BROWN, Mr. LIEBERMAN, Mr. THUNE, Mr. AKAKA, Mr. BURRIS, Mr. SESSIONS, Mr. ROBERTS, Mr. WHITEHOUSE, Mr. BOND, Mr. BENNETT, Ms. LANDRIEU, Mr. CHAMBLISS, Mr. INOUYE, and Mr. CORKER), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORIZING DOCUMENT PRODUCTION AND TESTIMONY

On the request of Mr. WHITEHOUSE,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 600) to authorize document production and testimony by, and representation of, the Select Committee on Intelligence, submitted today by Mr. REID (for himself and Mr. MCCONNELL), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

BILL READ THE FIRST TIME

On the request of Mr. WHITEHOUSE,

The PRESIDING OFFICER laid before the Senate the bill (S. 3663) to promote clean energy jobs and oil company accountability, and for other purposes, introduced today by Mr. REID, and at the desk; which was read the first time.

Mr. WHITEHOUSE asked unanimous consent that the bill be read the second time.

Mr. WHITEHOUSE objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that the Senate then resume consideration of bill H.R. 5297; that there be one hour, equally divided and controlled, for debate between the two leaders, or their designees; that Senators be permitted to speak for 10 minutes each therein; that the final 10 minutes therein be equally divided and controlled for debate between the leaders, or their designees; that the majority leader control the final 5 minutes therein; and that upon conclusion of debate, the Senate vote on the question of agreeing to the motion to bring to a close debate on amendment No. 4519 (in the nature of a substitute) to the bill.

Ordered further, That Senators be authorized to "file" second-degree amendments until 10 a.m. on tomorrow.

ADJOURNMENT

By unanimous consent, on the request of Mr. WHITEHOUSE,

At 7:02 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

THURSDAY, JULY 29, 2010

Mrs. KIRSTEN E. GILLIBRAND, from the State of New York, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mrs. GILLIBRAND led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, July 29, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mrs. GILLIBRAND took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3663) to promote clean energy jobs and oil company accountability, and for other purposes, introduced on yesterday by Mr. REID, and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

SMALL BUSINESS JOBS AND CREDIT ACT

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 4526, proposed by Mr. REID, to amendment No. 4525, proposed by Mr. REID, to the instructions (designated amendment No. 4524) contained in the motion, by Mr. REID, to commit the bill to the Committee on Finance.

By unanimous consent, on the request of Mr. REID,

Ordered, That there be one hour for debate on the motion to bring to a close debate on amendment No. 4519 (in the nature of a substitute) to the bill; and that, upon conclusion of debate, the Senate vote on the question of agreeing to the motion.

The question being on agreeing to amendment No. 4526 to amendment No. 4525 to the instructions (designated amendment No. 4524) contained in the motion to commit the bill to the Committee on Finance.

Pending debate,

Mr. REID asked unanimous consent that title IV, part III, under subtitle B be stricken; that the pending motion to commit be withdrawn; that pending amendments, except for amendment No. 4519 (in the nature of a substitute), be withdrawn; that no motion to commit or motion to suspend the Standing Rules of the Senate be in order during the pendency of the bill; and that the following be the only amendments in order to be proposed thereto:

An alternative amendment (in "side-by-side" fashion), intended to be proposed by Mr. BAUCUS, relative to information reporting provisions health care;

An amendment, intended to be proposed by Mr. JOHANNS, relative to 1099 reporting;

An amendment, intended to be proposed by Mrs. MURRAY (for herself and Mr. HARKIN), relative to education funding;

A minority-party alternative amendment (in "side-by-side" fashion), relative to education funding;

An amendment, intended to be proposed by Mr. HATCH, relative to research and development;

An amendment, intended to be proposed by Mr. REID, relative to FMAP/Cobell funding; and

An amendment, intended to be proposed by Mr. GRASSLEY, relative to biodiesel.

Mr. REID further asked unanimous consent that that there be a limitation of 60 minutes, equally divided and controlled in the usual form, for debate on each amendment; that each amendment receive a minimum of 60 yea votes to be agreed to; that, if the Senate fails to agree to an amendment with a minimum of 60 yea votes, the amendment be withdrawn; that, if the Senate agrees to an amendment with a minimum of 60 yea votes, a motion to reconsider be deemed made and laid on the table; and that, if the Senate votes in "stacked" sequence in relation to the amendments, it first vote on the majority-party "side-by-side" amendment, and then on the minority-party amendment.

Mr. REID further asked unanimous consent that, upon disposition of the amendments, amendment No. 4519 (in the nature of a substitute), as may be amended, be agreed to; that the bill, as amended, be read the third time; that the Senate then vote on passage of the bill, as amended, without further intervening action or debate; and that motions to bring to a close debate on amendment No. 4519 (in the nature of a substitute) and the bill be withdrawn.

Mr. MCCONNELL objected.

The question being on agreeing to amendment No. 4526 to amendment No. 4525 to the instructions (designated amendment No. 4524) contained in the motion to commit the bill to the Committee on Finance.

The ACTING PRESIDENT pro tempore laid before the Senate the motion, presented by Mr. REID on Tuesday, July 27, 2010, to bring to a close debate on amendment No. 4519 (in the nature of a substitute) to bill H.R. 5297.

Pursuant to the order of Tuesday, July 27, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The ACTING PRESIDENT pro tempore stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the negative---

yeas... 58, nays... 42

[Rollcall Vote No. 221 Leg.]

YEAS --- 58

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown, Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson, Nelson, Pryor, Reed, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall, Udall, Warner, Webb, Whitehouse, Wyden.

NAYS --- 42

Alexander, Barrasso, Bennett, Bond, Brown, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Reid, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was not agreed to; three-fifths of Senators duly chosen and sworn having not voted in the affirmative.

Mr. REID, having voted on the prevailing side, entered a motion to reconsider the foregoing vote disagreeing to the motion to bring to a close debate on amendment No. 4519 (in the nature of a substitute) to the bill.

By unanimous consent, on the request of Mr. REID,

Ordered, That the motion to bring to a close debate on the bill be withdrawn.

The question being on agreeing to amendment No. 4526 to amendment No. 4525 to the instructions (designated amendment No. 4524) contained in the motion to commit the bill to the Committee on Finance.

By unanimous consent, on the request of Mr. BILL NELSON,

Ordered, That he be added as cosponsor to amendment No. 4519 (in the nature of a substitute).

The question being on agreeing to amendment No. 4526 to amendment No. 4525 to the instructions (designated amendment No. 4524) contained in the motion to commit the bill to the Committee on Finance.

OBJECTIONS TO EXECUTIVE SESSION

Mr. MARK UDALL asked unanimous consent that at a time to be determined by the majority leader, after consultation with the minority leader, the Senate proceed to executive session to consider the nomination of William Joseph Martinez, of Colorado, to be United States District Judge for the District of Colorado; that there be 3 hours for debate thereon, equally divided and controlled between Mr. LEAHY and Mr. SESSIONS, or their designees; that, upon conclusion of debate, the Senate vote on confirmation of the nomination; that, following the vote, a motion to reconsider be made and laid on the table; that the President be immediately notified of the Senate's action; and that the Senate resume its legislative session.

Mr. SESSIONS objected.

Mr. MARK UDALL asked unanimous consent that the Senate proceed to executive session to consider the following nominations, en bloc: Albert Diaz to be United States Circuit Judge for the Fourth Circuit; James A. Wynn, Jr. to be United States Circuit Judge for the Fourth Circuit; that the nominations be confirmed, en bloc; that the motions to reconsider be made and laid upon the table, en bloc; and that the President be immediately notified of the Senate's action:

Mr. SESSIONS objected.

Mr. MARK UDALL asked unanimous consent that the Senate proceed to executive session to consider the following nominations, en bloc: Louis B. Butler, Jr. to be United States District Judge for the Western District of Wisconsin; Edward Milton Chen be United States District Judge for the Northern District of California; Benita Y. Pearson to be United States District Judge for the Northern District of Ohio; John J. McConnell, Jr. to be United States District Judge for the District of Rhode Island; that there be 4 hours for concurrent debate thereon, equally divided and controlled between Mr. LEAHY and Mr. SESSIONS, or their designees; that, upon conclusion of debate, the Senate vote on confirmation of the nominations in the order listed; that, upon confirmation of the nominations, a motion to reconsider be made and laid on the table; that the President be immediately notified of the Senate's action; and that the Senate resume its legislative session.

Mr. SESSIONS objected.

Mr. MARK UDALL asked unanimous consent that the Senate proceed to executive session to consider the following nominations, en bloc: J. Michelle Childs to be United States District Judge for the District of South Carolina; Richard Mark Gergel to be United States District Judge for the District of South Carolina; Catherine C. Eagles to be United States District Judge for the Middle District of North Carolina; Kimberly J. Mueller to be United States District Judge for the Eastern District of California; Leonard Philip Stark to be United States District Judge for the District of Delaware; John A. Gibney, Jr. to be United States District Judge for the Eastern District of Virginia; James Kelleher Bredar to be United States District Judge for the District of Maryland; Ellen Lipton Hollander to be United States District Judge for the District of Maryland; Susan Richard Nelson to be United States District Judge for the District of Minnesota; that the nominations be confirmed, en bloc; that the motions to reconsider be made and laid upon the table, en bloc; and that the President be immediately notified of the Senate's action.

Mr. SESSIONS objected.

Mr. MARK UDALL asked unanimous consent that the Senate proceed to executive session to consider the following nominations, en bloc: Goodwin Liu to be United States Circuit Judge for the Ninth Circuit; Robert Neil Chatigny to be United States District Judge for the Second Circuit; that there be 4 hours for concurrent debate thereon, equally divided and controlled between Mr. LEAHY and Mr. SESSIONS, or their designees; that, upon conclusion of debate, the Senate vote on confirmation of the nominations in the order listed; that, upon confirmation of the nominations, a motion to reconsider be made and laid on the table; that the President be immediately notified of the Senate's action; and that the Senate resume its legislative session.

Mr. SESSIONS objected.

Mr. MARK UDALL asked unanimous consent that the Senate proceed to executive session to consider the following nominations, en bloc: Raymond Joseph Lohier, Jr. to be United States Circuit Judge for the Second Circuit; Scott M. Matheson, Jr. to be United States Circuit Judge for the Tenth Circuit; that there be 4 hours for concurrent debate thereon, equally divided and controlled between Mr. LEAHY and Mr. SESSIONS, or their designees; that, upon conclusion of debate, the Senate vote on confirmation of the nominations in the order listed; that, upon confirmation of the nominations, a motion to reconsider be made and laid on the table; that the President be immediately notified of the Senate's action; and that the Senate resume its legislative session.

Mr. SESSIONS objected.

SMALL BUSINESS JOBS AND CREDIT ACT

The Senate resumed consideration of bill H.R. 5297.

The question being on agreeing to amendment No. 4526 to amendment No. 4525 to the instructions (designated amendment No. 4524) contained in the motion to commit the bill to the Committee on Finance.

Mr. REID raised the question as to the presence of a quorum.

Whereupon,

The PRESIDING OFFICER directed the roll to be called.

Pending the ascertainment of a quorum,

When

14 Senators answered to their names, as follows:

[Quorum No. 4]

Bennet, Boxer, Cantwell, Cornyn, Feingold, Isakson, Kaufman, Landrieu, Levin, Reid, Sanders, Schumer, Shaheen, Wyden.

The PRESIDING OFFICER (Mrs. SHAHEEN in the chair) announced that a quorum was not present.

On motion by Mr. REID to instruct the Sergeant at Arms to request the presence of absent Senators.

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to instruct.

The question being taken.

It was determined in the affirmative---
yeas... 70, nays... 23

[Rollcall Vote No. 222 Leg.]

YEAS --- 70

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown, Brown, Burr, Burris, Cantwell, Cardin, Carper, Casey, Cochran, Conrad, Corker, Dodd, Dorgan, Durbin, Ensign, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Grassley, Hagan, Harkin, Hatch, Inouye, Isakson, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, Lugar, McCaskill, Menendez, Merkley, Mikulski, Nelson, Nelson, Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Udall, Udall, Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS --- 23

Alexander, Barrasso, Bennett, Bond, Bunning, Chambliss, Collins, Cornyn, Crapo, DeMint, Graham, Johanns, Kyl, LeMieux, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Thune, Vitter, Wicker.

So the motion was agreed to; and, as indicated by the foregoing rollcall, a quorum being present.

The question being on agreeing to amendment No. 4526 to amendment No. 4525 to the instructions (designated amendment No. 4524) contained in the motion to commit the bill to the Committee on Finance.

Pending debate,

Mr. REID asked unanimous consent that title IV, part III, under subtitle B be stricken; that the pending motion to commit be withdrawn; that pending amendments, except for amendment No. 4519 (in the nature of a substitute), be withdrawn; that no motion to commit or motion to suspend the Standing Rules of the Senate be in order during the pendency of the bill; and that the following be the only amendments in order to be proposed thereto:

An alternative amendment (in "side-by-side" fashion), intended to be proposed by Mr. BAUCUS, relative to information reporting provisions health care;

An amendment, intended to be proposed by Mr. JOHANNS, relative to 1099 reporting;

An amendment, intended to be proposed by Mrs. MURRAY (for herself and Mr. HARKIN), relative to education funding;

A minority-party alternative amendment (in "side-by-side" fashion), relative to education funding;

An amendment, intended to be proposed by Mr. HATCH, relative to research and development;

An amendment, intended to be proposed by Mr. REID, relative to FMAP/Cobell funding; and

An amendment, intended to be proposed by Mr. GRASSLEY, relative to biodiesel.

Mr. REID further asked unanimous consent that that there be a limitation of 60 minutes, equally divided and controlled in the usual form, for debate on each amendment; that each amendment receive a minimum of 60 yea votes to be agreed to; that, if the Senate fails to agree to an amendment with a minimum of 60 yea votes, the amendment be withdrawn; that, if the Senate agrees to an amendment with a minimum of 60 yea votes, a motion to reconsider be deemed made and laid on the table; and that, if the Senate votes in "stacked" sequence in relation to the amendments, it first vote on the majority-party "side-by-side" amendment, and then on the minority-party amendment.

Mr. REID further asked unanimous consent that, upon disposition of the amendments, amendment No. 4519 (in the nature of a substitute), as may be amended, be agreed to; that the bill, as amended, be read the third time; that the Senate then vote on passage of the bill, as amended, without further intervening action or debate; and that motions to bring to a close debate on amendment No. 4519 (in the nature of a substitute) and the bill be withdrawn.

Mr. MCCONNELL objected.

The question being on agreeing to amendment No. 4526 to amendment No. 4525 to the instructions (designated amendment No. 4524) contained in the motion to commit the bill to the Committee on Finance.

HOUSE AMENDMENTS TO SENATE AMENDMENT TO BILL H.R. 1586

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate a message from the House announcing that it had agreed to the amendment of the Senate to the title of the bill (H.R. 1586) to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide for modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; and that it had agreed to the amendment of the Senate to the text of the bill, with an amendment.

On motion by Mr. REID that the Senate concur in the House amendment to the Senate amendment to the text of the bill, with an amendment (Numbered 4567, in the nature of a substitute).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

On motion by Mr. REID to amend the pending amendment (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 4568).

Mr. REID presented a motion to bring to a close debate on the pending motion to concur; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to the bill, with amendment No. 4567 (in the nature of a substitute):

HARRY REID, MAX BAUCUS, CHUCK SCHUMER, EDWARD E. KAUFMAN, BARBARA BOXER, ROLAND W. BURRIS, TOM UDALL, ROBERT P. CASEY, JR., MARK BEGICH, PATRICK LEAHY, JACK REED, JOHN KERRY, RICHARD DURBIN, S. WHITEHOUSE, AMY KLOBUCHAR, T.R. HARKIN, AL FRANKEN, DANIEL K. AKAKA, MARIA CANTWELL.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

On motion by Mr. REID to refer the House amendment to the Committee on Appropriations with instructions to report back same forthwith with an amendment (Numbered 4569).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

On motion by Mr. REID to amend the instructions (designated amendment No. 4569) contained in the pending motion to refer, at the end thereof, by adding certain words (being amendment No. 4570).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

On motion by Mr. REID to amend the pending amendment, at the end thereof, by adding certain words (being amendment No. 4571).

The question being on agreeing to amendment No. 4571 to amendment No. 4570 to the instructions (designated amendment No. 4569) contained in the motion to refer the House amendment to the Committee on Appropriations.

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. REID,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, Thursday, July 29, 2010, she had presented to the President of the United States the following enrolled bills:

S. 1749. A bill to amend title 18, United States Code, to prohibit the possession or use of cell phones and similar wireless devices by Federal prisoners.

S. 1789. A bill to restore fairness to Federal cocaine sentencing.

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by Mr. Pate, one of his secretaries:

CONTINUATION OF NATIONAL EMERGENCY DECLARED WITH RESPECT TO THE SOVEREIGNTY OF LEBANON -- PM 65

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared with respect to the actions of certain persons to undermine the sovereignty of Lebanon or its democratic processes and institutions is to continue in effect beyond August 1, 2010.

While there have been some recent positive developments in the Syrian-Lebanese relationship, continuing arms transfers to Hizballah that include increasingly sophisticated weapons systems serve to undermine Lebanese sovereignty, contribute to political and economic instability in the region, and continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared on August 1, 2007, to deal with that threat and the related measures adopted on that date to respond to the emergency.

BARACK OBAMA.

THE WHITE HOUSE, *July 29, 2010.*

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6861. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Mevinphos; Proposed Data Call-in Order for Pesticide Tolerance" (FRL No. 8835-7), received in the Office of the President of the Senate on July 27, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6862. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Kiwifruit Grown in California; Order Amending Marketing Order No. 920" (Docket Nos. AO-FV-08-0174; AMS-FV-08-0085; FV08-920-3), received in the Office of the President of the Senate on July 28, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6863. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Pistachios Grown in California, Arizona, and New Mexico; Modification of the Aflatoxin Regulations" (Docket Nos. AMS-FV-10-0031; FV10-983-1 IR), received in the Office of the President of the Senate on July 28, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6864. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Fresh Prunes Grown in Designated Counties in Washington and in Umatilla County, OR; Suspension of Reporting and Assessment Requirements" (Docket Nos. AMS-FV-10-0054; FV10-924-2 IR), received in the Office of the President of the Senate on July 28, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6865. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Kiwifruit Grown in California; Changes to District Boundaries" (Docket Nos. AMS-FV-08-0085; FV08-920-3 IR), received in the Office of the President of the Senate on July 28, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6866. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Raisins Produced From Grapes Grown in California; Final Free and Reserve Percentages for 2009-10 Crop Natural (Sun-Dried) Seedless Raisins" (Docket Nos. AMS-FV-09-0075; FV10-989-1 FIR), received in the Office of the President of the Senate on July 28, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6867. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Organic Program; Amendments to the National List of Allowed and Prohibited Substances (Crops)" ((RIN0581-AC93)-(Docket Nos. AMS-NOP-09-0081; TM-09-04 FR)), received in the Office of the President of the Senate on July 28, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6868. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Nectarines and Peaches Grown in California; Changes in Handling Requirements for Fresh Nectarines and Peaches" (Docket Nos. AMS-FV-09-0090; FV10-916/917-1 FIR), received in the Office of the President of the Senate on July 28, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6869. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Irish Potatoes Grown in Colorado; Relaxation of Handling Regulation for Area No. 3" (Docket Nos. AMS-FV-08-0115; FV09-948-2 FIR), received in the Office of the President of the Senate on July 28, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6870. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Irish Potatoes Grown in Washington; Temporary Change to the Handling Regulations and Reporting Requirements" (Docket Nos. AMS-FV-10-0052; FV10-946-1 IR), received in the Office of the President of the Senate on July 28, 2010; to the

Committee on Agriculture, Nutrition, and Forestry.

EC-6871. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Sheep Industry Improvement Center" (Docket No. AMS-LS-08-0064), received in the Office of the President of the Senate on July 28, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6872. A communication from the Administrator, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Special Evaluation Assistance for Rural Communities and Households Program" ((7 CFR Part 1774)(RIN0572-AC14)), received in the Office of the President of the Senate on July 28, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6873. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (4) officers authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-6874. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the inventory lists for the Departments of the Army, Navy, and Air Force, as well as U.S. Transportation Command, U.S. Special Operations Command, Washington Headquarters Services, and the other defense agencies; to the Committee on Armed Services.

EC-6875. A communication from the Secretary of the Army, transmitting, pursuant to law, an annual report relative to recruitment incentives; to the Committee on Armed Services.

EC-6876. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Jeffrey A. Wieringa, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-6877. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Melvin G. Williams, Jr., United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-6878. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Inflation Adjustment of Acquisition-Related Thresholds" (DFARS Case 2009-D003), received in the Office of the President of the Senate on July 29, 2010; to the Committee on Armed Services.

EC-6879. A communication from the Assistant Secretary of the Navy (Research, Development and Acquisition), transmitting, pursuant to law, a report relative to the determination and findings for authority to award a single source task or delivery order contract; to the Committee on Armed Services.

EC-6880. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 12947 with respect to terrorists who threaten to disrupt the Middle East peace process; to the Committee on Banking, Housing, and Urban Affairs.

EC-6881. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Ireland; to the Committee on Banking, Housing, and Urban Affairs.

EC-6882. A communication from the Assistant Director for Policy, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Lebanon Sanctions Regulations" (31 CFR Part 549), received in the Office of the President of the Senate on July 29, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6883. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Registration of Mortgage Loan Originators" (RIN1557-AD23), received in the Office of the President of the Senate on July 28, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6884. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Containment Isolation Provisions for Fluid Systems" (Regulatory Guide 1.141, Revision 1), received in the Office of the President of the Senate on July 28, 2010; to the Committee on Environment and Public Works.

EC-6885. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Methods for Measuring Effective Dose Equivalent from External Exposure" (Regulatory Guide 8.40), received in the Office of the President of the Senate on July 28, 2010; to the Committee on Environment and Public Works.

EC-6886. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Washington: Final Authorization of State Hazardous Waste Management Program Revisions" (FRL No. 9181-8), received in the Office of the President of the Senate on July 27, 2010; to the Committee on Environment and Public Works.

EC-6887. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Arizona State Implementation Plan, Maricopa County Air Quality Department" (FRL No. 9180-1), received in the Office of the President of the Senate on July 27, 2010; to the Committee on Environment and Public Works.

EC-6888. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Determination of Attainment for PM-10; Fort Hall PM-10 Nonattainment Area, Idaho" (FRL No. 9180-2), received in the Office of the President of the Senate on July 27, 2010; to the Committee on Environment and Public Works.

EC-6889. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Minnesota" (FRL No. 9182-2), received in the Office of the President of the Senate on July 27, 2010; to the Committee on Environment and Public Works.

EC-6890. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, (3) three reports relative to vacancies in the Environmental Protection Agency, received in the Office of the President of the Senate on July 28, 2010; to the Committee on Environment and Public Works.

EC-6891. A communication from the Chief of the Endangered Species Listing Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Limnanthes floccosa ssp. grandiflora (Large-Flowered Woolly Meadowfoam) and Lomatium cookii (Cook's Lomatium)" (RIN1018-AW21), received in the Office of the President of the Senate on July 27, 2010; to the Committee on Environment and Public Works.

EC-6892. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Additives Permitted in Feed and Drinking Water of Animals; Ammonium Formate" (Docket No. FDA-2008-F-0151), received in the Office of the President of the Senate on July 28, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6893. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Food and Drug Administration's report relative to the Backlog of Postmarketing Requirements and Postmarketing Commitments; to the Committee on Health, Education, Labor, and Pensions.

EC-6894. A communication from the Chairman, Merit System Protection Board, transmitting, pursuant to law, a report entitled "A Call to Action: Improving First-Level Supervision of Federal Employees"; to the Committee on Homeland Security and Governmental Affairs.

EC-6895. A communication from the Acting Director, Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting, pursuant to law, an annual report relative to the federal work force for fiscal year 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-6896. A communication from the Policy Analyst, Bureau of Immigration and Customs Enforcement, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Electronic Signature and Storage of Form I-9, Employment Eligibility Verification" (RIN1653-AA47), received in the Office of the President of the Senate on July 28, 2010; to the Committee on the Judiciary.

EC-6897. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Florida Advisory Committee; to the Committee on the Judiciary.

EC-6898. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Texas Advisory Committee; to the Committee on the Judiciary.

EC-6899. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to the Department's activities regarding civil rights era homicides; to the Committee on the Judiciary.

EC-6900. A communication from the Secretary of Veterans Affairs, transmitting proposed legislation relative to ending homelessness among Veterans and establishment of a nonprofit research and education corporation at the VA's central office; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on Appropriations, without amendment:

S. 3676. An original bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2011, and for other purposes (Rept. No. 111-237).

By Mr. DURBIN, from the Committee on Appropriations, without amendment:

S. 3677. An original bill making appropriations for financial services and general government for the fiscal year ending September 30, 2011, and for other purposes (Rept. No. 111-238).

By Mr. LEAHY, from the Committee on the Judiciary, with amendments:

S. 3397. A bill to amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, and for other purposes.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

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

S. 3665. A bill to promote the strengthening of the private sector in Pakistan; to the Committee on Foreign Relations.

By Mr. CARDIN (for himself, Mrs. FEINSTEIN, and Mr. LIEBERMAN):

S. 3666. A bill to authorize certain Department of State personnel, who are responsible for examining and processing United States passport applications, to be able to access certain Federal, State, and other databases, for the purpose of verifying the identity of a passport applicant, to reduce the incidence of fraud, to require the authentication of identification documents submitted by passport applicants, and for other purposes; to the Committee on the Judiciary.

By Mr. KERRY (for himself, Mrs. LINCOLN, and Mr. FRANKEN):

S. 3667. A bill to amend part A of title IV of the Social Security Act to exclude child care from the determination of the 5-year limit on assistance under the temporary assistance to needy families program, and for other purposes; to the Committee on Finance.

By Mr. HARKIN (for himself, Mr. BAYH, and Mr. BOND):

S. 3668. A bill to require the Secretary of Health and Human Services to establish a demonstration program to award grants to, and enter into contracts with, medical-legal partnerships to assist patients and their families to navigate health-related programs and activities; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEAHY (for himself and Mr. FRANKEN):

S. 3669. A bill to increase criminal penalties for certain knowing violations relating to food that is misbranded or adulterated; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SPECTER (for himself and Mr. CASEY):

S. 3670. A bill to establish standards limiting the amounts of arsenic and lead contained in glass beads used in pavement markings; to the Committee on Environment and Public Works.

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

S. 3671. A bill to improve compliance with mine and occupational safety and health law, empower workers to raise safety concerns, prevent future mine and other workplace tragedies, establish rights of families of victims of workplace accidents, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WICKER:

S. 3672. A bill to clarify and improve the payment of multiperil insurance claims, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. HUTCHISON (for herself, Mr. BURR, Mr. ENZI, Mr. WICKER, Mr. BOND, Ms. MURKOWSKI, and Mr. CORNYN):

S. 3673. A bill to amend the Patient Protection and Affordable Care Act to repeal certain limitations on tax health care benefits; to the Committee on Finance.

By Ms. STABENOW:

S. 3674. A bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of comprehensive Alzheimer's disease and other dementia diagnosis and services in order to improve care and outcomes for Americans living with Alzheimer's disease by increasing detection, diagnosis, care, and planning; to the Committee on Finance.

By Mr. WHITEHOUSE:

S. 3675. A bill to amend chapter 11 of title 11, United States Code, to address reorganization of small businesses; to the Committee on the Judiciary.

By Mr. LEAHY:

S. 3676. An original bill making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2011, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. DURBIN:

S. 3677. An original bill making appropriations for financial services and general government for the fiscal year ending September 30, 2011, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. LAUTENBERG:

S. 3678. A bill to improve mental health services for members of the National Guard and Reserve deployed in connection with a contingency operation, and for other purposes; to the Committee on Armed Services.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 601. A resolution to authorize testimony of Senate employees in a grand jury proceeding in the District of Columbia; considered and agreed to.

ADDITIONAL COSPONSORS

S. 749

At the request of Mr. COCHRAN, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 749, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from Wyoming [Mr. BARRASSO] was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1553

At the request of Mr. BINGAMAN, his name was added as a cosponsor of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

At the request of Mr. GRASSLEY, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 1553, supra.

S. 3152

At the request of Mr. DEMINT, the name of the Senator from Alaska [Ms. MURKOWSKI] was added as a cosponsor of S. 3152, a bill to repeal the Patient Protection and Affordable Care Act.

S. 3157

At the request of Mr. CASEY, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 3157, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to allow time for pensions to fund benefit obligations in light of economic circumstances in the financial markets of 2008, and for other purposes.

S. 3262

At the request of Mr. MENENDEZ, the name of the Senator from Georgia [Mr. CHAMBLISS] was added as a cosponsor of S. 3262, a bill to amend the Internal Revenue Code of 1986 to provide that the volume cap for private activity bonds shall not apply to bonds for facilities for the furnishing of water and sewage facilities.

S. 3265

At the request of Mr. MCCAIN, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of S. 3265, a bill to restore Second Amendment rights in the District of Columbia.

S. 3397

At the request of Ms. KLOBUCHAR, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 3397, a bill to amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, and for other purposes.

S. 3434

At the request of Mr. BINGAMAN, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 3434, a bill to provide for the establishment of a Home Star Retrofit Rebate Program, and for other purposes.

S. 3437

At the request of Mrs. LINCOLN, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 3437, a bill to amend the Child Abuse Prevention and Treatment Act to establish grant programs for the development and implementation of model undergraduate and graduate curricula on child abuse and neglect at institutions of higher education throughout the United States and to assist States in developing forensic interview training programs, to establish regional training centers and other resources for State and local child protection professionals, and for other purposes.

S. 3447

At the request of Mr. AKAKA, the names of the Senator from New Mexico [Mr. UDALL] and the Senator from Virginia [Mr. WEBB] were added as cosponsors of S. 3447, a bill to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes.

S. 3474

At the request of Mr. FEINGOLD, the names of the Senator from Idaho [Mr. RISCH], the Senator from Virginia [Mr. WARNER] and the Senator from Connecticut [Mr. LIEBERMAN] were added as cosponsors of S. 3474, a bill to provide an optional fast-track procedure the President may use when submitting rescission requests, and for other purposes.

S. 3486

At the request of Mr. BROWN of Ohio, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 3486, a bill to amend title 38, United States Code, to repeal the prohibition on collective bargaining with respect to matters and questions regarding compensation of employees of the Department of Veterans Affairs other than rates of basic pay, and for other purposes.

S. 3570

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 3570, a bill to improve hydropower, and for other purposes.

S. 3571

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 3571, a bill to extend certain Federal benefits and income tax provisions to energy generated by hydropower resources.

S. 3583

At the request of Mrs. MURRAY, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 3583, a bill to amend title 38, United States Code, to increase flexibility in payments for State veterans homes, and for other purposes.

S. 3593

At the request of Mr. JOHANNS, the name of the Senator from Nebraska [Mr. NELSON] was added as a cosponsor of S. 3593, a bill to require the Federal Government to pay the costs incurred by a State or local government in defending a State or local immigration law that survives a constitutional challenge by the Federal Government in Federal court.

S. 3628

At the request of Mr. SCHUMER, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 3628, a bill to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes.

S. 3637

At the request of Mr. KOHL, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 3637, a bill to authorize appropriations for the Housing Assistance Council.

S. 3645

At the request of Mrs. MURRAY, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 3645, a bill to direct the Secretary of Education to establish and administer an awards program recognizing excellence exhibited by public school system employees providing services to students in pre-kindergarten through higher education.

SENATE RESOLUTION 586

At the request of Mr. FEINGOLD, the name of the Senator from Delaware [Mr. KAUFMAN] was added as a cosponsor of Senate Resolution 586, a resolution supporting democracy, human rights, and civil liberties in Egypt.

SENATE RESOLUTION 592

At the request of Mr. HATCH, the name of the Senator from Utah [Mr. BENNETT] was added as a cosponsor of Senate Resolution 592, a resolution designating the week of September 13-19, 2010, as "Polycystic Kidney Disease Awareness Week", and supporting the goals and ideals of Polycystic Kidney Disease Awareness Week to raise awareness and understanding of polycystic kidney disease and the impact the disease has on patients now and for future generations until it can be cured.

SENATE RESOLUTION 597

At the request of Mr. SESSIONS, the names of the Senator from Georgia [Mr. ISAKSON] and the Senator from Minnesota [Ms. KLOBUCHAR] were added as cosponsors of Senate Resolution 597, a resolution designating September 2010 as "National Prostate Cancer Awareness Month".

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. REID,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on July 29, 2010, at 9:30 a.m.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on July 29, 2010, at 3 p.m.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on July 29, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on July 29, 2010, in the President's Room.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "The State of the American Child: The Impact of Federal Policies on Children" on July 29, 2010. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs be authorized to meet, during the session of the Senate, on July 29, 2010, at 9:30 a.m. in room 628 of the Dirksen Senate Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet, during the session of the Senate, on July 29, 2010, at 10 a.m. in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary, Subcommittee on Terrorism and Homeland Security, be authorized to meet, during the session of the Senate, on July 29, 2010, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "The Passport Issuance Process: Closing the Door to Fraud, Part II."

AD HOC SUBCOMMITTEE ON CONTRACTING OVERSIGHT

The Ad Hoc Subcommittee on Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 29, 2010, at 10 a.m. to conduct a hearing entitled, "Mismanagement of Contracts at Arlington National Cemetery."

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence by authorized to meet during the session of the Senate on July 29, 2010, at 2 p.m.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

The Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on July 29, 2010, at 2:30 p.m. to conduct a hearing entitled "Closing the Language Gap: Improving the Federal Government's Foreign Language Capabilities."

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 9:33 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 4899. An act making supplemental appropriations for the fiscal year ending September 30, 2010, and for other purposes.

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the PRESIDENT pro tempore.

At 10:08 a.m., a message from the House of Representatives, delivered by Ms. Brandon, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1796. An act to amend the Consumer Product Safety Act to require residential carbon monoxide detectors to meet the applicable ANSI/UL standard by treating that standard as a consumer product safety rule, to encourage States to require the installation of such detectors in homes, and for other purposes.

H.R. 1875. An act to establish the Emergency Trade Deficit Commission.

H.R. 2480. An act to improve the accuracy of fur product labeling, and for other purposes.

H.R. 4658. An act to authorize the conveyance of a small parcel of National Forest System land in the Cherokee National Forest and to authorize the Secretary of Agriculture to use the proceeds from that conveyance to acquire a parcel of land for inclusion in that national forest, and for other purposes.

H.R. 4692. An act to require the President to prepare a quadrennial National Manufacturing Strategy, and for other purposes.

H.R. 5156. An act to provide for the establishment of a Clean Energy Technology Manufacturing and Export Assistance Fund to assist the United States businesses with exporting clean energy technology products and services.

H.R. 5669. An act to direct the Secretary of Agriculture to convey certain Federally owned land located in Story County, Iowa.

H.R. 5751. An act to provide for the establishment of a task force that will be responsible for investigating cases referred to the Attorney General under the Lobbying Disclosure Act of 1995, and for other purposes.

H.R. 5827. An act to amend title 11 of the United States Code to include firearms in the types of property allowable under the alternative provision for exempting property from the estate.

H.R. 5872. An act to provide adequate commitment authority for fiscal year 2010 for guaranteed loans that are obligations of the General and Special Risk Insurance Funds of the Department of Housing and Urban Development

H.R. 5874. An act making supplemental appropriations for the United States Patent and Trademark Office for the fiscal year ending September 30, 2010, and for other purposes.

H.R. 5875. An act making emergency supplemental appropriations for border security for the fiscal year ending September 30, 2010, and for other purposes.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 2765) to amend title 28, United States Code, to prohibit recognition and enforcement of foreign defamation judgments and certain foreign judgments against the providers of interactive computer services.

The message further announced that the House agrees to the amendment of the Senate to the bill (H.R. 5610) to provide a technical adjustment with respect to funding for independent living centers under the Rehabilitation Act of 1973 in order to ensure stability for such centers.

The message also announced that pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6431), and the order of the House of January 6, 2009, the Speaker appoints the following member on the part of the House of Representatives to the Commission on International Religious Freedom: Upon the recommendation of the Minority Leader: Ms. Nina Shea of Washington, DC, for a two-year term ending May 14, 2012, to succeed herself.

At 11:54 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1749. An act to amend title 18, United States Code, to prohibit the possession or use of cell phones and similar wireless devices by Federal prisoners.

S. 1789. An act to restore fairness to Federal cocaine sentencing.

H.R. 2765. An act to amend title 28, United States Code, to prohibit recognition and enforcement of foreign defamation judgments and certain foreign judgments against the providers of interactive computer services.

H.R. 5610. An act to provide a technical adjustment with respect to funding for independent living centers under the Rehabilitation Act of 1973 in order to ensure stability for such centers.

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the PRESIDENT pro tempore.

At 3:33 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5822. An act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2011, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 307. Concurrent resolution providing for a conditional recess or adjournment of the Senate.

H. Con. Res. 308. Concurrent resolution providing for a conditional adjournment of the House of Representatives.

At 5:45 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 4380. An act to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, and for other purposes.

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the PRESIDENT pro tempore.

HOUSE BILL PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 5822. An act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2011, and for other purposes.

SAVING KIDS FROM DANGEROUS DRUGS ACT

By unanimous consent, on the request of Ms. LANDRIEU,

The Senate proceeded to consider the bill (S. 258) to amend the Controlled Substances Act to provide enhanced penalties for marketing controlled substances to minors.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

The reported amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

MULTINATIONAL SPECIES CONSERVATION FUNDS SEMIPOSTAL STAMP ACT

By unanimous consent, on the request of Ms. LANDRIEU,

The Senate proceeded to consider the bill (H.R. 1454) to provide for the issuance of a Multinational Species Conservation Fund Semipostal Stamp.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

The reported amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

UNITED STATES PATENT AND TRADEMARK OFFICE SUPPLEMENTAL APPROPRIATIONS ACT

On the request of Ms. LANDRIEU,

The PRESIDING OFFICER (Mr. GOODWIN in the chair) laid before the Senate the bill (H.R. 5874) making supplemental appropriations for the United States Patent and Trademark Office for the fiscal year ending September 30, 2010, and for other purposes, received from the House of Representatives for concurrence on today, and at the desk; which was read the and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "POLYCYSTIC KIDNEY DISEASE AWARENESS WEEK"

By unanimous consent, on the request of Ms. LANDRIEU,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 592) designating the week of September 13-19, 2010, as "Polycystic Kidney Disease Awareness Week," and supporting the goals and ideals of Polycystic Kidney Disease Awareness Week to raise awareness and understanding of polycystic kidney disease and the impact the disease has on patients now and for future generations until it can be cured.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORIZING THE TESTIMONY OF SENATE EMPLOYEES

On the request of Ms. LANDRIEU,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 601) to authorize testimony of Senate employees in a grand jury proceeding in the District of Columbia, submitted today by Mr. REID (for himself and Mr. MCCONNELL), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

On the request of Ms. LANDRIEU,

The PRESIDING OFFICER laid before the Senate the concurrent resolution (H. Con. Res. 308) providing for conditional adjournment of the House of Representatives, received from the House of Representatives for concurrence on today, and at the desk.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXECUTIVE SESSION

By unanimous consent, on the request of Ms. LANDRIEU,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Ms. LANDRIEU,

The Senate resumed its legislative session.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Ms. LANDRIEU,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, the times for the two leaders be reserved; and that there then be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

ADJOURNMENT

By unanimous consent, on the request of Ms. LANDRIEU,

At 7:58 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

FRIDAY, JULY 30, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, July 30, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, Friday, July 30, 2010, she had presented to the President of the United States the following enrolled bill:

S. 3372. A bill to modify the date on which the Administrator of the Environmental Protection Agency and applicable States may require permits for discharges from certain vessels.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6901. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Black Sea Bass Fishery; 2010 Black Sea Bass Specifications; Emergency Rule Extension" (RIN0648-XT99), received in the Office of the President of the Senate on July 28, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6902. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch for Catcher Vessels Participating in the Rockfish Entry Level Trawl Fishery in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XX35), received in the Office of the President of the Senate on July 28, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6903. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pelagic Shelf Rockfish in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XX55), received in the Office of the President of the Senate on July 28, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6904. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries in the Western Pacific; American Samoa Pelagic Longline Limited Entry Program" (RIN0648-XX41), received in the Office of the President of the Senate on July 28, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6905. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pelagic Shelf Rockfish in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XX49), received in the Office of the President of the Senate on July 28, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6906. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish, Pacific Ocean Perch, and Pelagic Shelf Rockfish for Catcher Vessels Participating in the Limited Access Rockfish Fishery in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XX35), received in the Office of the President of the Senate on July 28, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6907. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Foreign Direct Products of U.S. Technology" (RIN0694-AE27), received in the Office of the President of the Senate on July 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6908. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "The Jurisdictional Scope of Commodity Classification Determinations and Advisory Opinions Issued by the Bureau of Industry and Security" (RIN0694-AE94), received in the Office of the President of the Senate on July 27, 2010; to the Committee on Commerce, Science, and Transportation.

PETITION OR MEMORIAL

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-136. A resolution adopted by the Legislature of the State of Minnesota expressing its strong opposition to the creation of a federal insurance charter as proposed in S. 40/H.R. 3200 and any other such federal legislation that would threaten the power of the state legislatures, governors, insurance commissioners, and attorneys general to oversee, regulate, and investigate the business of insurance, and to protect consumers; to the Committee on Banking, Housing, and Urban Affairs.

RESOLUTION NO. 3

Whereas, the current financial crisis facing the United States and the world is causing Congress and the Administration to review the current regulatory structure presently in force with the object of revising it; and

Whereas, the Federal Reserve Board of Governors, Comptroller of the Currency, Securities and Exchange Commission, and other federal regulatory institutions failed their responsibility, causing great harm to the financial system of the United States; and

Whereas, the prime example of the failure of the federal regulatory institutions to exercise their responsibility is AIG; and

Whereas, the failure of AIG has been caused by the actions and activities of its holding company, the regulation of which is the sole responsibility of the federal government; and

Whereas, the regulation of AIG's insurance company subsidiaries has been the responsibility of the state regulators who have fulfilled their responsibilities, which is demonstrated by the fact that none of the approximately 170 insurance subsidiaries has failed; and

Whereas, regulation, oversight, and consumer protection have traditionally and historically been powers reserved to state governments under the McCarron-Ferguson Act of 1945; and

Whereas, state legislatures are more responsive to the needs of their constituents and the need for insurance products and regulation to meet their state's unique market demands; and

Whereas, many states, including Minnesota, have recently enacted and amended state insurance laws to modernize market regulation and provide insurers with greater ability to respond to changes in market conditions; and

Whereas, state legislatures, the National Conference of Insurance Legislators (NCOIL), the National Association of Insurance Commissioners (NAIC), and the National Conference of State Legislators (NCSL) continue to address uniformity issues between states by the adoption of model laws that address market conduct, product approval, agent and company licensing, and rate deregulation; and

Whereas, new federal legislation to create a national insurance charter is expected to be introduced in 2009 that will have the potential to fundamentally alter the role of state governments in the insurance industry, thereby creating an unwieldy and unnecessary federal bureaucracy proposed without consumer and constituent demand; and

Whereas, such initiatives as S. 40/H.R. 3200—the National Insurance Act of 2007—proposed optional federal charter legislation may bifurcate insurance regulation and result in a labyrinth of federal and state directives that would promote ambiguity and confusion among consumers; and

Whereas, bills such as S. 40/H.R. 3200 would allow insurance companies choosing a federal charter to avoid state insurance regulatory oversight and evade important state consumer protections; and

Whereas, the mechanism that would have been set up under S. 40/H.R. 3200 cannot respond to the unique insurance market dynamics and local constituent concerns present in each of the 50 states as state regulation does; and

Whereas, bills such as S. 40/H.R. 3200 have the potential to compromise state guaranty fund coverage, and employers could end up absorbing losses otherwise covered by these safety nets for businesses affected by insolvencies; and

Whereas, bills such as S. 40/H.R. 3200 would ultimately impose the costs of a new and needless federal bureaucracy upon businesses and the public; and

Whereas, many state governments derive general revenue dollars from the regulation of the business of insurance, including nearly $14 billion in premium taxes and $2.7 billion in fees and assessments generated in 2006—of which the state of Minnesota generated over $346 million; and

Whereas, bills such as S. 40/H.R. 3200 threaten the loss of over $10 million in state revenues from insurance fees and assessments, thereby putting at risk the funding of a wide array of essential state services; now, therefore, be it

Resolved, by the Legislature of the State of Minnesota, That it joins the National Conference of Insurance Legislators in expressing its strong opposition to creation of a federal insurance charter as proposed in S. 40/H.R. 3200 and any other such federal legislation that would threaten the power of state legislatures, governors, insurance commissioners, and attorneys general to oversee, regulate, and investigate the business of insurance, and to protect consumers; and be it further

Resolved, That the Secretary of State of the State of Minnesota is directed to prepare copies of this memorial and transmit them to the President and the Secretary of the United States Senate, the Speaker and the Clerk of the United States House of Representatives, the chair and members of the United States Senate Committee on Banking, Housing, and Urban Affairs, the chair and members of the United States House of Representatives Committee on Financial Services, and Minnesota's Senators and Representatives in Congress.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second

times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Ms. KLOBUCHAR (for herself and Mr. DORGAN):

S. 3679. A bill to establish a grant program in the Department of Transportation to improve the traffic safety of teen drivers; to the Committee on Commerce, Science, and Transportation.

By Mr. DURBIN:

S. 3680. A bill to amend the Family and Medical Leave Act of 1993 to permit leave to care for a same-sex spouse, domestic partner, parent-in-law, adult child, sibling, or grandparent who has a serious health condition; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FEINGOLD:

S. 3681. A bill to amend the Internal Revenue Code of 1986 to reform the system of public financing for Presidential elections, and for other purposes; to the Committee on Finance.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. CARDIN (for himself and Mr. BURR):

S. Res. 602. A resolution expressing support for the goals and ideals of National Infant Mortality Awareness Month 2010; considered and agreed to.

By Mr. SPECTER (for himself, Mr. LUGAR, Mr. LEAHY, Mr. BURR, Mr. BAYH, Mr. PRYOR, Mr. BURRIS, Mrs. LINCOLN, Mr. DORGAN, Mrs. GILLIBRAND, Mr. DURBIN, Mr. BOND, Mrs. MCCASKILL, Mr. BENNETT, Mr. CASEY, Mr. COCHRAN, Mr. UDALL, of New Mexico, Ms. KLOBUCHAR, Mrs. MURRAY, Ms. CANTWELL, Mrs. HAGAN, Mrs. HUTCHISON, Mr. ISAKSON, and Mr. COBURN):

S. Res. 603. A resolution commemorating the 50th anniversary of the National Council for International Visitors, and designating February 16, 2011, as "Citizen Diplomacy Day"; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 1643

At the request of Ms. SNOWE, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 1643, a bill to amend the Internal Revenue Code of 1986 to allow a credit for the conversion of heating using oil fuel to using natural gas or biomass feedstocks, and for other purposes.

S. 3034

At the request of Mr. SCHUMER, the name of the Senator from Idaho [Mr. RISCH] was added as a cosponsor of S. 3034, a bill to require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center.

S. 3669

At the request of Mr. LEAHY, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 3669, a bill to increase criminal penalties for certain knowing violations relating to food that is misbranded or adulterated.

SENATE RESOLUTION 579

At the request of Mr. BROWNBACK, the name of the Senator from Kansas [Mr. ROBERTS] was added as a cosponsor of Senate Resolution 579, a resolution honoring the life of Manute Bol and expressing the condolences of the Senate on his passing.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10:03 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3040. An act to prevent mail, telemarketing, and Internet fraud targeting seniors in the United States, to promote efforts to increase public awareness of the enormous impact that mail, telemarketing, and Internet fraud have on seniors, to educate the public, seniors, their families, and their caregivers about how to identify and combat fraudulent activity, and for other purposes.

H.R. 5900. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend airport improvement program project grant authority and to improve airline safety, and for other purposes.

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

S. 3372. An act to modify the date on which the Administrator of the Environmental Protection Agency and applicable States may require permits for discharges from certain vessels.

At 11:25 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5981. An act to increase the flexibility of the Secretary of Housing and Urban Development with respect to the amount of premiums charged for FHA single family housing mortgage insurance, and for other purposes.

AIRLINE SAFETY AND FEDERAL AVIATION ADMINISTRATION EXTENSION ACT

On the request of Mr. DORGAN,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 5900) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend airport improvement program project grant authority and to improve airline safety, and for other purposes, received from the House of Representatives for concurrence on today, and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CONSIDERATION OF CERTAIN CALENDAR BILLS, EN BLOC

By unanimous consent, on the request of Mr. DORGAN,

The Senate proceeded to consider, en bloc, the following bills on the calendar:

S. 3567. A bill to designate the facility of the United States Postal Service located at 100 Broadway in Lynbrook, New York, as the "Navy Corpsman Jeffrey L. Wiener Post Office Building";

H.R. 5278. A bill to designate the facility of the United States Postal Service located at 405 West Second Street in Dixon, Illinois, as the "President Ronald W. Reagan Post Office Building";

H.R. 5395. A bill to designate the facility of the United States Postal Service located at 151 North Maitland Avenue in Maitland, Florida, as the "Paula Hawkins Post Office Building".

The bills, en bloc, were read the third time, by unanimous consent.

Resolved, That the bills, en bloc, do pass.

A motion to reconsider the vote on the passage of the bills, en bloc, was deemed made and laid on the table, by unanimous consent.

IMPOSING AN ADDITIONAL TAX ON BONUSES RECEIVED FROM CERTAIN TARP RECIPIENTS

On the request of Mr. DORGAN,

The ACTING PRESIDENT pro tempore laid before the Senate the resolution (S. Res. 602) to impose an additional tax on bonuses received from certain TARP recipients, submitted today by Mr. CARDIN (for himself and Mr. BURR), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDER RELATIVE TO FURTHER CONSIDERATION OF BILL H.R. 1586

By unanimous consent, on the request of Mr. REID,

Ordered, That, at 5:45 p.m. on Monday, August 2, 2010, the Senate vote on the question of agreeing to the motion to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to the bill (H.R. 1586) to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide for modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes, with amendment No. 4567 (in the nature of a substitute); and that time for debate thereon, from 5:15 p.m. until 5:45 p.m., be equally divided and controlled between the majority and minority leaders, or their designees.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, AUGUST 2, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2 p.m. on Monday, August 2, 2010; that, on Monday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 3 p.m., with Senators permitted to speak for 10 minutes each therein; and that, following morning business, the Senate resume consideration of the motion to concur in the House amendment to the Senate amendment to bill H.R. 1586, with an amendment.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 11:46 a.m.,

The Senate adjourned, under its order of today, until 2 p.m. on Monday, August 2, 2010.

MONDAY, AUGUST 2, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, August 2, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of Friday, July 30, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Friday, July 30, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Friday, July 30, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 6, 2009, the Secretary of the Senate, on July 30, 2010, during the adjournment of the Senate, received a message from the House announcing that the Speaker has signed the following enrolled bills:

S. 3372. An act to modify the date on which the Administrator of the Environmental Protection Agency and applicable States may require permits for discharges from certain vessels.

H.R. 5874. An act making supplemental appropriations for the United States Patent and Trademark Office for the fiscal year ending September 30, 2010, and for other purposes.

H.R. 5900. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend airport improvement program project grant authority and to improve airline safety, and for other purposes.

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 6, 2009, the enrolled bills were signed on July 30, 2010, during the adjournment of the Senate, by the PRESIDENT pro tempore.

Under the authority of the order of the Senate of January 6, 2009, the Secretary of the Senate, on today, August 2, 2010, during the adjournment of the Senate, received a message from the House announcing that the Speaker has signed the following enrolled bills:

H.R. 5278. An act to designate the facility of the United States Postal Service located at 405 West Second Street in Dixon, Illinois, as the "President Ronald W. Reagan Post Office Building".

H.R. 5395. An act to designate the facility of the United States Postal Service located at 151 North Maitland Avenue in Maitland Florida, as the "Paula Hawkins Post Office Building".

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed during the session of the Senate by the PRESIDENT pro tempore.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 3196. A bill to amend the Presidential Transition Act of 1963 to provide that certain transition services shall be available to

eligible candidates before the general election (Rept. No. 111-239).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 3386. A bill to protect consumers from certain aggressive sales tactics on the Internet (Rept. No. 111-240).

By Mrs. BOXER, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 1311. A bill to amend the Federal Water Pollution Control Act to expand and strengthen cooperative efforts to monitor, restore, and protect the resource productivity, water quality, and marine ecosystems of the Gulf of Mexico (Rept. No. 111-241).

By Mrs. BOXER, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute and an amendment to the title:

S. 3515. A bill to authorize and enhance the programs of the Department of the Interior relating to the detection of, response to, and mitigation and cleanup of oil spills on Federal land managed by the Department, and for other purposes (Rept. No. 111-242).

By Mr. HARKIN, from the Committee on Appropriations, without amendment:

S. 3686. An original bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2011, and for other purposes (Rept. No. 111-243).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute and an amendment to the title:

H.R. 3978. An act to amend the Homeland Security Act of 2002 to authorize the Secretary of Homeland Security to accept and use gifts for otherwise authorized activities of the Center for Domestic Preparedness that are related to preparedness for a response to terrorism, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. KOHL:

S. 3682. A bill to establish the Fox-Wisconsin Heritage Parkway National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. UDALL of New Mexico:

S. 3683. A bill to support and encourage the health and well-being of elementary school and secondary school students by enhancing school physical education and health education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of New Mexico (for himself and Mr. BINGAMAN):

S. 3684. A bill to establish the Cavernous Angioma CARE Center (Clinical Care, Advocacy, Research and Education) at the University of New Mexico, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PRYOR (for himself, Mrs. BOXER, and Mr. ROCKEFELLER):

S. 3685. A bill to provide the Federal Trade Commission with oversight authority over insurance issuers; to the Committee on Commerce, Science, and Transportation.

By Mr. HARKIN:

S. 3686. An original bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2011, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. NELSON of Florida:

S. 3687. A bill to provide royalty relief, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KERRY:

S. 3688. A bill to establish an international professional exchange program, and for other purposes; to the Committee on Foreign Relations.

By Mr. LEAHY (for himself and Mr. SESSIONS):

S. 3689. A bill to clarify, improve, and correct the laws relating to copyrights; considered and passed.

By Mr. CARDIN (for himself, Mr. BROWNBACK, Mr. WHITEHOUSE, and Mrs. SHAHEEN):

S.J. Res. 37. A joint resolution calling upon the President to issue a proclamation recognizing the 35th anniversary of the Helsinki Final Act; to the Committee on Foreign Relations.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mrs. BOXER (for herself, Mr. CASEY, Mr. FRANKEN, Ms. KLOBUCHAR, Mr. SPECTER, and Mrs. FEINSTEIN):

S. Res. 604. A resolution urging the Government of the Islamic Republic of Iran to immediately and unconditionally release Sarah Shourd, Joshua Fattal, and Shane Bauer on humanitarian grounds; considered and agreed to.

ADDITIONAL COSPONSORS

S. 369

At the request of Mr. KOHL, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 369, a bill to prohibit brand name drug companies from compensating generic drug companies to delay the entry of a generic drug into the market.

S. 752

At the request of Mr. DURBIN, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 752, a bill to reform the financing of Senate elections, and for other purposes.

S. 987

At the request of Mr. DURBIN, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 987, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 1055

At the request of Mrs. BOXER, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1235

At the request of Ms. LANDRIEU, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 1235, a bill to amend the Public Health Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a minor child's congenital or developmental deformity or disorder due to trauma, infection, tumor, or disease.

S. 1275

At the request of Mr. WARNER, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 1275, a bill to establish a National Foundation on Physical Fitness and Sports to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports.

S. 3241

At the request of Mr. BROWN of Ohio, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 3241, a bill to provide for a safe, accountable, fair, and efficient banking system, and for other purposes.

S. 3397

At the request of Ms. KLOBUCHAR, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 3397, a bill to amend the Controlled Substances Act to provide for take-back

disposal of controlled substances in certain instances, and for other purposes.

S. 3411

At the request of Mrs. GILLIBRAND, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 3411, a bill to provide for the adjustment of status for certain Haitian orphans paroled into the United States after the earthquake of January 12, 2010.

S. 3434

At the request of Mr. BINGAMAN, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 3434, a bill to provide for the establishment of a Home Star Retrofit Rebate Program, and for other purposes.

S. 3474

At the request of Mr. FEINGOLD, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 3474, a bill to provide an optional fast-track procedure the President may use when submitting rescission requests, and for other purposes.

S. 3543

At the request of Mrs. HAGAN, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 3543, a bill to amend title XVIII of the Social Security Act to expand access to medication therapy management services under the Medicare prescription drug program.

S. 3594

At the request of Mr. NELSON of Florida, the name of the Senator from Louisiana [Mr. VITTER] was added as a cosponsor of S. 3594, a bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to mitigate the economic impact of the transition to sustainable fisheries on fishing communities, and for other purposes.

S. 3642

At the request of Mrs. BOXER, the name of the Senator from Colorado [Mr. UDALL] was added as a cosponsor of S. 3642, a bill to ensure that the underwriting standards of Fannie Mae and Freddie Mac facilitate the use of property assessed clean energy programs to finance the installation of renewable energy and energy efficiency improvements.

S. 3656

At the request of Mrs. LINCOLN, the names of the Senator from Ohio [Mr. BROWN], the Senator from Mississippi [Mr. COCHRAN], the Senator from New York [Mrs. GILLIBRAND], the Senator from Minnesota [Ms. KLOBUCHAR], the Senator from Vermont [Mr. LEAHY] and the Senator from South Dakota [Mr. THUNE] were added as cosponsors of S. 3656, a bill to amend the Agricultural Marketing Act of 1946 to improve the reporting on sales of livestock and dairy products, and for other purposes.

S. 3661

At the request of Mr. LAUTENBERG, the name of the Senator from Florida [Mr. NELSON] was added as a cosponsor of S. 3661, a bill to amend the Federal Water Pollution Control Act to ensure the safe and proper use of dispersants in the event of an oil spill or release of hazardous substances, and for other purposes.

SENATE RESOLUTION 586

At the request of Mr. FEINGOLD, the name of the Senator from South Carolina [Mr. GRAHAM] was added as a cosponsor of Senate Resolution 586, a resolution supporting democracy, human rights, and civil liberties in Egypt.

SENATE RESOLUTION 597

At the request of Mr. SESSIONS, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was withdrawn as a cosponsor of Senate Resolution 597, a resolution designating September 2010 as "National Prostate Cancer Awareness Month".

At the request of Mr. SESSIONS, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of Senate Resolution 597, supra.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 3:33 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 2746. An act to amend the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System land that are subject to ski area permits, and for other purposes.

H.R. 5320. An act to amend the Safe Drinking Water Act to increase assistance for States, water systems, and disadvantaged communities; to encourage good financial and environmental management of water systems; to strengthen the Environmental Protection Agency's ability to enforce the requirements of the Act; to reduce lead in drinking water; to strengthen the endocrine disruptor screening program; and for other purposes.

H.R. 5414. An act to provide for the conveyance of a small parcel of National Forest System land in the Francis Marion National Forest in South Carolina, and for other purposes.

H.R. 5850. An act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2011, and for other purposes.

H.R. 5901. An act to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investment in United States real property interests, and for other purposes.

H.J. Res. 90. Joint resolution expressing support for designation of September 2010 as "Gospel Music Heritage Month" and honoring gospel music for its valuable and longstanding contributions to the culture of the United States.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 266. Concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

The message further announced that pursuant to section 803(a) of the Congressional Recognition for Excellence in Arts Education Act (2 U.S.C. 803(a)), and the order of the House of January 6, 2009, the Speaker appoints the following members to the Congressional Award Board: Mr. Nicholas Scott Cannon of Los Angeles, CA, for the remainder of the term ending September 25, 2011 and in addition, Mr. Jimmie Lee Solomon of Washington, D.C.

The message also announced that pursuant to section 2(b) of rule VI, and the order of the House of January 6, 2009, the Speaker, Majority Leader and Minority Leader jointly appoint the following member for the House of Representatives to the position of Inspector General effective July 30, 2010: Ms. Theresa M. Grafenstine of Manassas, Virginia.

HOUSE BILLS REFERRED

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

H.R. 5872. An act to provide adequate commitment authority for fiscal year 2010 for guaranteed loans that are obligations of the General and Special Risk Insurance Funds of the Department of Housing and Urban Development; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 5981. An act to increase the flexibility of the Secretary of Housing and Urban Development with respect to the amount of premiums charged for FHA single family housing mortgage insurance, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE BILL PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 5850. An act making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2011, and for other purposes.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 1586

Pursuant to the order of Friday, July 30, 2010,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 1586) to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide for modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; and

The Senate resumed consideration of the House amendment.

The question being on agreeing to amendment No. 4571, proposed by Mr. REID, to amendment No. 4570, proposed by Mr. REID, to the instructions (designated amendment No. 4569) contained in the motion, by Mr. REID, to refer the pending House amendment to the Committee on Appropriations with instructions.

Pending debate,

By unanimous consent, on the request of Mr. REID,

Ordered, That the pending motion to refer with instructions, and amendments Numbered 4570 and 4571 thereto, be withdrawn; and that the motion to bring to a close debate on the motion to concur with amendment be withdrawn.

The question being on agreeing to amendment No. 4568, proposed by Mr. REID, to amendment No. 4567 contained in the motion, by Mr. REID, that the Senate concur in the House amendment to the Senate amendment to the bill.

On motion by Mr. REID to lay the pending motion to concur with amendment on the table.

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---

yeas... 95, nays... 0

[Rollcall Vote No. 223 Leg.]

YEAS --- 95

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Brownback, Bunning, Burr, Burris, Cantwell, Cardin, Carper, Casey, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dodd, Dorgan, Durbin, Ensign, Enzi, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Graham, Grassley, Hagan, Harkin, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lincoln, Lugar, McCain, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Risch, Roberts, Rockefeller, Sanders, Schumer, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wicker, Wyden.

So the motion to table was agreed to.

The question being on agreeing to the House amendment to the Senate amendment to bill H.R. 1586.

On motion by Mr. REID that the Senate concur in the House amendment to the Senate amendment with an amendment (Numbered 4575, in the nature of a substitute).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion.

On motion by Mr. REID to amend the pending amendment, at the end thereof, by adding certain words (being amendment No. 4576).

Mr. REID presented a motion to bring to a close debate on the pending motion to concur; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to bill H.R. 1586, with amendment No. 4575:

HARRY REID, PATTY MURRAY, MAX BAUCUS, DICK DURBIN, ROBERT MENENDEZ, D.K. INOUYE, CHRISTOPHER DODD, CARL LEVIN, DIANNE FEINSTEIN, AL FRANKEN, JACK REED, S. WHITEHOUSE, FRANK R. LAUTENBERG, ROLAND W. BURRIS, TOM HARKIN, RON WYDEN, CHUCK SCHUMER.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

On motion by Mr. REID to refer the House amendment to the Committee on Appropriations with instructions to report back forthwith with an amendment (Numbered 4577).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion.

On motion by Mr. REID to amend the instructions contained in the motion to refer, at the end thereof, by adding certain words (being amendment No. 4578).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the amendment.

On motion by Mr. REID to amend the pending amendment, at the end thereof, by adding certain words (being amendment No. 4579).

The question being on agreeing to amendment No. 4579 to amendment No. 4578 to the instructions (designated amendment No. 4577) contained in the motion to refer the House amendment to the Committee on Appropriations.

ORDER FOR EXECUTIVE SESSION ON TOMORROW

By unanimous consent, on the request of Mr. DODD,

As in executive session,

Ordered, That, at 9:30 a.m. on tomorrow, the Senate proceed to executive session to consider the nomination of Elena Kagan, of Massachusetts, to be an Associate Justice of the Supreme Court of the United States; that Mr. LEAHY then be recognized to speak for 30 minutes; that, following remarks by him, the next 30 minutes be equally divided and controlled for debate between the two leaders, or their designees; that the time from 11 a.m. until 12:30 p.m. be equally divided and controlled; that the first 45 minutes therein be controlled by the majority party, and the second 45 minutes therein be controlled by the majority party; that the time from 2:15 p.m. until 8:15 p.m. be equally divided and controlled for debate; that the majority party control the first hour therein; that the minority control the second hour therein; and that each hour thereafter be controlled in like alternating fashion.

GRANTING THE CONGRESSIONAL GOLD MEDAL TO THE 100TH INFANTRY BATTALION AND THE 442ND REGIMENTAL COMBAT TEAM, UNITED STATES ARMY

By unanimous consent, on the request of Mr. DODD,

Ordered, That the Committee on Banking, Housing, and Urban Affairs be discharged from the further consideration of the bill (S. 1055) to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

On motion by Mr. DODD (for Mrs. BOXER) to amend the pending bill on various pages and lines, by striking certain words and inserting other words (being amendment No. 4581).

The amendment was agreed to.

The bill, as amended, was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

STAR-SPANGLED BANNER COMMEMORATIVE COIN ACT

By unanimous consent, on the request of Mr. DODD,

Ordered, That the Committee on Banking, Housing, and Urban Affairs be discharged from the further consideration of the bill (H.R. 2097) to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

COPYRIGHT CLEANUP, CLARIFICATION, AND CORRECTIONS ACT

On the request of Mr. DODD,

The PRESIDING OFFICER laid before the Senate the bill (S. 3689) to clarify, improve, and correct the laws relating to copyrights, introduced on today by Mr. LEAHY (for himself and Mr. SESSIONS), and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

URGING IRAN TO RELEASE SARAH SHOURD, JOSHUA FATTAL, AND SHANE BAUER

On the request of Mr. DODD,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 604) urging the Government of the Islamic Republic of Iran to immediately and unconditionally release Sarah Shourd, Joshua Fattal, and Shane Bauer on humanitarian grounds, submitted today by Mrs. BOXER (for herself, Mr. CASEY, Mr. FRANKEN, Ms. KLOBUCHAR, Mr. SPECTER, and Mrs. FEINSTEIN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HOUSE BILL READ THE FIRST TIME

On the request of Mr. DODD,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 5901) to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investment in United States real property interests, and for other purposes, received from the House of Representatives for concurrence on today, and at the desk; which was read the first time.

Mr. DODD asked unanimous consent that the bill be read the second time.

Mr. DODD objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DODD,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then proceed to executive session to consideration the nomination of Elena Kagan, of Massachusetts, to be an Associate Justice of the Supreme Court of the United States, as pursuant to the order of today.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 2:15 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mr. DODD,

At 7:46 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

TUESDAY, AUGUST 3, 2010

Mr. CARTE P. GOODWIN, from the State of West Virginia, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. GOODWIN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, August 3, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CARTE P. GOODWIN, a Senator from the State of West Virginia, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. GOODWIN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

EXECUTIVE SESSION

Pursuant to the order of yesterday,

The Senate proceeded to executive session, during which the following occurred:

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

As in legislative session,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 5901) to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investment in

United States real property interests, and for other purposes, received from the House of Representatives for concurrence on yesterday, and read the first time; which was read the second time.

Mr. LEAHY objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. WHITEHOUSE,

The Senate resumed its legislative session.

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6909. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Monterey, CA" ((RIN2120-AA66)(Docket No. FAA-2009-1030)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6910. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Paynesville, MN" ((RIN2120-AA66)(Docket No. FAA-2010-0399)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6911. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Syracuse, KS" ((RIN2120-AA66)(Docket No. FAA-2010-0400)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6912. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Kemmerer, WV" ((RIN2120-AA66)(Docket No. FAA-2009-1190)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6913. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Bozeman, MT" ((RIN2120-AA66)(Docket No. FAA-2009-1220)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6914. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Mount Airy, NC" ((RIN2120-AA66)(Docket No. FAA-2010-0070)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6915. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Clemson, SC and Establishment of Class E Airspace: Pickens, SC" ((RIN2120-AA66)(Docket No. FAA-2010-00752), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6916. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D Airspace; Goldsboro, NC" ((RIN2120-AA66)(Docket No. FAA-2010-0095)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6917. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and E Airspace; Everett, WA" ((RIN2120-AA66)(Docket No. FAA-2009-1105)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6918. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class D and E Airspace; Panama City, FL" ((RIN2120-AA66)(Docket No. FAA-2010-0001)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6919. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Monterey, CA" ((RIN2120-AA66)(Docket No. FAA-2010-0633)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6920. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (20); Amdt. No. 3383" (RIN2120-AA65), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6921. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (86); Amdt. No. 3382" (RIN2120-AA65), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6922. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safe, Efficient Use and Preservation of the Navigable Airspace" (RIN2120-AH31), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6923. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class D Airspace; San Marcos, TX" ((RIN2120-AA66)(Docket No. FAA-2010-0406)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6924. A communication from the Senior Program Analyst, Federal Aviation

Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of VOR Federal Airways V-82, V-175, V-191, and V-430 in the Vicinity of Bemidji, MN" ((RIN2120-AA66)(Docket No. FAA-2010-0241)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6925. A communication from the Attorney-Advisor, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Certification of Enforcement of the Heavy Vehicle Use Tax" (RIN2125-AF32), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6926. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Restricted Area R3404; Crane, IN" ((RIN2120-AA66)(FAA Docket No. 2007-28632)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6927. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "IFR Altitudes; Miscellaneous Amendments (97); Amendment No. 488" (RIN2120-AA63), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6928. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Thielert Aircraft Engines GmbH Model TAE 125-01 Reciprocating Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0308)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6929. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McCauley Propeller Systems Model 4HFR34C653/L106FA Propellers" ((RIN2120-AA64)(Docket No. FAA-2007-29176)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6930. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-200 and -300 Airplanes and Model A340-200, -300, -500, and -600 Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2009-0790)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6931. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 757 Airplanes, Model 767 Airplanes, and Model 777-200 and -300 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2008-0274)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6932. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model DHC-8-400 Series Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2010-0229)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6933. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747-400, 747SR, and 747SP Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0383)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6934. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 and ERJ 190 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0174)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6935. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-200 and -300 Series Airplanes, and A340-200, -300, -500, and -600 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0003)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6936. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Piper Aircraft, Inc. PA-28, PA-32, PA-34, and PA-44 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1015)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6937. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-500 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0733)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6938. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 737-100, -200, -200C, -300, -400, and -500 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0173)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6939. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Zaklad Szybowcowy„Jezow" Henryk Mynarski Model PW-6U Sailplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0729)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6940. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France (ECF) Model EC255LP Helicopters" ((RIN2120-AA64)-(Docket No. FAA-2010-0721)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6941. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of

Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 767-200, -300, and -300F Series Airplanes Powered by General Electric or Pratt and Whitney Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0671)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6942. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Aircraft Industries a.s. Model L 23 Super Blanik Gliders" ((RIN2120-AA64)-(Docket No. FAA-2010-0457)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6943. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Inpatient Rehabilitation Facility Prospective Payment System for Federal Fiscal Year 2011" (RIN0938-AP89), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Finance.

EC-6944. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Changes to the Hospital Inpatient Prospective Payment Systems for Acute Care Hospitals and the Long-Term Care Hospital Prospective Payment System and Fiscal Year 2011 Rates; Effective Date of Provider Agreements and Supplier Approvals; and Hospital Conditions of Participation for Rehabilitation and Respiratory Care" (RIN0938-AP80 and RIN0938-AQ03), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Finance.

EC-6945. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Qualified Zone Academy Bonds; Obligations of States and Political Subdivisions" ((RIN1545-BC61)-(TD 9495)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Finance.

EC-6946. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Xilinx, Inc. v. Commissioner, 598 F. 3d 1191 (9th Cir, 2010), aff'g 125 T.C. 37 (2005)" (AOD 2010-33), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Finance.

EC-6947. A communication from the Program Manager, Office of Consumer Information and Insurance Oversight, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Pre-Existing Condition Insurance Plan Program" (RIN0991-AB71), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Health, Education, Labor, and Pensions.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 2781. A bill to change references in Federal law to mental retardation to references to an intellectual disability, and to change references to a mentally retarded individual to references to an individual with an intellectual disability (Rept. No. 111-244).

By Mr. DORGAN, from the Committee on Indian Affairs, without amendment:

S. 1448. A bill to amend the Act of August 9, 1955, to authorize the Coquille Indian Tribe, the Confederated Tribes of Siletz Indians, the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw, the Klamath Tribes, and the Burns Paiute Tribe to obtain 99-year lease authority for trust land (Rept. No. 111-245).

By Mr. DORGAN, from the Committee on Indian Affairs, with amendments:

S. 2906. A bill to amend the Act of August 9, 1955, to modify a provision relating to leases involving certain Indian tribes (Rept. No. 111-246).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 3304. A bill to increase the access of persons with disabilities to modern communications, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. BENNET:

S. 3690. A bill to provide for additional quality control of drugs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WEBB:

S. 3691. A bill to establish rules to assist consumers to compare airfares and other costs applicable to tickets for air transportation, to amend the Internal Revenue Code of 1986 to provide that fees charged for carry-on and checked baggage on passenger aircraft are subject to the excise tax imposed on transportation of persons by air, and for other purposes; to the Committee on Finance.

By Mrs. LINCOLN (for herself and Mr. CRAPO):

S. 3692. A bill to amend the Internal Revenue Code of 1986 to permanently extend the deductibility of mortgage insurance premiums; to the Committee on Finance.

By Mr. GRASSLEY:

S. 3693. A bill to provide funding for the settlement of lawsuits against the Federal Government for discrimination against Black Farmers; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. CANTWELL (for herself, Ms. COLLINS, and Mr. SANDERS):

S. 3694. A bill to prohibit the conducting of invasive research on great apes, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MENENDEZ (for himself, Mrs. GILLIBRAND, and Mr. LAUTENBERG):

S. 3695. A bill to fight criminal gangs; to the Committee on Finance.

By Mr. CASEY:

S. 3696. A bill to amend the Fair Labor Standards Act with regard to certain exemptions under that Act for direct care workers and to improve the systems for the collection and reporting of data relating to the direct care workforce, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DEMINT:

S.J. Res. 38. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; read the first time.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. NELSON of Nebraska (for himself and Mr. INHOFE):

S. Res. 605. A resolution designating September 13, 2010, as "National Celiac Disease Awareness Day"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 571

At the request of Mr. MENENDEZ, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 571, a bill to strengthen the Nation's research efforts to identify the causes and cure of psoriasis and psoriatic arthritis, expand psoriasis and psoriatic arthritis data collection, and study access to and quality of

care for people with psoriasis and psoriatic arthritis, and for other purposes.

S. 987

At the request of Mr. DURBIN, the name of the Senator from Georgia [Mr. ISAKSON] was added as a cosponsor of S. 987, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 1183

At the request of Mr. DURBIN, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 1183, a bill to authorize the Secretary of Agriculture to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, and for other purposes.

S. 1553

At the request of Mr. GRASSLEY, the name of the Senator from West Virginia [Mr. GOODWIN] was added as a cosponsor of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1703

At the request of Mr. DORGAN, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of S. 1703, a bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes.

S. 3036

At the request of Mr. BAYH, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 3036, a bill to establish the Office of the National Alzheimer's Project.

S. 3211

At the request of Mrs. SHAHEEN, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 3211, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by designating certain certified diabetes educators as certified providers for purposes of outpatient diabetes self-management training services under part B of the Medicare Prorgram.

S. 3381

At the request of Mr. BAUCUS, the name of the Senator from Wyoming [Mr. BARRASSO] was added as a cosponsor of S. 3381, a bill to amend the Clean Air Act to modify certain definitions of the term "renewable biomass", and for other purposes.

S. 3397

At the request of Ms. KLOBUCHAR, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 3397, a bill to amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, and for other purposes.

S. 3402

At the request of Mr. LEMIEUX, the name of the Senator from Tennessee [Mr. ALEXANDER] was added as a cosponsor of S. 3402, a bill to encourage residential use of renewable energy systems by minimizing upfront costs and providing immediate utility cost savings to consumers through leasing of such systems to homeowners, and for other purposes.

S. 3447

At the request of Mr. AKAKA, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 3447, a bill to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes.

S. 3466

At the request of Mr. LEAHY, the name of the Senator from Rhode Island [Mr. REED] was added as a cosponsor of S. 3466, a bill to require restitution for victims of criminal violations of the Federal Water Pollution Control Act, and for other purposes.

S. 3486

At the request of Mr. BROWN of Ohio, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 3486, a bill to amend title 38, United States Code, to repeal the prohibition on collective bargaining with respect to matters and questions regarding compensation of employees of the Department of Veterans Affairs other than rates of basic pay, and for other purposes.

S. 3510

At the request of Mr. CONRAD, the names of the Senator from North Carolina [Mrs. HAGAN] and the Senator from Maine [Ms. SNOWE] were added as cosponsors of S. 3510, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 3517

At the request of Mr. AKAKA, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 3517, a bill to amend title 38, United States Code, to improve the processing of claims for disability compensation filed with the Department of Veterans Affairs, and for other purposes.

S. 3572

At the request of Mrs. LINCOLN, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 3572, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first law enforcement agency, the United States Marshals Service.

S. 3578

At the request of Mr. JOHANNS, the names of the Senator from Georgia [Mr. CHAMBLISS] and the Senator from Tennessee [Mr. ALEXANDER] were added as cosponsors of S. 3578, a bill to repeal the expansion of information reporting requirements for payments of $600 or more to corporations, and for other purposes.

S. 3581

At the request of Mr. LUGAR, the name of the Senator from Virginia [Mr. WEBB] was added as a cosponsor of S. 3581, a bill to implement certain defense trade treaties.

S. 3585

At the request of Mr. UDALL of Colorado, the name of the Senator from New Mexico [Mr. UDALL] was added as a cosponsor of S. 3585, a bill to amend title 10, United States Code, to reform Department of Defense energy policy, and for other purposes.

S. 3622

At the request of Mr. JOHANNS, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of S. 3622, a bill to require the Administrator of the Environmental Protection Agency to finalize a proposed rule to amend the spill prevention, control, and countermeasure rule to tailor and streamline the requirements for the dairy industry, and for other purposes.

S. 3624

At the request of Mr. DEMINT, the names of the Senator from Kansas [Mr. BROWNBACK] and the Senator from North Carolina [Mr. BURR] were added as cosponsors of S. 3624, a bill to encourage continued investment and innovation in communications networks by establishing a new, competition analysis-based regulatory framework for the Federal Communications Commission.

S. 3643

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 3643, a bill to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf, to improve oil spill compensation, to terminate the moratorium on deepwater drilling, and for other purposes.

S. 3645

At the request of Mrs. MURRAY, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 3645, a bill to direct the Secretary of Education to establish and administer an awards program recognizing excellence exhibited by public school system employees providing services to students in pre-kindergarten through higher education.

S. 3653

At the request of Mr. CORNYN, the names of the Senator from Oklahoma [Mr. INHOFE],

the Senator from Wyoming [Mr. BARRASSO] and the Senator from Georgia [Mr. ISAKSON] were added as cosponsors of S. 3653, a bill to remove unelected, unaccountable bureaucrats from seniors' personal health decisions by repealing the Independent Payment Advisory Board.

S. 3654

At the request of Mr. LEAHY, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 3654, a bill to amend title 11 of the United States Code to include firearms in the types of property allowable under the alternative provision for exempting property from the estate.

S. 3667

At the request of Mr. KERRY, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 3667, a bill to amend part A of title IV of the Social Security Act to exclude child care from the determination of the 5-year limit on assistance under the temporary assistance to needy families program, and for other purposes.

SENATE RESOLUTION 519

At the request of Mr. DEMINT, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of Senate Resolution 519, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and children is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mrs. FEINSTEIN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on August 3, 2010, at 9:30 a.m.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on August 3, 2010, at 2:30 p.m.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on August 3, 2010, at 10 a.m.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on August 3, 2010, at 2:15 p.m.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on August 3, 2010, at 2:30 p.m.

SUBCOMMITTEE ON ADMINISTRATIVE OVERSIGHT AND THE COURTS

The Committee on the Judiciary, Subcommittee on Administrative Oversight and the Courts, be authorized to meet during the session of the Senate on August 3, 2010, at 10 a.m. in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Protecting the Public Interest: Understanding the Threat of Agency Capture."

SUBCOMMITTEE ON CHILDREN'S HEALTH

The Subcommittee on Children's Health of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on August 3, 2010, at 10 a.m. in room 406 of the Dirksen Office Building.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

The Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on August 3, 2010, at 2:30 p.m. to conduct a hearing entitled "Transforming Government Through Innovative Tools and Technology."

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 2:40 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3534. An act to provide greater efficiencies, transparency, returns, and accountability in the administration of Federal mineral and energy resources by consolidating administration of various Federal energy minerals management and leasing programs into one entity to be known as the Office of Federal Energy and Minerals Leasing of the Department of the Interior, and for other purposes.

HOUSE BILL REFERRED

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

H.R. 5730. An act to rescind earmarks for certain surface transportation projects; to the Committee on Environment and Public Works.

ORDER FOR CONSIDERATION OF HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 1586 ON TOMORROW

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That, on tomorrow, following the remarks of the two leaders, the Senate resume consideration of the House amendment to the Senate amendment to the bill (H.R. 1586) to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide for modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; that there be one hour, equally divided and controlled, for debate between the two leaders, or their designees, on the motion to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to bill H.R. 1586, with amendment No. 4575; that Mrs. MURRAY control the time of the majority; and that, upon conclusion of debate, the Senate vote the question of agreeing to the motion.

SECURE AND RESPONSIBLE DRUG DISPOSAL ACT

By unanimous consent, on the request of Mr. WHITEHOUSE,

The Senate proceeded to consider the bill (S. 3397) to amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, and for other purposes.

The question being on agreeing to the reported amendments.

The reported amendments were agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL OVARIAN CANCER AWARENESS MONTH

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That the Committee on Health, Education, Labor, and Pensions be discharged from the further consideration of the resolution (S. Res. 555) supporting the

goals and ideals of National Ovarian Cancer Awareness Month.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL ESTUARIES DAY"

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 596) to designate September 25, 2010, as "National Estuaries Day".

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL CELIAC DISEASE AWARENESS DAY"

On the request of Mr. WHITEHOUSE,

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) laid before the Senate the resolution (S. Res. 605) designating September 13, 2010, as "National Celiac Disease Awareness Day", submitted today by Mr. BEN NELSON (for himself and Mr. INHOFE), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HOUSE BILL READ THE FIRST TIME

On the request of Mr. WHITEHOUSE,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 3534) to provide greater efficiencies, transparency, returns, and accountability in the administration of Federal mineral and energy resources by consolidating administration of various Federal energy minerals management and leasing programs into one entity to be known as the Office of Federal Energy and Minerals Leasing of the Department of the Interior, and for other purposes, received from the House of Representatives for concurrence on today, and at the desk; which was read the first time.

Mr. WHITEHOUSE asked unanimous consent that the bill be read the second time.

Mr. WHITEHOUSE objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That the Senate resume executive session and consideration of the nomination of Elena Kagan, as pursuant to the order of yesterday; and that, upon conclusion of debate, the Senate resume legislative session.

The Senate continued with executive session, during which the following occurred:

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. WHITEHOUSE,

As in legislative session,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of the House amendment to the Senate amendment to bill H.R. 1586, as pursuant to the order of today.

AUTHORITY FOR ADJOURNMENT ON TODAY

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That the Senate adjourn, following remarks by Mr. GRASSLEY and Mr. LEMIEUX.

Pending debate,

JOINT RESOLUTION READ THE FIRST TIME

On the request of Mr. LEMIEUX,

As in legislative session,

The PRESIDING OFFICER laid before the Senate the joint resolution (S.J. Res. 38) proposing a balanced budget amendment to the Constitution of the United States, introduced today by Mr. DEMINT, and at the desk; which was read the first time.

Mr. LEMIEUX asked unanimous consent that the joint resolution be read the second time.

Mr. LEMIEUX objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the joint resolution would lie over awaiting its second reading on the next legislative day.

LEGISLATIVE SESSION

Pursuant to the order of today,

The Senate resumed its legislative session.

ADJOURNMENT

Under the authority of the order of today,

At 8:42 p.m.,

The PRESIDING OFFICER declared the Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

WEDNESDAY, AUGUST 4, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, August 4, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. TOM UDALL took the chair.

HOUSE BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 3534) to provide greater efficiencies, transparency, returns, and accountability in the administration of Federal mineral and energy resources by consolidating administration of various Federal energy minerals management and leasing programs into one entity to be

known as the Office of Federal Energy and Minerals Leasing of the Department of the Interior, and for other purposes, received from the House of Representatives for concurrence on yesterday, and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

JOINT RESOLUTION READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the joint resolution (S.J. Res. 38) proposing a balanced budget amendment to the Constitution of the United States, introduced on yesterday by Mr. DEMINT, and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the joint resolution.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the joint resolution would be placed on the calendar.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 1586

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 1586) to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide for modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; and

The Senate resumed consideration of the House amendment.

Pursuant to the order of yesterday,

The question being on agreeing to amendment No. 4576, proposed by Mr. REID, to amendment No. 4575 (in the nature of a substitute) contained in the motion, by Mr. REID, that the Senate concur, with amendment, in the House amendment to the Senate amendment to the bill.

Pending debate,

Mr. GREGG raised a point of order, viz, that the pending motion to concur, with amendment, violates section 404(a) of concurrent resolution S. Con. Res. 13 (111th Congress), and therefore is not in order.

On motion by Mrs. MURRAY, under section 904 of the Congressional Budget Act and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and law for consideration of the pending motion to concur, with amendment.

On motion by Mrs. MURRAY,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

Pending debate,

The ACTING PRESIDENT pro tempore laid before the Senate the motion, presented by Mr. REID on Monday, August 2, 2010, to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to bill H.R. 1586, with an amendment (Numbered 4575, in the nature of a substitute).

Pursuant to the order of Monday, August 2, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The ACTING PRESIDENT pro tempore stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the affirmative---
yeas... 61, nays... 38

[Rollcall Vote No. 224 Leg.]

YEAS --- 61

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 38

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Thune, Voinovich, Wicker.

So the motion was agreed to; three-fifths of Senators duly chosen and sworn having voted in the affirmative.

The motion having been agreed to,

The motion, by Mr. REID, to refer the House amendment to the Committee on Appropriations with instructions to report back with an amendment (No. 4577), and amendments Numbered 4578 and 4579 thereto, being inconsistent with cloture, fell.

The question being on agreeing to the motion, by Mrs. MURRAY, under section 904 of the Congressional Budget Act and section 4(g)(3) of Public Law 111-139, to waive provisions of the Act and law for consideration of the motion to concur, with amendment (No. 4575, in the nature of a substitute).

By unanimous consent, on the request of Mr. REID,

Ordered, That there be 2 minutes, equally divided and controlled between Mr. REID and Mr. GREGG, for debate on the pending motion; and that, upon conclusion of debate, the Senate vote on the question of agreeing to the motion to waive.

ORDER FOR EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

Ordered, That, if the motion to waive is agreed to, the Senate proceed to executive session to resume consideration of the nomination of Elena Kagan; that the time until 12 noon be equally divided and controlled for debate between Mr. LEAHY and Mr. SESSIONS, or their designees; that the time from 12 noon until 8 p.m. be equally divided and controlled for debate; that the majority control the first hour therein; that the minority control the second hour therein; and that each hour thereafter be controlled in like alternating fashion.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 1586

The Senate resumed consideration of the House amendment to the Senate amendment to bill H.R. 1586.

The question being on agreeing to the motion, under section 904 of the Congressional Budget Act and section 4(g)-(3) of Public Law 111-139, to waive provisions of the Act and law for consideration of the motion to concur, with amendment (No. 4575, in the nature of a substitute).

After debate,

Pursuant to the order of today,

The question being taken.

It was determined in the affirmative---

yeas... 61, nays... 38

[Rollcall Vote No. 225 Leg.]

YEAS --- 61

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 38

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Thune, Voinovich, Wicker.

So the motion was agreed to; three-fifths of the Senators duly chosen and sworn having voted in the affirmative.

On motion by Mrs. MURRAY to reconsider the vote agreeing to the motion.

On motion by Mrs. BOXER,

The motion to reconsider was laid on the table.

The question being on agreeing to amendment No. 4576 to amendment No. 4575 (in the nature of a substitute) contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

EXECUTIVE SESSION

Pursuant to the order of today,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Ms. LANDRIEU,

The Senate resumed its legislative session.

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Ms. LANDRIEU,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-6948. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Halosulfuron-methyl; Pesticide Tolerances" (FRL No. 8835-8), received in the Office of the President of the Senate on July 29, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6949. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Castor Oil, Ethoxylated, Dioleate; Tolerance Exemption" (FRL No. 8835-3), received in the Office of the President of the Senate on July 29, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6950. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Kenneth W. Hunzeker, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-6951. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-6952. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on June 29, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6953. A communication from the Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Amendments to Form ADV" (RIN3235-AI17), received in the Office of the President of the Senate on July 29, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6954. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled "Report to Congress on the Progress of the Federal Government in Meeting the Renewable Energy Goals of the Energy Policy Act of 2005"; to the Committee on Energy and Natural Resources.

EC-6955. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, South Coast Air Quality Management District" (FRL No. 9183-6), received in the Office of the President of the Senate on July 29, 2010; to the Committee on Environment and Public Works.

EC-6956. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Incorporation by Reference of State Hazardous Waste Management Program" (FRL No. 9178-8), received in the Office of the President of the Senate on July 29, 2010; to the Committee on Environment and Public Works.

EC-6957. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the SMS Instruments, Inc. Superfund Site" (FRL No. 9183-2), received in the Office of the President of the Senate on July 29, 2010; to the Committee on Environment and Public Works.

EC-6958. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Final Authorization of State-initiated Changes and Incorporation by Reference of Approved State Hazardous Waste Management Program" (FRL No. 9172-6), received in the Office of the President of the Senate on July 29, 2010; to the Committee on Environment and Public Works.

EC-6959. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Determination of Attainment for PM10 for the Las Vegas Valley Nonattainment Area, Nevada" (FRL No. 9184-6), received in the Office of the President of the Senate on July 29, 2010; to the Committee on Environment and Public Works.

EC-6960. A communication from the Director of Congressional Affairs, Office of International Programs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Export and Import of Nuclear Equipment and Material; Updates and Clarifications" (RIN3450-AI16), received in the Office of the President of the

Senate on July 30, 2010; to the Committee on Environment and Public Works.

EC-6961. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "List of Approved Spent Fuel Storage Casks: NAC-MPC System, Revision 6" (RIN3150-AI88), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Environment and Public Works.

EC-6962. A communication from the Deputy Chief Financial Officer, Department of Homeland Security, transmitting, pursuant to law, a report relative to the transfer of funds from the Oil Spill Liability Trust Fund to the Emergency Fund, which is administered by the United States Coast Guard; to the Committee on Environment and Public Works.

EC-6963. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to unused water supply storage in Rend Lake, Illinois; to the Committee on Environment and Public Works.

EC-6964. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles that are controlled under Category I of the United States Munitions List sold commercially under a contract in the amount of $1,000,000 or more to Australia; to the Committee on Foreign Relations.

EC-6965. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Amendment to the International Traffic in Arms Regulations: Commodity Jurisdiction" (RIN1400-AC63), received in the Office of the President of the Senate on July 29, 2010; to the Committee on Foreign Relations.

EC-6966. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Mexico for the manufacture of military jet engine blades and vanes for various platforms in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-6967. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Kuwait to support the delivery, operation and maintenance of three Sikorsky S-92A Search and Rescue Helicopters in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-6968. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to the Republic of Korea for the manufacture, assembly, inspection, and test of F404-GE-102 aircraft engines for incorporation into T-50 aircraft in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-6969. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Canada, France, and the United Kingdom for the manufacture of F/A-18A-F and Derivative Aircraft Landing Gear Assemblies, Sub-Assemblies, Parts and Components in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-6970. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Mexico for the manufacture of Connectors and Cable Assemblies; to the Committee on Foreign Relations.

EC-6971. A communication from the Principal Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement to support the Proton launch of the Nimiq 6 Commercial Communication Satellite from the Baikonur Cosmodrome in Kazakhstan in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-6972. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services to Singapore for the organizational and intermediate level support and depot level maintenance and overhaul of the F110-GE-129 family of military aircraft engines in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-6973. A communication from the Assistant General Counsel for Regulatory Services, Office of Elementary and Secondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Notice of Final Priorities, Requirements, Definition, and Selection Criteria - - Smaller Learning Communities Program" (CFDA No. 84.215L), received in the Office of the President of the Senate on July 21, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-6974. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, a report entitled "Fiscal Year 2010 FAIR Act Inventory"; to the Committee on Homeland Security and Governmental Affairs.

EC-6975. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled "2010 Report to Congress on the Benefits and Costs of Federal Regulations and Unfunded Mandates on State, Local, and Tribal Entities"; to the Committee on Homeland Security and Governmental Affairs.

EC-6976. A communication from the Staff Director, U.S. Sentencing Commission, transmitting, pursuant to law, a report relative to the compliance of federal district courts with documentation submission requirements; to the Committee on the Judiciary.

EC-6977. A communication from the Attorney General, Department of Justice, transmitting a report entitled "The National Strategy for Child Exploitation Prevention and Interdiction"; to the Committee on the Judiciary.

EC-6978. A communication from the General Counsel of the National Tropical Botanical Garden, transmitting, pursuant to law, a report relative to an audit of the Garden for the period from January 1, 2009, through December 31, 2009; to the Committee on Rules and Administration.

EC-6979. A communication from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Black Stem Rust; Additions of Rust-Resistant Varieties" (Docket No. APHIS-2010-0035), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6980. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the

report of a rule entitled "Acetamiprid, Mepiquat; Order Denying NRDC's Objections on Remand: Environmental Protection Agency" (FRL No. 8836-7), received in the Office of the President of the Senate on August 3, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6981. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pymetrozine; Regulation Denying NRDC's Objections on Remand" (FRL No. 8836-8), received in the Office of the President of the Senate on August 3, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6982. A communication from the Deputy Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Pennsylvania Regulatory Program" (PA-153-FOR), received in the Office of the President of the Senate on August 3, 2010; to the Committee on Energy and Natural Resources.

EC-6983. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program for Consumer Products: Test Procedure for Microwave Ovens; Repeal of Active Mode Test Procedure Provisions" (RIN1904-AC25), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Energy and Natural Resources.

EC-6984. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Implementation Plan Revision; State of New Jersey" (FRL No. 9175-7), received in the Office of the President of the Senate on August 3, 2010; to the Committee on Environment and Public Works.

EC-6985. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Kentucky; Redesignation of the Kentucky Portion of the Cincinnati-Hamilton 1997 8-Hour Ozone Nonattainment Area to Attainment" (FRL No. 9184-9), received in the Office of the President of the Senate on August 3, 2010; to the Committee on Environment and Public Works.

EC-6986. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Oil and Hazardous Substance Pollution Contingency Plan" (FRL No. 9185-4), received in the Office of the President of the Senate on August 3, 2010; to the Committee on Environment and Public Works.

EC-6987. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Adequacy Status of Motor Vehicle Emissions Budgets in Submitted Reasonable Further Progress and Attainment Demonstrations for New York Portions of New York - Northern New Jersey - Long Island and Poughkeepsie 8-hour Ozone Nonattainment areas for Transportation Conformity Purposes; New York" (FRL No. 9183-9), received in the Office of the President of the Senate on August 3, 2010; to the Committee on Environment and Public Works.

EC-6988. A communication from the Program Manager, Information Sharing Environment, Office of the Director of National Intelligence, transmitting, pursuant to law, a report entitled, "Annual Report to the Congress on the Information Sharing Environment"; to the Select Committee on Intelligence.

EC-6989. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Mississippi River, Mile 840.0 to 839.8" ((RIN1625-AA00)-(Docket No. USCG-2010-0552)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6990. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; He'eia Kea Small Boat Harbor, Kaneohe Bay, Oahu, Hawaii" ((RIN1625-AA00)(Docket No. USCG-2010-0458)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6991. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Illinois River, Mile 119.7 to 120.3" ((RIN1625-AA00)-(Docket No. USCG-2010-0472)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6992. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; San Francisco Giants Baseball Game Promotion, San Francisco, CA" ((RIN1625-AA00)(Docket No. USCG-2010-0547)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6993. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Marine Events within the Captain of the Port Sector Long Island Sound Area of Responsibility, June through October" ((RIN1625-AA08 and RIN1625-AA00)(Docket No. USCG-2010-0427)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6994. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Macy's Fourth of July Fireworks Display, Hudson River, NY, New York" ((RIN1625-AA00)(Docket No. USCG-2010-0492)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6995. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; San Diego POPS Fireworks, San Diego, CA" ((RIN1625-AA00)(Docket No. USCG-2010-0523)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6996. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fixed Mooring Balls, South of Barbers Pt Harbor Channel, Oahu, Hawaii" ((RIN1625-AA00)(Docket No. USCG-2010-0457)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6997. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Lights on the River Fireworks Display, Delaware River, New Hope, PA" ((RIN1625-AA00)(Docket No. USCG-2010-0443)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6998. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Vietnam Veterans of America Fireworks Display, Brookings, OR" ((RIN1625-AA00)(Docket No. USCG-2010-0602)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6999. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Munising 4th of July Fireworks, South Bay, Lake Superior, Munising, MI" ((RIN1625-AA00)(Docket No. USCG-2010-0567)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7000. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; St. Ignace 4th of July Fireworks, East Moran Bay, Lake Huron, St. Ignace, MI" ((RIN1625-AA00)(Docket No. USCG-2010-0579)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7001. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Bay Swim III, Presque Isle Bay, Erie, PA" ((RIN1625-AA00)(Docket No. USCG-2010-0529)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7002. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; New Bern Air Show, Neuse River, NC" ((RIN1625-AA00)(Docket No. USCG-2010-0571)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7003. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Multiple Firework Displays in Captain of the Port, Puget Sound Area of Responsibility, WA" ((RIN1625-AA00)-(Docket No. USCG-2010-0591)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7004. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Lyme Community Days, Chaumont Bay, NY" ((RIN1625-AA00)(Docket No. USCG-2010-0652)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7005. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fireworks Display, Potomac River, Charles County, MD" ((RIN1625-AA00)-(Docket No. USCG-2010-0589)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7006. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Transformers 3 Movie Filming, Chicago River, Chicago, IL" ((RIN1625-AA00)(Docket No. USCG-2010-0646)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7007. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Annual Kennewick, Washington, Columbia Unlimited Hydroplane Races, Kennewick, WA" ((RIN1625-AA00)(Docket No. USCG-2010-0601)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7008. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XX48), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7009. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's annual report on the administration of the Surface Transportation Project Delivery Pilot Program; to the Committee on Commerce, Science, and Transportation.

EC-7010. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Smithfield, NC" ((RIN2120-AA66)(Docket No. FAA-2010-0285)), received in the Office of the President of the Senate on July 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7011. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Amended Safety Zone and Regulated Navigation Area, Chicago Sanitary and Ship Canal, Romeoville, IL" ((RIN1625-AA00 and RIN1625-AA11)(Docket No. USCG-2009-1080)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7012. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Shrewsbury River, NJ" ((RIN1625-AA09)(Docket No. USCG-2010-0461)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7013. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area: Niantic Railroad Bridge Construction, Niantic, CT" ((RIN1625-AA11)(Docket No. USCG-2010-0220)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7014. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area: Bars Along the Coasts of Oregon and Washington; Amendment" ((RIN1625-AA11)(Docket No. USCG-2008-1017)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7015. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Hudson River and Port of NY/NJ Agency" ((RIN1625-AA11)(Docket No. USCG-2009-1056)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7016. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Escorted U.S. Navy Submarines in Sector Honolulu Captain of the Port Zone" ((RIN1625-AA87)(USCG-2010-0409)), received in the Office of the President of the Senate on August 2, 2010; to

the Committee on Commerce, Science, and Transportation.

EC-7017. A communication from the Legal Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Navy River Swim Special Local Regulation; Lower Mississippi River, Walls, MS" ((RIN1625-AA08)(Docket No. USCG-2010-0412)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7018. A communication from the Legal Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Detroit APBA Gold Cup, Detroit River, Detroit, MI" ((RIN1625-AA08)(Docket No. USCG-2010-0238)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7019. A communication from the Legal Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation for Marine Events; Mattaponi River, Wakema, VA" ((RIN1625-AA08)(Docket No. USCG-2010-0295)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7020. A communication from the Legal Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; Macy's Fourth of July Fireworks Spectator Vessels Viewing Areas, Hudson River, New York, NY" ((RIN1625-AA08)(Docket No. USCG-2010-0114)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7021. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation, Fran Schnarr Open Water Championships, Huntington Bay, NY" ((RIN1625-AA08)-(Docket No. USCG-2009-0520)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7022. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Harrison Township Grand Prix, Lake St. Clair, Harrison Township, MI" ((RIN1625-AA08)(Docket No. USCG-2010-0279)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7023. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations for Marine Events; Port Huron to Mackinac Island Sail Race" ((RIN1625-AA08)(Docket No. USCG-2010-0621)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-137. A resolution adopted by the House of Representatives of the State of Hawaii urging Congress to expedite the processing of all claims for payment, and the distribution of checks to Filipino veterans under ARRA; to the Committee on Veterans' Affairs.

HOUSE RESOLUTION NO. 82

Whereas, during World War II, the Philippines was a United States commonwealth; and

Whereas, in 1941, 250,000 Filipino soldiers volunteered their services after being promised full veterans benefits to volunteer to fight for the United States against the potential threat of Japan; and

Whereas, on December 7, 1941, Japan attacked Pearl Harbor and on December 8, bombed the United States military bases in the Philippines; and

Whereas, tens of thousands of Filipino men and women risked their lives against the invading Japanese forces and assisted our nation in its efforts to liberate the Philippines; and

Whereas, on April 9, 1942, the United States retreated from the Philippines, and during the Bataan Death March, thousands of American and Filipino prisoners of war died as they traveled to Japanese prisoners of war camps; and

Whereas, on September 2, 1945, Japan surrendered the Philippines to America; and

Whereas, in February 1946, Congress enacted the Recission Act, denying World War II Filipino veterans rights to veterans benefits like healthcare, disability pensions, and burial expenses; and

Whereas, over the years, Congress has considered legislation to restore the benefits denied to Filipino veterans and even received encouraging words from Presidents George W. Bush and Bill Clinton to fulfill the broken promises made by the United States government; and

Whereas, more than 60 years later, in 2009, President Obama signed the American Recovery and Reinvestment Act (ARRA), and a provision tucked inside this stimulus bill finally called for releasing $198,000,000 for lump sum payments to Filipino veterans in lieu of pensions; and

Whereas, one year later, although today only about 11,000 veterans now in their 80s and 90s are still alive to collect these payments, some Filipino veterans are still waiting for the promised checks; and

Whereas, in Hawaii, there are about 400 Filipino veterans qualified for payments under ARRA, and about 15 percent are still waiting for their checks and about 20 percent have claims that are still pending; and

Whereas, according to Senator Daniel Inouye, it is "a matter of honor" to correct this injustice to Filipino veterans who served our nation so courageously, so many of whom have died waiting for what was promised them: Now, therefore, be it

Resolved by the House of Representatives of the Twenty-fifth Legislature of the State of Hawaii, Regular Session of 2010, That the President of the United States and United States Congress are urged to expedite the processing of all claims for payment, and the distribution of checks to Filipino veterans under ARRA, which are already long overdue; and be it further

Resolved, That even payment of these claims does not correct the injustice and discrimination done 60 years ago but is a small step in making reparations; and be it further

Resolved, That certified copies of this Resolution be transmitted to the President of the United States, President pro tempore of the United States Senate, Speaker of the United States House of Representatives, each member of Hawaii's Congressional Delegation, the Director of the United States Department of Veterans Affairs, the Director of the Hawaii Office of Veterans Services, and the President of the Philippines.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. BROWNBACK (for himself, Mr. BROWN of Ohio, and Mr. FRANKEN):

S. 3697. A bill to amend the Federal Food, Drug, and Cosmetic Act to improve the priority review voucher incentive program relating to tropical and rare pediatric diseases; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS (for herself and Ms. MIKULSKI):

S. 3698. A bill to amend the Public Health Services Act to provide for integration of mental health services and mental health treatment outreach teams, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VITTER:

S. 3699. A bill to prohibit the regulation of carbon dioxide emissions in the United States until China, India, and Russia implement similar reductions; to the Committee on Environment and Public Works.

By Mr. SCHUMER (for himself and Mr. MENENDEZ):

S. 3700. A bill to increase the maximum mortgage amount limitations under the Federal Housing Administration mortgage insurance programs for multi-family housing projects with elevators and for extremely high-cost areas; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. GRASSLEY (for himself and Mr. FEINGOLD):

S. 3701. A bill to amend the Food Security Act of 1985 to restore integrity to and strengthen payment limitation rules for commodity payments and benefits; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SESSIONS:

S. 3702. A bill to provide for the adjustment of status for certain long-term conditional residents; to the Committee on the Judiciary.

By Mrs. MURRAY (for herself and Mr. CRAPO):

S. 3703. A bill to expand the research, prevention, and awareness activities of the Centers for Disease Control and Prevention and the National Institutes of Health with respect to pulmonary fibrosis, and for other purposes; to the Committee on Health, Education, Labor, and Pensions

By Mr. BEGICH (for himself and Mr. BROWN of Ohio):

S. 3704. A bill to improve the financial safety and soundness of the FHA mortgage insurance program; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CRAPO (for himself, Ms. COLLINS, and Mr. KOHL):

S. 3705. A bill to amend title 23, United States Code, with respect to vehicle weight limitations applicable to the Interstate System, and for other purposes; to the Committee on Finance.

By Ms. STABENOW (for herself, Mr. SCHUMER, Mr. CASEY, Mr. LEVIN, Mr. BROWN of Ohio, Mr. DODD, Mr. DURBIN, Mr. WHITEHOUSE, Mr. REED, and Mr. REID):

S. 3706. A bill to extend unemployment insurance benefits and cut taxes for businesses to create hiring incentives, and for other purposes; to the Committee on Finance.

By Mr. GRAHAM:

S. 3707. A bill to provide for habeas corpus review for certain enemy belligerents engaged in hostilities against the United States, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. BURRIS:

S. Res. 606. A resolution designating August 29, 2010, as "Railroad Retirement Day"; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 311

At the request of Mrs. BOXER, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 311, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 632

At the request of Mr. CORNYN, his name was added as a cosponsor of S. 632, a bill to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly.

S. 850

At the request of Mr. KERRY, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 850, a bill to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks.

S. 1445

At the request of Mr. LAUTENBERG, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 1445, a bill to amend the Public Health Service Act to improve the health of children and reduce the occurrence of sudden unexpected infant death and to enhance public health activities related to stillbirth.

S. 1553

At the request of Mr. GRASSLEY, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 2814

At the request of Ms. COLLINS, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 2814, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 2982

At the request of Mr. KERRY, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 2982, a bill to combat international violence against women and girls.

S. 3034

At the request of Mr. SCHUMER, the names of the Senator from North Carolina [Mrs. HAGAN] and the Senator from Michigan [Mr. LEVIN] were added as cosponsors of S. 3034, a bill to require the Secretary of the Treasury to strike medals in commemoration of the 10th anniversary of the September 11, 2001, terrorist attacks on the United States and the establishment of the National September 11 Memorial & Museum at the World Trade Center.

S. 3201

At the request of Mr. UDALL of Colorado, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 3201, a bill to amend title 10, United States Code, to extend TRICARE coverage to certain dependents under the age of 26.

S. 3304

At the request of Mr. PRYOR, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 3304, a bill to increase the access of persons with disabilities to modern communications, and for other purposes.

S. 3390

At the request of Mr. FRANKEN, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 3390, a bill to end the discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 3474

At the request of Mr. FEINGOLD, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 3474, a bill to provide an optional fast-track procedure the President may use when submitting rescission requests, and for other purposes.

S. 3493

At the request of Mr. SPECTER, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 3493, a bill to reauthorize and enhance Johanna's Law to increase public awareness and knowledge with respect to gynecologic cancers.

S. 3501

At the request of Mr. HATCH, the names of the Senator from Idaho [Mr. RISCH], the Senator from Wyoming [Mr. BARRASSO] and the Senator from Georgia [Mr. ISAKSON] were added as cosponsors of S. 3501, a bill to protect American job creation by striking the job-killing Federal employer mandate.

S. 3502

At the request of Mr. HATCH, the names of the Senator from Idaho [Mr. RISCH] and the Senator from Wyoming [Mr. BARRASSO] were added as cosponsors of S. 3502, a bill to restore Americans' individual liberty by striking the Federal mandate to purchase insurance.

S. 3510

At the request of Mr. CONRAD, the names of the Senator from Idaho [Mr. CRAPO] and the Senator from Mississippi [Mr. WICKER] were added as cosponsors of S. 3510, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 3572

At the request of Mrs. LINCOLN, the names of the Senator from Maine [Ms. COLLINS] and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of S. 3572, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first law enforcement agency, the United States Marshals Service.

S. 3578

At the request of Mr. JOHANNS, the names of the Senator from Massachusetts [Mr. BROWN] and the Senator from Missouri [Mr. BOND] were added as cosponsors of S. 3578, a bill to repeal the expansion of information reporting requirements for payments of $600 or more to corporations, and for other purposes.

S. 3583

At the request of Mrs. MURRAY, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 3583, a bill to amend title 38, United States Code, to increase flexibility in payments for State veterans homes, and for other purposes.

S. 3621

At the request of Mr. JOHNSON, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 3621, a bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs.

S. 3622

At the request of Mr. JOHANNS, the names of the Senator from Minnesota [Ms. KLOBUCHAR] and the Senator from Idaho [Mr. RISCH] were added as cosponsors of S. 3622, a bill to require the Administrator of the Environmental Protection Agency to finalize a proposed rule to amend the spill prevention, control, and countermeasure rule to tailor and streamline the requirements for the dairy industry, and for other purposes.

S. 3653

At the request of Mr. CORNYN, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 3653, a bill to remove unelected, unaccountable bureaucrats from seniors' personal health decisions by repealing the Independent Payment Advisory Board.

S. 3656

At the request of Mrs. LINCOLN, the names of the Senator from Pennsylvania [Mr. CASEY], the Senator from North Dakota [Mr. CONRAD], the Senator from Texas [Mr. CORNYN], the Senator from Indiana [Mr. LUGAR] and the Senator from Michigan [Ms. STABENOW] were added as cosponsors of S. 3656, a bill to amend the Agricultural Marketing Act of 1946 to improve the reporting on sales of livestock and dairy products, and for other purposes.

S. 3667

At the request of Mr. KERRY, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 3667, a bill to amend part A of title IV of the Social Security Act to exclude child care from the determination of the 5-year limit on assistance under the temporary assistance to needy families program, and for other purposes.

S. 3673

At the request of Mrs. HUTCHISON, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of S. 3673, a bill to amend the Patient Protection and Affordable Care Act to repeal certain limitations on tax health care benefits.

SENATE RESOLUTION 586

At the request of Mr. FEINGOLD, the name of the Senator from Arizona [Mr. KYL] was added as a cosponsor of Senate Resolution 586, a resolution supporting democracy, human rights, and civil liberties in Egypt.

SENATE RESOLUTION 603

At the request of Mr. SPECTER, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of Senate Resolution 603, a resolution commemorating the 50th anniversary of the National Council for International Visitors, and designating February 16, 2011, as "Citizen Diplomacy Day".

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. SPECTER,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate, on August 4, 2010, at 9:30 a.m. in room 328A of the Russell Senate Office Building.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "For-Profit Schools: The Student Recruitment Experience" on August 4, 2010, at 10 a.m., in room 106 of the Dirksen Senate Office Building.

IMPEACHMENT TRIAL COMMITTEE

The Impeachment Trial Committee on the Articles Against Judge G. Thomas Porteous, Jr. be authorized to meet during the session of the Senate on August 4, 2010, at 1 p.m.

SUBCOMMITTEE ON OVERSIGHT AND THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Subcommittee on Oversight and the Committee on Environment and Public Works be authorized to meet during the session of the Senate on August 4, 2010, at 10 a.m. in room 406 of the Dirksen Office Building.

SUBCOMMITTEE ON STRATEGIC FORCES

The Subcommittee on Seapower and the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on August 4, 2010, at 10 a.m.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

The Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on August 4, 2010, at 2:30 p.m., to conduct a hearing entitled "Social Security Disability Fraud: Case Studies in Federal Employees and Commercial Drivers Licenses."

SUBCOMMITTEE ON TERRORISM AND HOMELAND SECURITY

The Committee on the Judiciary, Subcommittee on Terrorism and Homeland Security, be authorized to meet during the session of the Senate, on August 4, 2010, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Government Preparedness and Response to a Terrorist Attack Using Weapons of Mass Distruction."

HELP HAITIAN ADOPTEES IMMEDIATELY TO INTEGRATE ACT

On the request of Ms. LANDRIEU,

The PRESIDING OFFICER (Mr. BEGICH in the chair) laid before the Senate the bill (H.R. 5283) to provide for adjustment of status for certain Haitian orphans paroled into the United States after the earthquake of January 12, 2010, received from the House of Representatives for concurrence on Wednesday, July 21, 2010, and remaining undisposed of; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

On motion by Ms. LANDRIEU for Mrs. GILLIBRAND (for herself, Mr. INHOFE, and Ms. LANDRIEU) to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 4587, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

GENERAL AND SPECIAL RISK INSURANCE FUNDS AVAILABILITY ACT

By unanimous consent, on the request of Ms. LANDRIEU,

Ordered, That the Committee on Banking, Housing, and Urban Affairs be discharged from the further consideration of the bill (H.R. 5872) to provide adequate commitment authority for fiscal year 2010 for guaranteed loans that are obligations of the General and Special Risk Insurance Funds of the Department of Housing and Urban Development.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

INCREASING THE FLEXIBILITY WITH RESPECT TO PREMIUMS CHARGED FOR FHA SINGLE FAMILY HOUSING MORTGAGE INSURANCE

By unanimous consent, on the request of Ms. LANDRIEU,

Ordered, That the Committee on Banking, Housing, and Urban Affairs be discharged from the further consideration of the bill (H.R. 5981) to increase the flexibility of the Secretary of Housing and Urban Development with respect to the amount of premiums charged for FHA single family housing mortgage insurance, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

APPOINTMENTS BY THE MAJORITY LEADER

BOARD OF TRUSTEES OF THE JOHN C. STENNIS CENTER FOR PUBLIC SERVICES TRAINING AND DEVELOPMENT

The PRESIDING OFFICER announced that the majority leader, pursuant to Public Law 100-458, Section 114(b)(2)(c), had appointed Mike Moore, of Mississippi, to the Board of Trustees of the John C. Stennis Center for Public Services Training and Development.

The PRESIDING OFFICER announced that the majority leader, pursuant to Public Law 100-458, Section 114(b)(2)(c), had reappointed William F. Winter, of Mississippi, to the Board of Trustees of the John C. Stennis Center for Public Services Training and Development.

EXECUTIVE SESSION

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

The Senate resumed its legislative session.

ORDER FOR FURTHER CONSIDERATION OF HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 1586

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, on tomorrow, following a period for the transaction of morning business, the Senate resume consideration of the House amendment to the Senate amendment to bill H.R. 1586; that the time for debate, pursuant to rule XXII of the Standing Rules of the Senate, be concluded, except for 20 minutes; that the time therein be equally divided and controlled for debate between Mr. BAUCUS and Mr. DEMINT, or their designees; that it be in order for Mr. DEMINT to move to suspend the Standing Rules of the Senate therein; that, upon conclusion of debate, the Senate vote in relation to the motions by Mr. DEMINT in the order made; that, upon disposition of said motions, amendment No. 4576 be withdrawn; that no other amendment or motion be in order, except the motion to concur in the House amendment to the Senate amendment to the bill, with amendment No. 4575 (in the nature of a substitute); and that, without further intervening action or debate, the Senate vote on the question of agreeing to said motion.

ORDER FOR EXECUTIVE SESSION

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, upon disposition of the House amendment, the Senate proceed to executive session to resume consideration of the nomination of Elena Kagan.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 11 a.m.; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; that, following morning business, the Senate resume consideration of the House amendment to the Senate amendment to bill H.R. 1586, as pursuant to the order of today; and that time during morning business, recess, or adjournment be counted against the time for debate pursuant to rule XXII of the Standing Rules of the Senate.

ADJOURNMENT

By unanimous consent, on the request of Mr. DURBIN,

At 8:34 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

THURSDAY, AUGUST 5, 2010

Mrs. KIRSTEN E. GILLIBRAND, from the State of New York, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mrs. GILLIBRAND led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, August 5, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mrs. GILLIBRAND took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-7024. A communication from the Under Secretary of Defense (Policy), transmitting, pursuant to law, a report relative to Cooperative Threat Reduction Programs; to the Committee on Armed Services.

EC-7025. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Egypt; to the Committee on Banking, Housing, and Urban Affairs.

EC-7026. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on August 4, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7027. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on August 4, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7028. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Annual Fireworks Events in the Captain of the Port Detroit Zone" ((RIN1625-AA00)(Docket No. USCG-2010-0126)), received in the Office of the President of the Senate on August 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7029. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Examination Action with Respect to Certain Gain Recognition Agreements" (LMSB-4-0510-017), received in the Office of the President of the Senate on August 4, 2010; to the Committee on Finance.

EC-7030. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the website address of a report entitled "Country Report on Terrorism 2009"; to the Committee on Foreign Relations.

EC-7031. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-480 "Quarterly Financial and Budgetary Status Reporting Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7032. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-483 "Renovation Penalty Abatement Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7033. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-484 "Shirley's Place Equitable Real Property Tax Relief Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7034. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-485 "King Towers Residential Housing Real Property Tax Exemption Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7035. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-489 "Data-Sharing and Information Coordination Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7037. A communication from the Deputy Assistant Administrator of Diversion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Exempt Chemical Mixtures Containing Gamma-Butyrolactone" (RIN1117-AA64), received in the Office of the President of the Senate on August 4, 2010; to the Committee on the Judiciary.

EC-7038. A communication from the Director of the Regulatory Review Group, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Conservation Reserve Program" (RIN0560-AH80), received in the Office of the President of the Senate on August 5, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7039. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, notification of the Department's intent to close the Defense commissary store at RAF Fairford, United Kingdom; to the Committee on Armed Services.

EC-7040. A communication from the Secretary of Defense, transmitting, pursuant to law, a report to Congress in response to Section 1230 of the National Defense Authorization Act for Fiscal Year 2010; to the Committee on Armed Services.

EC-7041. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; "Other rockfish" in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XX70), received in the Office of the President of the Senate on August 5, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7042. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XX72), received in the Office of the President of the Senate on August 5, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7043. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Biennial Specifications and Management Measures" (RIN0648-AY94), received in the Office of the President of the Senate on August 5,

2010; to the Committee on Commerce, Science, and Transportation.

EC-7044. A communication from the Board of Trustees of the Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds, transmitting, pursuant to law, a report relative to the Federal Disability Insurance Trust Fund; to the Committee on Finance.

EC-7045. A communication from the Board of Trustees of the Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds, transmitting, pursuant to law, the 2010 Annual Report of the Board of Trustees; to the Committee on Finance.

EC-7046. A communication from the Board of Trustees of the Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, transmitting, pursuant to law, the 2010 Annual Report of the Board of Trustees; to the Committee on Finance.

EC-7047. A communication from the Acting Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development, transmitting, pursuant to law, the third fiscal year 2010 quarterly report on unobligated and unexpended appropriated funds; to the Committee on Foreign Relations.

EC-7048. A communication from the Principal Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Vietnam, Canada, France, Singapore, and the United Kingdom for the sale and support of the VINASAT-2 Commercial Communications Satellite Program in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-7049. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Vocational Rehabilitation Service Projects for American Indians with Disabilities - Final Regulations" (RIN1820-AB63), received in the Office of the President of the Senate on August 5, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7050. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Animal Drug User Fee Act for Fiscal Year 2009; to the Committee on Health, Education, Labor, and Pensions.

EC-7051. A communication from the Deputy Assistant Administrator of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Correction of Code of Federal Regulations: Removal of Temporary Listing of Benzylfentanyl and Thenylfentanyl as Controlled Substances" (RIN1117-AB26), received in the Office of the President of the Senate on August 5, 2010; to the Committee on the Judiciary.

EC-7052. A communication from the Deputy Assistant Administrator of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Control of Immediate Precursor Used in the Illicit Manufacture of Fentanyl as a Schedule II Controlled Substance" (RIN1117-AB16), received in the Office of the President of the Senate on August 5, 2010; to the Committee on the Judiciary.

EC-7053. A communication from the Deputy Assistant Administrator of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Removal of Thresholds for the List I Chemicals Pseudoephedrine and Phenylpropanolamine" (RIN1117-AB10), received in the Office of the President of the Senate on August 5, 2010; to the Committee on the Judiciary.

EC-7054. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a quarterly report to Congress relative to the Uniformed Services Employment and Reemployment Rights Act of 1994; to the Committee on the Judiciary.

EC-7055. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, an amended report relative to the Department's activities regarding civil rights era homicides; to the Committee on the Judiciary.

EC-7056. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Visas: Documentation of Immigrants Under the Immigration and Nationality Act as Amended" (22 CFR Parts 40 and 42), received in the Office of the President of the Senate on August 5, 2010; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DORGAN, from the Committee on Indian Affairs, with amendments:

S. 1703. A bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes (Rept. No. 111-247).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

H.R. 1517. A bill to allow certain U.S. Customs and Border Protection employees who serve under an overseas limited appointment for at least 2 years, and whose service is rated fully successful or higher throughout that time, to be converted to a permanent appointment in the competitive service (Rept. No. 111-248).

By Mrs. BOXER, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 3305. A bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes (Rept. No. 111-249).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1609. A bill to authorize a single fisheries cooperative for the Bering Sea Aleutian Islands longline catcher processor subsector, and for other purposes (Rept. No. 111-250).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 2881. A bill to provide greater technical resources to FCC Commissioners (Rept. No. 111-251).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 553. A bill to revise the authorized route of the North Country National Scenic Trail in northeastern Minnesota to include existing hiking trails along Lake Superior's north shore and in Superior National Forest and Chippewa National Forest, and for other purposes (Rept. No. 111-252).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with amendments:

S. 1017. A bill to reauthorize the Cane River National Heritage Area Commission and expand the boundaries of the Cane River National Heritage Area in the State of Louisiana (Rept. No. 111-253).

S. 1018. A bill to authorize the Secretary of the Interior to enter into an agreement with Northwestern State University in Natchitoches, Louisiana, to construct a curatorial center for the use of Cane River Creole National Historical Park, the National Center for Preservation Technology and Training, and the University, and for other purposes (Rept. No. 111-254).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1080. A bill to clarify the jurisdiction of the Secretary of the Interior with respect to the C.C. Cragin Dam and Reservoir, and for other purposes (Rept. No. 111-255).

S. 1270. A bill to modify the boundary of the Oregon Caves National Monument, and for other purposes (Rept. No. 111-256).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 1272. A bill to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wasson and Franklin Creeks in the State of Oregon as wild or recreation rivers, and for other purposes (Rept. No. 111-257).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with amendments:

S. 1629. A bill to authorize the Secretary of the Interior to conduct a special resource study of the archeological site and surrounding land of the New Philadelphia town site in the state of Illinois, and for other purposes (Rept. No. 111-258).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1719. A bill to provide for the conveyance of certain parcels of land to the town of Alta, Utah (Rept. No. 111-259).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with amendments:

S. 1787. A bill to reauthorize the Federal Land Transaction Facilitation Act, and for other purposes (Rept. No. 111-260).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 2722. A bill to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of adding the Heart Mountain Relocation Center, in the State of Wyoming, as a unit of the National Park System (Rept. No. 111-261).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment:

S. 2726. A bill to modify the boundary of the Minuteman Missile National Historic Site in the State of South Dakota, and for other purposes (Rept. No. 111-262).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with amendments:

S. 2738. A bill to authorize National Mall Liberty Fund D.C. to establish a memorial on Federal land in the District of Columbia to honor free persons and slaves who fought for independence, liberty, and justice for all during the American Revolution (Rept. No. 111-263).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 2830. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects (Rept. No. 111-264).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with amendments:

S. 2892. A bill to establish the Alabama Black Belt National Heritage Area, and for other purposes (Rept. No. 111-265).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 2907. A bill to establish a coordinated avalanche protection program, and for other purposes (Rept. No. 111-266).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment:

S. 2933. A bill to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of designating the Colonel Charles Young Home in Xenia, Ohio, as a unit of the National Park System, and for other purposes (Rept. No. 111-267).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 2941. A bill to provide supplemental ex gratia compensation to the Republic of the Marshall Islands for impacts of the nuclear testing program of the United States, and for other purposes (Rept. No. 111-268).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

H.R. 86. To eliminate an unused lighthouse reservation, provide management consistency by incorporating the rocks and small islands along the coast of Orange County, California, into the California Coastal National Monument managed by the Bureau of Land Management, and meet the original Congressional intent of preserving Orange County's rocks and small islands, and for other purposes (Rept. No. 111-269).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

H.R. 129. A bill to authorize the conveyance of certain National Forest System lands in the Los Padres National Forest in California (Rept. No. 111-270).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

H.R. 601. A bill to provide for the conveyance of parcels of land to Mantua, Box Elder County, Utah (Rept. No. 111-271).

H.R. 762. A bill to validate final patent number 27-2005-0081, and for other purposes (Rept. No. 111-272).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

H.R. 1043. A bill to provide for a land exchange involving certain National Forest System lands in the Mendocino National Forest in the State of California, and for other purposes (Rept. No. 111-273).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

H.R. 2008. A bill to authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project (Rept. No. 111-274).

H.R. 2741. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the City of Hermiston, Oregon, water recycling and reuse project, and for other purposes (Rept. No. 111-275).

H.R. 3804. A bill to make technical corrections to various Acts affecting the National Park Service, to extend, amend, or establish certain National Park Service authorities, and for other purposes (Rept. No. 111-276).

H.R. 4474. A bill to authorize the continued use of certain water diversions located on National Forest System land in the Frank Church-River of No Return Wilderness and the Selway-Bitterroot Wilderness in the State of Idaho, and for other purposes (Rept. No. 111-277).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 3729. An original bill to authorize the programs of the National Aeronautics and Space Administration for fiscal years 2011 through 2013, and for other purposes (Rept. No. 111-278).

By Mr. BAUCUS, from the Committee on Finance:

Report to accompany S.J. Res. 29, A joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003 (Rept. No. 111-279).

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 678, A bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes (Rept. No. 111-280).

By Mr. AKAKA, from the Committee on Veterans' Affairs, without amendment:

S. 3107. A bill to amend title 38, United States Code, to provide for an increase, effective December 1, 2010, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes (Rept. No. 111-281).

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 518. A bill to establish the Star-Spangled Banner and War of 1812 Bicentennial Commission, and for other purposes.

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. 3354. A bill to redesignate the North Mississippi National Wildlife Refuges Complex as the Sam D. Hamilton North Mississippi National Wildlife Refuges Complex.

By Mrs. LINCOLN, from the Committee on Agriculture, Nutrition, and Forestry, without amendment:

S. 3656. A bill to amend the Agricultural Marketing Act of 1946 to improve the reporting on sales of livestock and dairy products, and for other purposes.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. SCHUMER (for himself, Mr. KERRY, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. CASEY, Mrs. GILLIBRAND, Mr. FRANKEN, Mr. HARKIN, and Ms. KLOBUCHAR):

S. 3708. A bill to amend titles XVIII and XIX of the Social Security Act to clarify the application of EHR payment incentives in cases of multi-campus hospitals; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself, Mr. BROWN of Ohio, Mr. FRANKEN, Mr. LAUTENBERG, Mrs. SHAHEEN, Ms. STABENOW, and Mr. REED):

S. 3709. A bill to amend the Public Health Services Act and the Social Security Act to extend health information technology assistance eligibility to behavioral health, mental health, and substance abuse professionals and facilities, and for other purposes; to the Committee on Finance.

By Mrs. MURRAY:

S. 3710. A bill to improve broadband coverage and service throughout the United States, especially in rural and tribal areas, and spectrum coverage for public safety broadband communication services, and for other purposes; to the Committee on Finance.

By Mr. KERRY:

S. 3711. A bill to amend the Public Health Service Act to direct the Secretary of Health and Human Services to establish, promote, and support a comprehensive prevention, education, research, and medical management referral program for viral hepatitis infection that will lead to a marked reduction in the disease burden associated with chronic viral hepatitis and liver cancer; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORNYN (for himself, Mr. CRAPO, and Mr. ROBERTS):

S. 3712. A bill to rescind the 3.8 percent tax on the investment income of the American people and to promote job creation and small businesses; to the Committee on Finance.

By Mr. FEINGOLD:

S. 3713. A bill to improve post-employment restrictions on representation of foreign entities by senior Government officers and employees; to the Committee on the Judiciary.

By Mr. CONRAD (for himself and Mr. HATCH):

S. 3714. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for clean coal technology, and for other purposes; to the Committee on Finance.

By Ms. STABENOW (for herself, Ms. CANTWELL, Mrs. MCCASKILL, and Mr. BROWN of Ohio):

S. 3715. A bill to amend the Internal Revenue Code of 1986 to modify certain tax incentives for alternative vehicles, to establish a battery insurance program within the Department of Energy, and for other purposes; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself and Mr. JOHANNS):

S. 3716. A bill to amend the Internal Revenue Code of 1986 to provide a tax incentive for the installation and maintenance of mechanical insulation property; to the Committee on Finance.

By Mr. LEAHY (for himself, Mr. GRASSLEY, Mr. CORNYN, and Mr. KAUFMAN):

S. 3717. A bill to amend the Securities Exchange Act of 1934, the Investment Company Act of 1940, and the Investment Advisers Act of 1940 to provide for certain disclosures under section 552 of title 5, United States Code, (commonly referred to as the Freedom of Information Act), and for other purposes; to the Committee on the Judiciary.

By Mr. CARDIN:

S. 3718. A bill to amend title 38, United States Code, to ensure that beneficiaries of Servicemembers' Group Life Insurance receive financial counseling and disclosure information regarding life insurance payments, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. LINCOLN (for herself and Mr. CONRAD):

S. 3719. A bill to establish a grant program for first responder agencies that experience an extraordinary financial burden resulting from the deployment of employees; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CASEY:

S. 3720. A bill to amend the Workforce Investment Act of 1998, to authorize a national grant program for on-the-job training; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER (for himself, Mr. REID, Mr. INOUYE, Mrs. MURRAY, Mrs. FEINSTEIN, Mr. BINGAMAN, Mrs. MCCASKILL, Mr. CASEY, Mr. MERKLEY, Mr. UDALL of Colorado, Mr. BEGICH, Mr. BURRIS, Mr. MCCAIN, and Mr. KYL):

S. 3721. A bill making emergency supplemental appropriations for border security for the fiscal year ending September 30, 2010, and for other purposes; to the Committee on Appropriations.

By Mr. INHOFE:

S. 3722. A bill to repeal the Zimbabwe Democracy and Economic Recovery Act of 2001; to the Committee on Foreign Relations.

By Mr. COBURN (for himself, Mr. HATCH, Mr. VITTER, Mr. BENNETT, Mr. INHOFE, Mr. CRAPO, Mr. BOND, Mr. GRASSLEY, Mr. GRAHAM, Mr. CORNYN, Mr. MCCAIN, Mrs. HUTCHISON, Mr. RISCH, Mr. BROWNBACK, Mr. WICKER, Mr. ROBERTS, Mr. CHAMBLISS, Mr. VOINOVICH, Mr. JOHANNS, Mr. ISAKSON, Mr. ENZI, Ms. MURKOWSKI, Mr. THUNE, Mr. BARRASSO, Mr. BURR, and Mr. ENSIGN):

S. 3723. A bill to prohibit taxpayer funding of insurance plans or health care programs that cover abortion; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET (for himself, Mr. UDALL of Colorado, and Mr. UDALL of New Mexico):

S. 3724. A bill to direct the Secretary of Education to pay to Fort Lewis College in the State of Colorado an amount equal to the tuition charges for Indian students who are not residents of the State of Colorado; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself, Ms. SNOWE, and Mr. SCHUMER):

S. 3725. A bill to prevent the importation of merchandise into the United States in a manner that evades antidumping and countervailing duty orders, and for other purposes; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself, Ms. LANDRIEU, Mr. BROWNBACK, and Mr. JOHNSON):

S. 3726. A bill to enhance pre- and post-adoptive support services; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself, Mrs. HUTCHISON, Mr. KOHL, and Mr. ISAKSON):

S. 3727. A bill to amend title 18, United States Code, with respect to the offense of stalking; to the Committee on the Judiciary.

By Mr. SCHUMER (for himself, Mr. HATCH, Mr. GRAHAM, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Ms. SNOWE, Mrs. BOXER, Mrs. FEINSTEIN, Mr. CARDIN, Mr. KOHL, and Mrs. HUTCHISON):

S. 3728. A bill to amend title 17, United States Code, to extend protection to fashion design, and for other purposes; to the Committee on the Judiciary.

By Mr. ROCKEFELLER:

S. 3729. An original bill to authorize the programs of the National Aeronautics and Space Administration for fiscal years 2011 through 2013, and for other purposes; from the Committee on Commerce, Science, and Transportation; considered and passed.

By Mr. ENSIGN (for himself, Mr. UDALL of New Mexico, and Mr. BEGICH):

S. 3730. A bill to direct the Secretary of the Interior to publish in the Federal Register a list of States that have not submitted certain information required under chapter 69 of title 31, United States Code; to the Committee on Energy and Natural Resources.

By Mr. WARNER (for himself and Mr. WICKER):

S. 3731. A bill to require the National Telecommunications and Information Administration to conduct a competition to award grants for the development of nonstationary radio over Internet protocol devices that support mission-critical broadband voice and data communications of public safety personnel, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. SHAHEEN (for herself, Mr. REID, Mr. DORGAN, Mr. KAUFMAN, Mr. BEGICH, Mr. BINGAMAN, and Mr. KERRY):

S. 3732. A bill to establish within the Department of Education the Innovation Inspiration school grant program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNET (for himself, Mr. ALEXANDER, Mr. FRANKEN, and Mr. BURR):

S. 3733. A bill to amend the Elementary and Secondary Education Act of 1965 to allow State educational agencies, local educational agencies, and schools to increase implementation of schoolwide positive behavioral interventions and supports and early intervening services in order to improve student academic achievement, reduce overidentification of individuals with disabilities, and reduce disciplinary problems in school, and to improve coordination with similar activities and services provided under the Individuals with Disabilities Education Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FEINGOLD:

S. 3734. A bill to require the President to submit reports and certifications to Congress on the duties of certain employees who are appointed without the advice and consent of the Senate, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. LINCOLN (for herself and Mr. CHAMBLISS):

S. 3735. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve the use of certain registered pesticides; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. INHOFE:

S. 3736. A bill to amend the Clean Air Act to allow States to opt out of the corn ethanol portions of the renewable fuel standard; to the Committee on Environment and Public Works.

By Mr. ENZI (for himself, Mr. HARKIN, Mr. BURR, and Mr. FRANKEN):

S. 3737. A bill to amend the Public Health Service Act and title XVIII of the Social Security Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KERRY:

S. 3738. A bill to amend the Internal Revenue Code of 1986 to provide incentives for clean energy manufacturing to reduce emissions, to produce renewable energy, to promote conservation, and for other purposes; to the Committee on Finance.

By Mr. CASEY (for himself, Mrs. MURRAY, Mr. BURRIS, Ms. CANTWELL, Ms. KLOBUCHAR, Mr. BROWN of Ohio, Mr. FEINGOLD, Mr. MERKLEY, Mrs. GILLIBRAND, Mr. SANDERS, and Mr. WYDEN):

S. 3739. A bill to amend the Safe and Drug-Free Schools and Communities Act to include bullying and harassment prevention programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BEGICH:

S. 3740. A bill to supplement State jurisdiction in Alaska Native villages with Federal and tribal resources to improve the quality of life in rural Alaska while reducing domestic violence against Native women and children and to reduce alcohol and drug abuse and for other purposes; to the Committee on Indian Affairs.

By Mrs. HAGAN (for herself and Mr. GRAHAM):

S. 3741. A bill to provide U.S. Customs and Border Protection with authority to more aggressively enforce trade laws relating to textile or apparel articles, and for other purposes; to the Committee on Finance.

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

S. 3742. A bill to protect consumers by requiring reasonable security policies and procedures to protect data containing personal information, and to provide for nationwide notice in the event of a security breach; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHAR (for herself and Mr. ALEXANDER):

S. 3743. A bill to amend title 23, United States Code, to incorporate regional transportation planning organizations into statewide transportation planning, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. BOXER:

S. 3744. A bill to establish Pinnacles National Park in the State of California as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. LINCOLN:

S. 3745. A bill to amend the Consolidated Farm and Rural Development Act to require the Secretary of Agriculture in the case of low-income States to use 95 percent of the national average nonmetropolitan median income for purposes of determining the eligibility of communities in the States for certain rural development funding; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BINGAMAN (for himself, Mrs. SHAHEEN, Mrs. BOXER, and Mrs. FEINSTEIN):

S. 3746. A bill to amend the Energy Policy Act of 2005 to improve the loan guarantee program of the Department of Energy under title XVII of that Act; to the Committee on Energy and Natural Resources.

By Mr. HATCH:

S. 3747. A bill to provide for a reduction and limitation on the total number of Federal employees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WYDEN (for himself and Mrs. HAGAN):

S. 3748. A bill to amend title 10, United States Code, to provide for the retention of members of the reserve components on active duty for a period of 45 days following an extended deployment in contingency operations of homeland defense missions to support their reintegration into civilian life, and for other purposes; to the Committee on Armed Services.

By Mr. CONRAD (for himself and Mr. ENSIGN):

S. 3749. A bill to amend the Internal Revenue Code of 1986 to provide incentives to encourage investment in the expansion of freight rail infrastructure capacity and to enhance modal tax equity; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 3750. A bill to amend the Federal Water Pollution Control Act to include certain inland lakes within a coastal water monitoring and grant program; to the Committee on Environment and Public Works.

By Mr. HATCH (for himself, Mr. DODD, Mr. BURR, Mr. REED, Mr. ENSIGN, and Mr. FRANKEN):

S. 3751. A bill to amend the Stem Cell Therapeutic and Research Act of 2005; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DORGAN (for himself, Mr. JOHNSON, Mr. THUNE, Mr. TESTER, Mr. UDALL of New Mexico, and Mr. FRANKEN):

S. 3752. A bill to amend the Energy Policy Act of 1992 to streamline Indian energy development, to enhance programs to support Indian energy development and efficiency, to make technical corrections, and for other purposes; to the Committee on Indian Affairs.

By Mr. REED (for himself, Mrs. SHAHEEN, and Mr. WHITEHOUSE):

S. 3753. A bill to provide for the treatment and temporary financing of short-time compensation programs; to the Committee on Finance.

By Mr. BARRASSO:

S. 3754. A bill to provide funding for the settlement of lawsuits against the Federal government for discrimination against Black Farmers and the mismanagement of Native American trust accounts; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 3755. A bill to ensure fairness in admiralty and maritime law and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. ROCKEFELLER:

S. 3756. A bill to amend the Communications Act of 1934 to provide public safety providers an additional 10 megahertz of spectrum to support a national, interoperable wireless broadband network and authorize the Federal Communications Commission to hold incentive auctions to provide funding to support such a network, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. FEINGOLD (for himself and Mr. LEAHY):

S. 3757. A bill to reaffirm United States objectives in Ethiopia and encourage critical democratic and humanitarian principles and practices, and for other purposes; to the Committee on Foreign Relations.

By Mrs. GILLIBRAND:

S. 3758. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish and enforce a maximum somatic cell count requirement for fluid milk; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BINGAMAN (for himself, Mrs. BOXER, and Mrs. FEINSTEIN):

S. 3759. A bill to amend the Energy Policy Act of 2005 to authorize the Secretary of Energy to issue conditional commitments for loan guarantees under certain circumstances; to the Committee on Energy and Natural Resources.

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

S. 3760. A bill to amend the Internal Revenue Code of 1986 to expand personal savings and retirement savings coverage by allowing employees not covered by qualified retirement plans to save for retirement through automatic IRAs, and for other purposes; to the Committee on Finance.

By Mr. DORGAN:

S. 3761. A bill to ensure that amounts appropriated to the Bureau of Indian Affairs under the American Recovery and Reinvestment Act of 2009 remain available until September 30, 2010; to the Committee on Appropriations.

By Mr. REID (for himself and Mr. ENSIGN):

S. 3762. A bill to reinstate funds to the Federal Land Disposal Account; read the first time.

By Ms. LANDRIEU:

S. 3763. A bill to improve safety and preparedness surrounding offshore energy production and to respond to the blowout and explosion of the mobile offshore drilling unit Deepwater Horizon that occurred on April 20, 2010, and resulting hydrocarbon releases into the environment, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KOHL:

S. 3764. A bill to amend section 1716E of title 18, United States Code, to clarify the application of the exception for the noncommercial mailing of tobacco products to members of the Armed Forces; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent and Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. DORGAN (for himself, Mr. LUGAR, Mr. FRANKEN, Mr. AKAKA, Mr. BAUCUS, Mrs. MURRAY, Mr. CONRAD, Mrs. FEINSTEIN, Mr. CARDIN, Mr. TESTER, Mr. BEGICH, Mrs. LINCOLN, Mr. GOODWIN, Mr. MENENDEZ, and Mr. CASEY):

S. Res. 607. A resolution recognizing the month of October 2010 as "National Principals Month"; to the Committee on the Judiciary.

By Mrs. HUTCHISON (for herself, Ms. LANDRIEU, Mr. WICKER, Mr. COCHRAN, Mr. VITTER, Mr. CORNYN, Mr. SESSIONS, Mr. BEGICH, Ms. MURKOWSKI, and Mr. SHELBY):

S. Res. 608. A resolution expressing the sense of the Senate that the Secretary of the Interior should take immediate action to expedite the review and appropriate approval of applications for shallow water drilling permits in the Gulf of Mexico, the Beaufort Sea, and the Chukchi Sea; to the Committee on Energy and Natural Resources.

By Mr. CARDIN:

S. Res. 609. A resolution congratulating the National Urban League on its 100th year of service to the United States; to the Committee on the Judiciary.

By Mr. UDALL of New Mexico (for himself, Mr. BINGAMAN, Mr. BENNET, and Mr. UDALL of Colorado):

S. Res. 610. A resolution recognizing the 40th anniversary of the Cumbres and Toltec Scenic Railroad; to the Committee on Commerce, Science, and Transportation.

By Mr. CARDIN (for himself, Ms. MIKULSKI, and Mr. BAUCUS):

S. Res. 611. A resolution congratulating the Cumberland Valley Athletic Club on the 48th anniversary of the running of the JFK 50-Mile Ultra-Marathon; to the Committee on the Judiciary.

By Ms. MURKOWSKI (for herself, Mr. JOHNSON, Mr. BENNETT, Mr. SPECTER, Mr. DORGAN, Mr. BAYH, Mr. HATCH, and Mrs. MURRAY):

S. Res. 612. A resolution designating September 9, 2010, as "National Fetal Alcohol Spectrum Disorders Awareness Day"; considered and agreed to.

By Mr. CORNYN (for himself and Mr. DODD):

S. Res. 613. A resolution recognizing the 63rd anniversary of India's independence, expressing appreciation to Americans of Indian descent for their contributions to society, and expressing support and optimism for the strategic partnership and friendship between the United States and India in the future; considered and agreed to.

By Mr. SESSIONS (for himself and Mr. SHELBY):

S. Res. 614. A resolution commemorating the 50th anniversary of the publication of "To Kill a Mockingbird"; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 615. A resolution to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs; considered and agreed to.

By Mr. BURR:

S. Res. 616. A resolution expressing the sense of the Senate that the United States civil-military partnership in Iraq, under the current leadership of General Raymond Odierno and Ambassador Christopher Hill, has refined and sustained an effective counterinsurgency and counterterrorism strategy that has enabled significant improvements in the security, governance, and rule of law throughout Iraq, and that

these leaders should be commended for their integrity, resourcefulness, commitment, and sacrifice; to the Committee on Foreign Relations.

By Ms. COLLINS (for herself, Mr. LAUTENBERG, Mr. BURR, Mr. LIEBERMAN, Mr. AKAKA, and Mr. INOUYE):

S. Con. Res. 70. A concurrent resolution supporting the observance of "Spirit of '45 Day"; to the Committee on Foreign Relations.

By Mr. FEINGOLD (for himself and Ms. COLLINS):

S. Con. Res. 71. A concurrent resolution recognizing the United States national interest in helping to prevent and mitigate acts of genocide and other mass atrocities against civilians, and supporting and encouraging efforts to develop a whole of government approach to prevent and mitigate such acts; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 332

At the request of Mrs. FEINSTEIN, the name of the Senator from Virginia [Mr. WARNER] was added as a cosponsor of S. 332, a bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner.

S. 518

At the request of Mr. CARDIN, the names of the Senator from Pennsylvania [Mr. SPECTER] and the Senator from Rhode Island [Mr. WHITEHOUSE] were added as cosponsors of S. 518, a bill to establish the Star-Spangled Banner and War of 1812 Bicentennial Commission, and for other purposes.

S. 632

At the request of Mr. BAUCUS, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 632, a bill to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly.

S. 981

At the request of Mr. REID, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 981, a bill to support research and public awareness activities with respect to inflammatory bowel disease, and for other purposes.

S. 984

At the request of Mrs. BOXER, the name of the Senator from Arkansas [Mr. PRYOR] was added as a cosponsor of S. 984, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 1619

At the request of Mr. DODD, the names of the Senator from Ohio [Mr. BROWN], the Senator from Virginia [Mr. WARNER] and the Senator from Illinois [Mr. DURBIN] were added as cosponsors of S. 1619, a bill to establish the Office of Sustainable Housing and Communities, to establish the Interagency Council on Sustainable Communities, to establish a comprehensive planning grant program, to establish a sustainability challenge grant program, and for other purposes.

S. 1741

At the request of Mrs. GILLIBRAND, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 1741, a bill to authorize States or political subdivisions thereof to regulate fuel economy and emissions standards for taxicabs.

S. 2814

At the request of Ms. COLLINS, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 2814, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 2925

At the request of Mr. WYDEN, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 2925, a bill to establish a grant program to benefit victims of sex trafficking, and for other purposes.

S. 3215

At the request of Mr. BINGAMAN, the name of the Senator from Delaware [Mr. CARPER] was added as a cosponsor of S. 3215, a bill to amend the Internal Revenue Code of 1986 to provide taxpayer protection and assistance, and for other purposes.

S. 3474

At the request of Mr. FEINGOLD, the names of the Senator from Kentucky [Mr. BUNNING], the Senator from Iowa [Mr. GRASSLEY], the Senator from Nevada [Mr. ENSIGN], the Senator from Nebraska [Mr. JOHANNS], the Senator from Maryland [Mr. CARDIN] and the Senator from Wyoming [Mr. ENZI] were added as cosponsors of S. 3474, a bill to provide an optional fast-track procedure the President may use when submitting rescission requests, and for other purposes.

S. 3493

At the request of Mr. SPECTER, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 3493, a bill to reauthorize and enhance Johanna's Law to increase public awareness and knowledge with respect to gynecologic cancers.

S. 3495

At the request of Mr. DORGAN, the names of the Senator from Tennessee [Mr. ALEXANDER] and the Senator from Washington [Mrs. MURRAY] were added as cosponsors of S. 3495, a bill to promote the deployment of plug-in electric drive vehicles, and for other purposes.

S. 3501

At the request of Mr. HATCH, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 3501, a bill to protect American job creation by striking the job-killing Federal employer mandate.

S. 3502

At the request of Mr. HATCH, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 3502, a bill to restore Americans' individual liberty by striking the Federal mandate to purchase insurance.

S. 3508

At the request of Mr. UDALL of New Mexico, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 3508, a bill to strengthen the capacity of the United States to lead the international community in reversing renewable natural resource degradation trends around the world that threaten to undermine global prosperity and security and eliminate the diversity of life on Earth, and for other purposes.

S. 3510

At the request of Mr. CONRAD, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 3510, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 3572

At the request of Mrs. LINCOLN, the names of the Senator from Virginia [Mr. WARNER], the Senator from Oregon [Mr. WYDEN], the Senator from Wisconsin [Mr. KOHL], the Senator from Missouri [Mrs. MCCASKILL], the Senator from Colorado [Mr. UDALL], the Senator from North Dakota [Mr. CONRAD], the Senator from Florida [Mr. NELSON], the Senator from West Virginia [Mr. GOODWIN], the Senator from Alaska [Mr. BEGICH], the Senator from Montana [Mr. BAUCUS], the Senator from New York [Mrs. GILLIBRAND], the Senator from California [Mrs. BOXER], the Senator from Vermont [Mr. SANDERS], the Senator from Pennsylvania [Mr. CASEY], the Senator from North Dakota [Mr. DORGAN], the Senator from Delaware [Mr. CARPER], the Senator from Rhode Island [Mr. WHITEHOUSE], the Senator from Michigan [Ms. STABENOW], the Senator from New Mexico [Mr. BINGAMAN], the Senator from Connecticut [Mr. LIEBERMAN], the Senator from Massachusetts [Mr. KERRY], the Senator from Hawaii [Mr. INOUYE], the Senator from Illinois [Mr. BURRIS], the Senator from Michigan [Mr. LEVIN], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Nevada [Mr. REID], the Senator from Maryland [Ms. MIKULSKI], the Senator from Illinois [Mr. DURBIN] and the Senator from Georgia [Mr. CHAMBLISS] were

added as cosponsors of S. 3572, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first law enforcement agency, the United States Marshals Service.

S. 3591

At the request of Mr. ROCKEFELLER, the name of the Senator from Indiana [Mr. BAYH] was added as a cosponsor of S. 3591, a bill to provide financial incentives and a regulatory framework to facilitate the development and early deployment of carbon capture and sequestration technologies, and for other purposes.

S. 3654

At the request of Mr. LEAHY, the names of the Senator from Idaho [Mr. CRAPO] and the Senator from Nevada [Mr. REID] were added as cosponsors of S. 3654, a bill to amend title 11 of the United States Code to include firearms in the types of property allowable under the alternative provision for exempting property from the estate.

S. 3657

At the request of Mr. WYDEN, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 3657, a bill to establish as a standing order of the Senate that a Senator publicly disclose a notice of intent to objecting to any measure or matter.

S. 3661

At the request of Mr. BENNET, his name was added as a cosponsor of S. 3661, a bill to amend the Federal Water Pollution Control Act to ensure the safe and proper use of dispersants in the event of an oil spill or release of hazardous substances, and for other purposes.

S. 3667

At the request of Mr. KERRY, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 3667, a bill to amend part A of title IV of the Social Security Act to exclude child care from the determination of the 5-year limit on assistance under the temporary assistance to needy families program, and for other purposes.

S. 3706

At the request of Ms. STABENOW, the names of the Senator from New Jersey [Mr. LAUTENBERG] and the Senator from New York [Mrs. GILLIBRAND] were added as cosponsors of S. 3706, a bill to extend unemployment insurance benefits and cut taxes for businesses to create hiring incentives, and for other purposes.

SENATE CONCURRENT RESOLUTION 63

At the request of Mr. JOHNSON, the names of the Senator from Georgia [Mr. ISAKSON] and the Senator from Kansas [Mr. ROBERTS] were added as cosponsors of Senate Concurrent Resolution 63, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

SENATE RESOLUTION 322

At the request of Mr. LEVIN, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of Senate Resolution 322, a resolution expressing the sense of the Senate on religious minorities in Iraq.

SENATE RESOLUTION 586

At the request of Mr. FEINGOLD, the names of the Senator from Connecticut [Mr. LIEBERMAN] and the Senator from New Hampshire [Mrs. SHAHEEN] were added as cosponsors of Senate Resolution 586, a resolution supporting democracy, human rights, and civil liberties in Egypt.

SENATE RESOLUTION 593

At the request of Mrs. MURRAY, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of Senate Resolution 593, a resolution expressing support for designation of October 7, 2010, as "Jumpstart's Read for the Record Day".

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on August 5, 2010, at 9:30 a.m.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on August 5, 2010, at 10:30 a.m., to conduct a hearing entitled "The Obama Administration Manufacturing Agenda."

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on August 5, 2010, immediately following the 11:20 a.m. vote on the Senate floor, in the President's Room, S-216 of the Capitol.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on August 5, 2010, at 10:30 a.m.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a business meeting on August 5, 2010, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on August 5, 2010, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs be authorized to meet during the session of the Senate on August 5, 2010, at 9:30 a.m. to conduct a markup on pending legislation. The Committee will meet in room 418 of the Russell Senate Office Building beginning at 9:30 a.m.

HOUSE BILLS, JOINT RESOLUTION, AND CONCURRENT RESOLUTION REFERRED

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

H.R. 1796. An act to amend the Consumer Product Safety Act to require residential carbon monoxide detectors to meet the applicable ANSI UL standard by treating that standard as a consumer product safety rule, to encourage States to require the installation of such detectors in homes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 1875. To establish the Emergency Trade Deficit Commission; to the Committee on Finance.

H.R. 2480. An act to improve the accuracy of fur product labeling, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 3040. An act to prevent mail, telemarketing, and Internet fraud targeting seniors in the United States, to promote efforts to increase public awareness of the enormous impact that mail, telemarketing, and Internet fraud have on seniors, to educate the public, seniors, their families, and their caregivers about how to identify and combat fraudulent activity, and for other purposes; to the Committee on the Judiciary.

H.R. 3989. An act to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of adding the Heart Mountain Relocation Center, in the State of Wyoming, as a unit of the National Park System; to the Committee on Energy and Natural Resources.

H.R. 4438. To authorize the Secretary of the Interior to expand the boundary of the Park, to conduct a study of potential land acquisitions, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 4514. An act to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of designating the Colonel Charles Young Home in Xenia, Ohio as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 4658. An act to authorize the conveyance of a small parcel of National Forest System land in the Cherokee National

Forest and to authorize the Secretary of Agriculture to use the proceeds from that conveyance to acquire a parcel of land for inclusion in that national forest, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 4692. An act to require the President to prepare a quadrennial National Manufacturing Strategy, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 5138. An act to protect children from sexual exploitation by mandating reporting requirements for convicted sex traffickers and other registered sex offenders against minors intending to engage in international travel, providing advance notice of intended travel by high interest registered sex offenders outside the United States to the government of the country of destination, requesting foreign governments to notify the United States when a known child sex offender is seeking to enter the United States, and for other purposes; to the Committee on Foreign Relations.

H.R. 5156. An act to provide for the establishment of a Clean Energy Technology Manufacturing and Export Assistance Fund to assist United States businesses with exporting clean energy technology products and services; to the Committee on Commerce, Science, and Transportation.

H.R. 5320. An act to amend the Safe Drinking Water Act to increase assistance for States, water systems, and disadvantaged communities; to encourage good financial and environmental management of water systems; to strengthen the Environmental Protection Agency's ability to enforce the requirements of the Act; to reduce lead in drinking water; to strengthen the endocrine disruptor screening program; and for other purposes; to the Committee on Environment and Public Works.

H.R. 5414. An act to provide for the conveyance of a small parcel of National Forest System land in the Francis Marion National Forest in South Carolina, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 5566. An act to amend title 18, United States Code, to prohibit interstate commerce in animal crush videos, and for other purposes; to the Committee on the Judiciary.

H.R. 5669. An act to direct the Secretary of Agriculture to convey certain Federally owned land located in Story County, Iowa; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 5751. To provide for the establishment of a task force that will be responsible for investigating cases referred to the Attorney General under the Lobbying Disclosure Act of 1995, and for other purposes; to the Committee on the Judiciary.

H.J. Res. 90. Joint resolution expressing support for designation of September 2010 as "Gospel Music Heritage Month" and honoring gospel music for its valuable and longstanding contributions to the culture of the United States; to the Committee on the Judiciary.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 266. Concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO); to the Committee on Foreign Relations.

HOUSE BILLS PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 3101. An act to ensure that individuals with disabilities have access to emerging Internet Protocol-based communication and video programming technologies in the 21st Century.

H.R. 5143. An act to establish the National Criminal Justice Commission.

H.R. 5716. An act to provide for enhancement of existing efforts in support of research, development, demonstration, and commercial application activities to advance technologies for the safe and environmentally responsible exploration, development, and production of oil and natural gas resources.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 1586

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 1586) to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide for modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; and

The Senate resumed consideration of the House amendment.

The question being on agreeing to amendment No. 4576, proposed by Mr. REID, to amendment No. 4575 (in the nature of a substitute) contained in the motion, by Mr. REID, that the Senate concur in the House amendment to the Senate amendment to the bill.

Pending debate,

Pursuant to the order of yesterday,

On motion by Mr. DEMINT to suspend rule XXII of the Standing Rules of the Senate for purpose of moving to refer the pending House message to the Committee on Finance with instructions to report back forthwith with changes to include a permanent extension of the 2010 individual income tax rates, and to include provisions which decrease spending as appropriate to offset such permanent extension.

Pursuant to the order of yesterday,

On motion by Mr. DEMINT to suspend rule XXII of the Standing Rules of the Senate for purpose of moving to refer the pending House message to the Committee on Finance to report back forthwith with changes to include a permanent extension of current individual income tax rates on small businesses and provisions which decreases spending as appropriate to offset such permanent extension.

Pending debate,

Pursuant to the order of yesterday,

The question recurring on agreeing to the motion to suspend rule XXII of the Standing Rules of the Senate for purpose of moving to refer the pending House message to the Committee on Finance to report back forthwith with changes to relative to 2010 individual tax rates.

On motion by Mr. DEMINT,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the negative---
yeas... 42, nays... 58

[Rollcall Vote No. 226 Leg.]

YEAS --- 42

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Wicker.

NAYS --- 58

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; two-thirds of Senators voting, a quorum being present, not having voted in the affirmative.

Pursuant to the order of yesterday,

The question recurring on agreeing to the motion to suspend rule XXII of the Standing Rules of the Senate for purpose of moving to refer the pending House message to the Committee on Finance to report back

forthwith with changes to relative to small business tax rates.

On motion by Mr. DEMINT,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

After debate,

The question being taken.

It was determined in the negative---
yeas... 42, nays... 58

[Rollcall Vote No. 227 Leg.]

YEAS --- 42

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Wicker.

NAYS --- 58

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; two-thirds of Senators voting, a quorum being present, not having voted in the affirmative.

The question being on agreeing to amendment No. 4576 to amendment No. 4575 (in the nature of a substitute) contained in the motion to concur in the House amendment to the Senate amendment to the bill.

Pursuant to the order of yesterday,

The pending amendment (No. 4576) was withdrawn.

The question being on agreeing to the motion to concur in the House amendment to the Senate amendment with amendment No. 4575 (in the nature of a substitute).

The question being taken.

It was determined in the affirmative---
yeas... 61, nays... 39

[Rollcall Vote No. 228 Leg.]

YEAS --- 61

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 39

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Thune, Vitter, Voinovich, Wicker.

So it was

Resolved, That the Senate concur in the House amendment to the Senate amendment to the bill, with amendment No. 4575 (in the nature of a substitute).

On motion by Mrs. MURRAY to reconsider the vote agreeing to the motion.

On motion by Mrs. MURRAY,

The motion to reconsider was laid on the table.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2010

By unanimous consent, on the request of Mrs. FEINSTEIN,

The Senate proceeded to consider the bill (S. 3611) to authorize appropriations for fiscal year 2010 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The question being on passage of the bill.

By unanimous consent, on the request of Mrs. FEINSTEIN,

Ordered, That an amendment (Numbered 4588) be proposed by her (for herself and Mr. BOND), and agreed to; that the bill, as thus amended, be read the third time; that a PAYGO letter by the chairman of the Committee on the Budget be read; that the bill, as amended, be passed; and that a motion to reconsider be made and laid on the table.

Pending debate,

EXECUTIVE SESSION

Pursuant to the order of yesterday,

The Senate proceeded to executive session; and after the consideration of executive business (including the nomination of Elena Kagan, of Massachusetts, to be an Associate Justice of the Supreme Court, involving one rollcall Vote).

LEGISLATIVE SESSION

Pursuant to the order of today,

The Senate resumed its legislative session.

OBJECTION TO CONSIDERATION OF BILL S. 3454

Mr. LEVIN asked unanimous consent that at a time to be determined by the majority leader, after consultation with the minority leader, the Senate proceed to consider the bill (S. 3454) to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Mr. MCCAIN objected.

CHILD NUTRITION PROGRAMS REAUTHORIZATION

By unanimous consent, on the request of Mrs. LINCOLN,

The Senate proceeded to consider the bill (S. 3307) to reauthorize child nutrition programs, and for other purposes.

The question being on the passage of the bill.

On motion by Mrs. LINCOLN (for herself and Mr. CHAMBLISS) to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 4589, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The question being on the passage of the bill, as amended.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EMERGENCY BORDER SECURITY SUPPLEMENTAL APPROPRIATIONS ACT

On the request of Mr. SCHUMER,

The PRESIDING OFFICER (Mr. GOODWIN in the chair) laid before the Senate the bill (H.R. 5875) making emergency supplemental appropriations for border security for the fiscal year ending September 30, 2010, and for other purposes, received from the House of Representatives for concurrence on Thursday, July 29, 2010, and remaining undisposed of; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

On motion by Mr. SCHUMER (for himself, Mr. REID, Mr. INOUYE, Mrs. MURRAY, Mrs. FEINSTEIN, Mr. BINGAMAN, Mrs. MCCASKILL, Mr. CASEY, Mr. MERKLEY, Mr. MARK UDALL, Mr. BEGICH, Mr. BURRIS, Mrs. LINCOLN, Mr. TOM UDALL, Mr. KYL, and Mr. MCCAIN) to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 4593, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

OBJECTION TO CONSIDERATION OF BILL H.R. 4994

Mr. DORGAN asked unanimous consent that the Committee on Finance be discharged from further consideration of the bill (H.R. 4994) to amend the Internal Revenue Code of 1986 to reduce taxpayer burdens and enhance taxpayer protections, and for other purposes; that an amendment (in the nature of a substitute) be proposed by him, and agreed to; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. BARRASSO objected.

OBJECTION TO CONSIDERATION OF BILL S. 3761

Mr. DORGAN asked unanimous consent that the Senate proceed to consider the bill (S. 3761) to ensure that amounts appropriated to the Bureau of Indian Affairs under the American Recovery and Reinvestment Act of 2009 remain available until September 30, 2010; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. BARRASSO objected.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate resumed its legislative session.

ORDER FOR EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

As in executive session,

Ordered, That, at 3:30 p.m. on Monday, September 13, 2010, the Senate proceed to executive session to consider the nomination of Jane Branstetter Stranch, of Tennessee, to be United States Circuit Judge for the Sixth Circuit; that there be 2 hours, equally divided and controlled, for debate between Mr. LEAHY and Mr. SESSIONS, or their designees; that, at 5:30 p.m., the Senate vote on confirmation of the nomination; that, following the vote, a motion to reconsider be made and laid on the table; that the President be immediately notified of the Senate's action; and that the Senate then resume its legislative session.

NOMINATIONS IN STATUS QUO

By unanimous consent, on the request of Mr. REID,

As in executive session,

Ordered, That, notwithstanding an adjournment of the Senate, and provisions of rule XXXI, paragraph 6 of the Standing Rules of the Senate, all nominations remain in status quo, except executive calendar Nos. 404, 591, 688, 696, 697, 698, 891, 933, 958, 1008, the following nominations in committee PN797, PN1644, PN1024, PN1651, PN1631 and PN1987.

OBJECTION TO EXECUTIVE SESSION

Mr. REID asked unanimous consent that at a time to be determined by the majority leader, after consultation with the minority leader, the Senate proceed to executive session to consider the nomination of Kimberly J. Mueller, of California, to be United States District Judge for the Eastern District of California; that there be 1 hour, equally divided and controlled, for debate thereon between Mr. LEAHY and Mr. SESSIONS, or their designees; that, upon conclusion of debate, the Senate vote on confirmation of the nomination; that, following the vote, a motion to reconsider be made and laid on the table; that the President be immediately notified of the Senate's action; and that the Senate then resume its legislative session.

Mr. MCCONNELL objected.

Pending debate,

SMALL BUSINESS JOBS AND CREDIT ACT

The PRESIDING OFFICER laid before the Senate its pending business, viz, the bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 4526, proposed by Mr. REID, to amendment No. 4525, proposed by Mr. REID, to the instructions (designated amendment No. 4524) contained in the motion, by Mr. REID, to commit the bill to the Committee on Finance.

By unanimous consent, on the request of Mr. REID,

Ordered, That the pending motion to commit and amendments be withdrawn.

The question being on passage of the bill.

On motion by Mr. REID for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID) to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 4594, in the nature of a substitute).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment (in the nature of a substitute).

On motion by Mr. REID (for Mr. BILL NELSON) to amend the pending amendment (in the nature of a substitute) in title II, subtitle B, at the end thereof, by adding certain words (being amendment No. 4595).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

On motion by Mr. REID (for Mr. JOHANNS) to amend the pending amendment, at the appropriate place, by inserting certain words (being amendment No. 4596).

On motion by Mr. REID to amend the language of the bill proposed to be stricken by amendment No. 4594 (in the nature of a substitute), at the end thereof, by adding certain words (being amendment No. 4597).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

On motion by Mr. REID to amend the pending amendment by striking "6" and inserting "4" (being amendment No. 4598).

Mr. REID presented a motion to bring to a close debate on the pending amendment No. 4596; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on amendment No. 4596 to amendment No. 4595 to amendment No. 4594 (in the nature of a substitute) to bill H.R. 5297:

HARRY REID, PATRICK LEAHY, DIANNE FEINSTEIN, CHUCK SCHUMER, HERB KOHL, JOE LIEBERMAN, JEFF BINGAMAN, B. A. MIKULSKI, DICK DURBIN, AL FRANKEN, BYRON L. DORGAN, MARK BEGICH, BEN CARDIN, AMY KLOBUCHAR, K. E. GILLIBRAND, JEANNE SHAHEEN, KAY HAGAN.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

Mr. REID presented a motion to bring to a close debate on the pending amendment No. 4595; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on amendment No. 4595 to amendment No. 4594 (in the nature of a substitute) to bill H.R. 5297:

HARRY REID, TIM JOHNSON, DICK DURBIN, BARBARA BOXER, AL FRANKEN, BYRON L.

DORGAN, PATTY MURRAY, ROBERT P. CASEY JR., JON TESTER, JACK REED, KAY R. HAGAN, JEANNE SHAHEEN, PATRICK LEAHY, CHRISTOPHER DODD, BILL NELSON, TOM HARKIN.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

Mr. REID presented a motion to bring to a close debate on the pending amendment No. 4594 (in the nature of a substitute); which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on amendment No. 4594 (in the nature of a substitute) to bill H.R. 5297:

MARY LANDRIEU, MAX BAUCUS, DIANNE FEINSTEIN, PATTY MURRAY, CHUCK SCHUMER, CHRISTOPHER DODD, AL FRANKEN, ROBERT P. CASEY JR., MARIA CANTWELL, S. WHITEHOUSE, BYRON L. DORGAN, BEN CARDIN, RON WYDEN, KENT CONRAD, ROLAND W. BURRIS, JEFFREY A. MERKLEY, DEBBIE STABENOW.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

Mr. REID presented a motion to bring to a close debate on the pending bill; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on bill H.R. 5297:

MARY LANDRIEU, MAX BAUCUS, DIANNE FEINSTEIN, PATTY MURRAY, CHUCK SCHUMER, CHRISTOPHER DODD, AL FRANKEN, ROBERT P. CASEY JR., MARIA CANTWELL, S. WHITEHOUSE, BYRON L. DORGAN, BEN CARDIN, RON WYDEN, KENT CONRAD, ROLAND W. BURRIS, JEFFREY A. MERKLEY, DEBBIE STABENOW.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

On motion by Mr. REID to commit the bill to the Committee on Finance with instructions to report back forthwith with an amendment (Numbered 4599).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

On motion by Mr. REID to amend the instructions (designated amendment No. 4599) contained in the pending motion to commit, at the end thereof, by adding certain words (being amendment No. 4600).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

On motion by Mr. REID to amend the pending amendment, at the end thereof, by adding certain words (being amendment No. 4601).

The question being on agreeing to amendment No. 4601 to amendment No. 4600 to the instructions (designated amendment No. 4599) contained in the pending motion to commit.

AUTHORITY FOR COMMITTEES TO REPORT

By unanimous consent, on the request of Mr. REID,

Ordered, That, notwithstanding an adjournment, committees be authorized to "file" legislative and executive reports on Thursday, September 2, 2010, from 11 a.m. until 1 p.m.

AUTHORIZING APPOINTMENTS DURING ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

Ordered, That, notwithstanding the recess or adjournment of the Senate, the President of the Senate, the PRESIDENT pro tempore, and the majority and minority leaders be authorized to make appointment to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, concurrent action of the two Houses, or by order of the Senate.

APPOINTMENT BY THE MINORITY LEADER

SENATE NATIONAL SECURITY WORKING GROUP FOR THE 111TH CONGRESS

The PRESIDING OFFICER announced that the majority leader, pursuant to the provisions of S. Res. 105, agreed to on April 13, 1989, as amended by S. Res. 149, agreed to by October 5, 1993, as amended by Public Law 105-275, further amended by S. Res. 75, agreed to March 25, 1999, and S. Res. 383, agreed to October 27, 2000, and amended by S. Res. 355, agreed to on November 13, 2002, and further amended by S. Res. 480, agreed to on November 21, 2004, further amended by S. Res. 625, agreed to on December 6, 2006, and further amended by S. Res. 715, agreed to on November 20, 2008, had appointed the following Senator to serve as members of the Senate National Security Working Group for the 111th Congress: Mr. INOUYE (in his capacity as PRESIDENT pro tempore), Mr. KERRY, to be majority administrative co-chairman, while continuing as already-designated position of Democratic co-chairman.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate resumed its legislative session.

AUTHORIZING THE SECRETARY OF AGRICULTURE TO TERMINATE CERTAIN EASEMENTS HELD BY THE SECRETARY

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (H.R. 511) to authorize the Secretary of Agriculture to terminate certain easements held by the Secretary on land owned by the Village of Caseyville, Illinois, and to terminate associated contractual arrangements with the Village.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING THE "JOHN C. GODBOLD FEDERAL BUILDING"

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (H.R. 4275) to designate the annex building under construction for the Elbert P. Tuttle United States Court of Appeals Building in Atlanta, Georgia, as the "John C. Godbold Federal Building".

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

FIREARMS EXCISE TAX IMPROVEMENT ACT

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (H.R. 5552) to amend the Internal Revenue Code of 1986 to require that the payment of

the manufacturers' excise tax on recreational equipment be paid quarterly and to provide for the assessment by the Secretary of the Treasury of certain criminal restitution.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING THE "JAMES CHANEY, ANDREW GOODMAN, AND MICHAEL SCHWERNER FEDERAL BUILDING"

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (H.R. 3562) to designate the federally occupied building located at 1220 Echelon Parkway in Jackson, Mississippi, as the "James Chaney, Andrew Goodman, and Michael Schwerner Federal Building".

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

The reported amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The title was amended, as reported by the committee, so as to read: "An act to designate the federally occupied building located at 1220 Echelon Parkway in Jackson, Mississippi, as the 'James Chaney, Andrew Goodman, Michael Schwerner, and Roy K. Moore Federal Building'."

FIRST RESPONDER ANTI-TERRORISM TRAINING RESOURCES ACT

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (H.R. 3978) to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to authorize the Secretary of Homeland Security to accept and use gifts for otherwise authorized activities of the Center for Domestic Preparedness that are related to preparedness for and response to terrorism, and for other purposes.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

The reported amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The title was amended, as reported by the committee, so as to read: "An act to amend the Homeland Security Act of 2002 to authorize the Secretary of Homeland Security to accept and use gifts for otherwise authorized activities of the Center for Domestic Preparedness that are related to preparedness for a response to terrorism, and for other purposes."

ROSA'S LAW

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (S. 2781) to change references in Federal law to mental retardation to references to an intellectual disability, and to change references to a mentally retarded individual to references to an individual with an intellectual disability.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

The reported amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

MANDATORY PRICE REPORTING ACT

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (S. 3656) to amend the Agricultural Marketing Act of 1946 to improve the reporting on sales of livestock and dairy products, and for other purposes.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ALLOWING CERTAIN U.S. CUSTOMS AND BORDER PROTECTION EMPLOYEES TO BE CONVERTED TO A PERMANENT APPOINTMENT IN THE COMPETITIVE SERVICE

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (H.R. 1517) to allow certain U.S. Customs and Border Protection employees who serve under an overseas limited appointment for at least 2 years, and whose service is rated fully successful or higher throughout that time, to be converted to a permanent appointment in the competitive service.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

The reported amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

REDESIGNATING THE SAM D. HAMILTON NORTH MISSISSIPPI NATIONAL WILDLIFE REFUGES COMPLEX

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (S. 3354) to redesignate the North Mississippi National Wildlife Refuges Complex as the Sam D. Hamilton North Mississippi National Wildlife Refuges Complex.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AGRICULTURAL CREDIT ACT

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on Agriculture, Nutrition, and Forestry be discharged from the further consideration of the bill (H.R. 3509) to reauthorize State agricultural mediation programs under title V of the Agricultural Credit Act of 1987.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

IMPROVING ACCESS TO CLINICAL TRIALS ACT

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on Finance be discharged from the further consideration of the bill (S. 1674) to provide for an exclusion under the Supplemental Security Income program and the Medicaid program

for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

SUPPORTING THE OBSERVANCE OF "SPIRIT OF '45 DAY"

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on Foreign Relations be discharged from the further consideration of the concurrent resolution (H. Con. Res. 226) supporting the observance of "Spirit of '45 Day".

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE IMPORTANCE AND SUSTAINABILITY OF THE UNITED STATES HARDWOODS INDUSTRY

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on Agriculture, Nutrition, and Forestry be discharged from the further consideration of the resolution (S. Res. 411) recognizing the importance and sustainability of the United States hardwoods industry and urging that United States hardwoods and the products derived from United States hardwoods be given full consideration in any program to promote construction of environmentally preferable commercial, public, or private buildings.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HONORING THE LIFE OF MANUTE BOL

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 579) honoring the life of Manute Bol and expressing the condolences of the Senate on his passing.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL FETAL ALCOHOL SPECTRUM DISORDERS AWARENESS DAY"

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 612) designating September 9, 2010, as "National Fetal Alcohol Spectrum Disorders Awareness Day", submitted today by Ms. MURKOWSKI (for herself, Mr. JOHNSON, Mr. BENNETT, Mr. SPECTER, Mr. DORGAN, Mr. BAYH, Mr. HATCH, and Mrs. MURRAY), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE 63RD ANNIVERSARY OF INDIA'S INDEPENDENCE

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 613) recognizing the 63rd anniversary of India's independence, expressing appreciation to Americans of Indian descent for their contributions to society, and expressing support and optimism for the strategic partnership and friendship between the United States and India in the future, submitted today by Mr. CORNYN (for himself and Mr. DODD), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

COMMEMORATING THE 50TH ANNIVERSARY OF THE PUBLICATION OF "TO KILL A MOCKINGBIRD"

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 614) commemorating the 50th anniversary of the publication of "To Kill a Mockingbird", submitted today by Mr. SESSIONS (for himself and Mr. SHELBY), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

PROVIDING FOR A CONDITIONAL RECESS OR ADJOURNMENT OF THE SENATE

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the concurrent resolution (H. Con. Res. 307) providing for a conditional recess or adjournment of the Senate, received from the House of Representatives for concurrence on Thursday, July 29, 2010, and remaining undisposed of.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

BILL READ THE FIRST TIME

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the bill (S. 3762) to reinstate funds to the Federal Land Disposal Account, introduced today by Mr. REID (for himself and Mr. ENSIGN), and at the desk; which was read the first time.

Mr. REID asked unanimous consent that the bill be read the second time.

Mr. REID objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

PROTECTING GUN OWNERS IN BANKRUPTCY ACT

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 5827) to amend title 11

of the United States Code to include firearms in the types of property allowable under the alternative provision for exempting property from the estate, received from the House of Representatives for concurrence on Thursday, July 29, 2010, and remaining undisposed of; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORIZING PRODUCTION OF RECORDS BY THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 615) to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs, submitted today by Mr. REID (for himself and Mr. MCCONNELL), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (S. 3729) to authorize the programs of the National Aeronautics and Space Administration for fiscal years 2011 through 2013, and for other purposes.

The question being on passage of the bill.

On motion by Mr. REID (for Mr. ROCKEFELLER) to amend the pending bill on various pages and lines, by striking certain words and inserting other words (being amendment No. 4602).

The amendment was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

TWENTY-FIRST CENTURY COMMUNICATIONS AND VIDEO ACCESSIBILITY ACT

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (S. 3304) to increase the access of persons with disabilities to modern communications, and for other purposes.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. REID for Mr. PRYOR (for himself, Mr. ENSIGN, Mr. KERRY, and Mrs. HUTCHISON) to amend the pending reported amendment (in the nature of a substitute) on various pages and lines, by striking certain words and inserting other words (being amendment No. 4603).

The amendment was agreed to.

The reported amendment (in the nature of a substitute), as amended, was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXPRESSING THE SENSE OF THE SENATE ON RELIGIOUS MINORITIES IN IRAQ

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on Foreign Relations be discharged from the further consideration of the resolution (S. Res. 322) expressing the sense of the Senate on religious minorities in Iraq.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

On motion by Mr. REID for Mr. LEVIN (for himself and Mr. LUGAR) to strike all after the resolving clause and insert in lieu thereof other words (being amendment No. 4604, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The question being on agreeing to the resolution, as amended.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent

The question being on agreeing to the accompanying preamble.

On motion by Mr. REID for Mr. LEVIN (for himself and Mr. LUGAR) to strike the preamble and insert in lieu thereof other words (being amendment No. 4605, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The preamble, as amended, was agreed to.

ORDERS FOR ADJOURNMENT UNTIL 2:30 P.M. ON MONDAY, SEPTEMBER 13, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn, under the provisions of concurrent resolution H. Con. Res. 307, until 2:30 p.m. on Monday, September 13, 2010; that, on Monday, September 13, 2010, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 3:30 p.m., with Senators permitted to speak for 10 minutes each therein; and that, following morning business, the Senate proceed to consider the nomination of Jane Stranch to be United States Circuit Judge for the Sixth Circuit, as pursuant to the order of today.

Ordered further, That Senators be authorized to "file" first-degree amendments to bill H.R. 5297 until 3 p.m. on Monday, September 13, 2010; and that the Senate vote on the question of agreeing to the motion to bring to a close debate on amendment No. 4596 at 11 a.m. on Tuesday, September 14, 2010.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 10:02 p.m.,

The Senate adjourned, under its order of today, and pursuant to the provisions of concurrent resolution H. Con. Res. 307, until 2:30 p.m. on Monday, September 13, 2010.

THURSDAY, AUGUST 12, 2010

Pursuant to the authority granted by section 2 (a) of concurrent resolution H. Con. Res. 307 of the 111th Congress, the majority leader of the Senate, after consultation with the minority leader of the Senate, having determined that the public interest warrants a convening of the Senate at this time, notwithstanding the order of August 5, 2010,

Mr. BENJAMIN L. CARDIN, from the State of Maryland, called the Senate to order at 10:01 a.m., the Chaplain offered a prayer, and Mr. CARDIN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, August 12, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. CARDIN took the chair.

MOMENT OF SILENCE

By unanimous consent, on the request of Mr. SCHUMER,

At 10:05 a.m.

The Senate observed a moment of silence in memory of the late former Senator Ted Stevens of Alaska.

TRANSACTION OF MORNING BUSINESS

The following morning business occurred on today:

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Ms. MURKOWSKI (for herself, Mr. BEGICH, Mr. REID, Mr. MCCONNELL, Mr. INOUYE, Mr. AKAKA, Mr. ALEXANDER, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BENNET, Mr. BENNETT, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BURRIS, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GOODWIN, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON, Mr. KAUFMAN, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEMIEUX, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 617. A resolution relative to the death of the Honorable Theodore "Ted" Fulton Stevens, former Senator for the State of Alaska; considered and agreed to.

ADDITIONAL COSPONSORS

S. 752

At the request of Mr. DURBIN, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 752, a bill to reform the financing of Senate elections, and for other purposes.

S. 3464

At the request of Mr. LUGAR, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of S. 3464, a bill to establish an energy and climate policy framework to reach measurable gains in reducing dependence on foreign oil, saving Americans money, improving energy security, and cutting greenhouse gas emissions, and for other purposes.

S. 3519

At the request of Ms. SNOWE, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 3519, a bill to stabilize the matching requirement for participants in the Hollings Manufacturing Partnership Program.

SENATE RESOLUTION 583

At the request of Mr. ENSIGN, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of Senate Resolution 583, a resolution expressing support for designation of 2011 as "World Veterinary Year" to bring attention to and show appreciation for the veterinary profession on its 250th anniversary.

SENATE RESOLUTION 603

At the request of Mr. SPECTER, the names of the Senator from Oregon [Mr. MERKLEY] and the Senator from Vermont [Mr. SANDERS] were added as cosponsors of Senate Resolution 603, a resolution commemorating the 50th anniversary of the National Council for International Visitors, and designating February 16, 2011, as "Citizen Diplomacy Day".

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3762) to reinstate funds to the Federal Land Disposal Account, introduced on Thursday, August 5, 2010 by Mr. REID (for himself and Mr. ENSIGN), and read the first time; which was read the second time.

Mr. SCHUMER objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

HOUSE BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 5827) to amend title 11 of the United States Code to include firearms in the types of property allowable under the alternative provision for exempting property from the estate, received from the House of Representatives for concurrence on Thursday, July 29, 2010, and read the first time on Thursday, August 5, 2010; which was read the second time.

Mr. SCHUMER objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

RELATIVE TO THE DEATH OF THE HONORABLE TED STEVENS, FORMER SENATOR FOR THE STATE OF ALASKA

On the request of Mr. SCHUMER,

The ACTING PRESIDENT pro tempore laid before the Senate the resolution (S. Res. 617) relative to the death of the Honorable Theodore "Ted" Fulton Stevens, former Senator for the State of Alaska, submitted today by Ms. MURKOWSKI (for herself, Mr. BEGICH, Mr. REID, Mr. MCCONNELL, Mr. INOUYE, Mr. AKAKA, Mr. ALEXANDER, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BENNET, Mr. BENNETT, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. SCOTT BROWN, Mr. SHERROD BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BURRIS, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr.

CASEY, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GOODWIN, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. ISAKSON, Mr. JOHANNS, Mr. JOHNSON, Mr. KAUFMAN, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEMIEUX, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mrs. MURRAY, Mr. BEN NELSON, Mr. BILL NELSON, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. MARK UDALL, Mr. TOM UDALL, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

Pending debate,

EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR BORDER SECURITY

On the request of Mr. SCHUMER,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 6080) making emergency supplemental appropriations for border security for the fiscal year ending September 30, 2010, and for other purposes, received from the House of Representatives for concurrence on today, and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

Pending debate,

AUTHORIZING SIGNING OF ENROLLED BILLS AND JOINT RESOLUTIONS

By unanimous consent, on the request of Mr. SCHUMER,

Ordered, That, following today, and until Friday, August 20, 2010, Ms. LANDRIEU be authorized to sign duly enrolled bills and joint resolutions.

ORDERS FOR ADJOURNMENT UNTIL 2:30 P.M. ON MONDAY, SEPTEMBER 13, 2010

By unanimous consent, on the request of Mr. SCHUMER,

Ordered, That, when the Senate concludes its business on today, it adjourn, under the authority of the provisions of concurrent resolution H. Con. Res. 307, and pursuant to the provisions of S. Res. 617, until 2:30 p.m. on Monday, September 13, 2010, as pursuant to the order of Thursday, August 5, 2010.

ADJOURNMENT

By unanimous consent, on the request of Mr. SCHUMER,

At 10:31 a.m.,

The Senate adjourned, under its order of today, under the authority of the provisions of section 2 (b) of concurrent resolution H. Con. Res. 307 (111th Congress), and pursuant to the provisions of S. Res. 617, as a further mark of respect to the memory of the late former Senator Ted Stevens of Alaska, until 2:30 p.m. on Monday, September 13, 2010.

MONDAY, SEPTEMBER 13, 2010

Mr. JEFF MERKLEY, from the State of Oregon, called the Senate to order at 2:30 p.m., the Chaplain offered a prayer, and Mr. MERKLEY led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, September 13, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF MERKLEY, a Senator from the State of Oregon, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. MERKLEY took the chair.

THE JOURNAL

Pursuant to the order of Thursday, August 5, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Thursday, August 5, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Thursday, August 5, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under the authority of the order of the Senate of August 5, 2010, the following reports of committees were submitted on September 2, 2010:

By Mr. AKAKA, from the Committee on Veterans' Affairs, without amendment:

S. 3765. An original bill to amend title 38, United States Code, to improve Servicemembers' Group Life Insurance and Veterans' Group Life Insurance and to modify the provision of compensation and pension to surviving spouses of veterans in months of the deaths of the veterans, and for other purposes (Rept. No. 111-282).

By Mrs. BOXER, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 3073. A bill to amend the Federal Water Pollution Control Act to protect and restore the Great Lakes (Rept. No. 111-283).

S. 3539. A bill to amend the Federal Water Pollution Control Act to establish a grant program to assist in the restoration of San Francisco Bay (Rept. No. 111-284).

By Mr. AKAKA, from the Committee on Veterans' Affairs, with an amendment in the nature of a substitute:

S. 3234. A bill to improve employment, training, and placement services furnished to veterans, especially those serving in Operation Iraqi Freedom and Operation

Enduring Freedom, and for other purposes (Rept. No. 111-285).

By Mr. AKAKA, from the Committee on Veterans' Affairs, with an amendment in the nature of a substitute and an amendment to the title:

S. 3325. A bill to amend title 38, United States Code, to authorize the waiver of the collection of copayments for telehealth and telemedicine visits of veterans, and for other purposes (Rept. No. 111-286).

By Mr. AKAKA, from the Committee on Veterans' Affairs, without amendment:

S. 3486. A bill to amend title 38, United States Code, to repeal the prohibition on collective bargaining with respect to matters and questions regarding compensation of employees of the Department of Veterans Affairs other than rates of basic pay, and for other purposes (Rept. No. 111-287).

S. 3609. A bill to extend the temporary authority for performance of medical disability examinations by contract physicians for the Department of Veterans Affairs (Rept. No. 111-288).

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-7057. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Prohydrojasmon, propyl-3-oxo-2-pentylcyclo-pentylacetate; Temporary Exemption from the Requirement of a Tolerance" (FRL No. 8839-4), received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7058. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "N-alkyl (C8-C18) Primary Amines and Acetate Salts; Exemption from the Requirement of a Tolerance" (FRL No. 8836-4), received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7059. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Diethylene Glycol (DEG); Exemption from the Requirement of a Tolerance" (FRL No. 8838-4), received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7060. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2-(2'-hydroxy-3', 5'-di-tert-amylphenyl) benzotriazole and Phenol, 2-(2H-benzotriazole-2-yl)-6-dodecyl-4-methyl; Exemption from the Requirement of a Tolerance" (FRL No. 8836-3), received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7061. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2-propenoic acid, 2-methyl, C12-16-alkyl esters...; Tolerance Exemptions" (FRL No. 8837-5), received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7062. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acetic Acid Ethenyl Ester, Polymer with Oxirane; Tolerance Exemption" (FRL No. 8841-2), received during adjournment of the Senate in the Office of the President of the Senate on August 24, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7063. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Apricots Grown in Designated Counties in Washington; Increased Assessment Rate" (Docket No. AMS-FV-10-0050; FV10-922-1 FR), received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7064. A communication from the Director of the Regulatory Review Group, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Cotton Program Changes for Upland Cotton, Adjusted World Price, and Active Shipping Orders" (RIN0560-AH81), received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7065. A communication from the Administrator, Risk Management Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Common Crop Insurance Regulations; Stonefruit Crop Insurance Provisions" (RIN0563-AC21), received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7066. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Operation, in the Ordinary Course, of a Commodity Broker in Bankruptcy" ((17 CFR Part 190)(RIN3038-AC90)), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7067. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Cold Treatment Regulations" (Docket No. APHIS-2006-0050), received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7068. A communication from the Administrator, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Guarantees for Bonds and Notes Issued for Electrification or Telephone Purposes" ((7 CFR Part 1720)(RIN0572-ZA06)), received during adjournment of the Senate in the Office of the President of the Senate on August 9, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7069. A communication from the Administrator, Agricultural Research Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "General Administrative Policy for Non-Assistance Cooperative Agreements" ((7 CFR Part 550)(RIN0518-AA03)), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7070. A communication from the Budget Coordinator, Office of Research, Education, and Economics, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "United States Department of Agriculture Research Misconduct Regulations for Extramural Research" ((7 CFR Part 3022)(RIN0524-AA34)), received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7071. A communication from the Deputy Secretary of Defense, transmitting,

pursuant to law, the first quarter report for calendar year 2010 of the Joint Improvised Explosive Device Defeat Organization; to the Committee on Armed Services.

EC-7072. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Additional Requirements Applicable to Multiyear Contracts" (DFARS Case 2008-D023), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Armed Services.

EC-7073. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Acquisition Strategies to Ensure Competition throughout the Life Cycle of Major Defense Acquisition Programs" (DFARS Case 2009-D014), received during adjournment of the Senate in the Office of the President of the Senate on August 24, 2010; to the Committee on Armed Services.

EC-7074. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Management of Unpriced Change Orders" (DFARS Case 2008-D034), received during adjournment of the Senate in the Office of the President of the Senate on August 9, 2010; to the Committee on Armed Services.

EC-7075. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Transportation" (DFARS Case 2003-D028), received during adjournment of the Senate in the Office of the President of the Senate on August 18, 2010; to the Committee on Armed Services.

EC-7076. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Acquisition of Commercial Items" (DFARS Case 2008-D011), received during adjournment of the Senate in the Office of the President of the Senate on August 18, 2010; to the Committee on Armed Services.

EC-7077. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Guidance on Personal Services" (DFARS Case 2009-D028), received during adjournment of the Senate in the Office of the President of the Senate on August 25, 2010; to the Committee on Armed Services.

EC-7078. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Payment of Costs Prior to Definitization - Definition of Contract Action" (DFARS Case 2009-D035), received during adjournment of the Senate in the Office of the President of the Senate on August 25, 2010; to the Committee on Armed Services.

EC-7079. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Government Rights in the Design of Department of Defense Vessels" (DFARS Case 2008-D039), received during adjournment of the Senate in the Office of the President of the Senate on August 25, 2010; to the Committee on Armed Services.

EC-7080. A communication from the Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "TRICARE; Diabetic Education" (RIN0720-AB32), received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2010; to the Committee on Armed Services.

EC-7081. A communication from the Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "TRICARE; Elimination of Voluntary Disenrollment Lock-Out" (RIN0720-AB35), received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2010; to the Committee on Armed Services.

EC-7082. A communication from the Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "TRICARE; Changes Included in the National Defense Authorization Act for Fiscal Year 2007; Improvements to Descriptions of Cancer Screening for Women" (RIN0720-AB20), received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2010; to the Committee on Armed Services.

EC-7083. A communication from the Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "TRICARE; Rare Diseases Definition" (RIN0720-AB26), received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2010; to the Committee on Armed Services.

EC-7084. A communication from the Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); TRICARE Retired Reserve for Members of the Retired Reserve" (RIN0720-AB39), received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2010; to the Committee on Armed Services.

EC-7085. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Keith W. Dayton, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-7086. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Kevin P. Chilton, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-7087. A communication from the Assistant Secretary of the Navy (Research, Development and Acquisition), transmitting, pursuant to law, a report relative to the procurement of twenty-one (21) new Mi-17 variant multi-purpose transport helicopters, initial spares and tool kits; to the Committee on Armed Services.

EC-7088. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, four Selected Acquisition Reports (SARs) for the quarter ending June 30, 2010; to the Committee on Armed Services.

EC-7089. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the Program Acquisition Unit Cost and the Average Procurement Unit Cost for the Chemical Demilitarization-Assembled Chemical Weapons Alternative (ACWA) Program exceeding the Acquisition Program Baseline values by more than 15 percent; to the Committee on Armed Services.

EC-7090. A communication from the Secretary of the Army, transmitting, pursuant to law, a report relative to the Program Acquisition Unit Cost and the Average Procurement Unit Cost for the Excalibur program exceeding the Acquisition Program Baseline values; to the Committee on Armed Services.

EC-7091. A communication from the Deputy Secretary of Defense, transmitting,

pursuant to law, the annual Developing Countries Combined Exercise Program report of expenditures for Fiscal Year 2009; to the Committee on Armed Services.

EC-7092. A communication from the President of the United States, transmitting, pursuant to law, the report of an Executive Order that expands the scope of Executive Order 13466, originally declared on June 26, 2008, with respect to North Korea; to the Committee on Banking, Housing, and Urban Affairs.

EC-7093. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of a national emergency declared in Executive Order 13222 with respect to the lapse of the Export Administration Act of 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC-7094. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency declared in Executive Order 13224 of September 23, 2001, with respect to persons who commit, threaten to commit, or support terrorism; to the Committee on Banking, Housing, and Urban Affairs.

EC-7095. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13396 with respect to Cote d'Ivoire Sanctions; to the Committee on Banking, Housing, and Urban Affairs.

EC-7096. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Panama; to the Committee on Banking, Housing, and Urban Affairs.

EC-7097. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC-7098. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC-7099. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC-7100. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC-7101. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Kuwait; to the Committee on Banking, Housing, and Urban Affairs.

EC-7102. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to India; to the Committee on Banking, Housing, and Urban Affairs.

EC-7103. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Brazil; to the Committee on Banking, Housing, and Urban Affairs.

EC-7104. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Turkey; to the Committee on Banking, Housing, and Urban Affairs.

EC-7105. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to New Zealand; to the Committee on Banking, Housing, and Urban Affairs.

EC-7106. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Ireland; to the Committee on Banking, Housing, and Urban Affairs.

EC-7107. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Registration of Residential Mortgage Loan Originators" (Docket No. R-1357), received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7108. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Facilitating Shareholder Director Nominations" (RIN3235-AK27), received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7109. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Docket No. FEMA-2010-0003)(Internal Docket No. FEMA-8141)), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7110. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Docket No. FEMA-2010-0003)(Internal Docket No. FEMA-8145)), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7111. A communication from the Deputy to the Chairman, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Deposit Insurance Regulations; Permanent Increase in Standard Coverage Amount; Advertisement of Membership; International Banking; Foreign Banks" (RIN3064-AD61), received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7112. A communication from the Deputy to the Chairman, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Registration of Mortgage Loan Originators" (RIN3064-AD43), received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7113. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Chartering and Field of Membership for Federal Credit Unions" (RIN3133-AD65), received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7114. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Final Rule Promulgating the Iranian Financial Sanctions Regulations" (31 CFR Part 561), received during adjournment of the Senate in the Office of the President of the Senate on August 16, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7115. A communication from the Administrator, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Guaranteed Single Family Housing Loans" ((7 CFR Part 1980)(RIN0575-AC85)), received during adjournment of the Senate in the Office of the President of the Senate on August 25, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7116. A communication from the Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Temporary Registration of Municipal Advisors" (RIN3235-AK69), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7117. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Supplemental Standards of Ethical Conduct for Employees of the Federal Housing Finance Agency" (RIN2590-AA02 and RIN3209-AA15), received during adjournment of the Senate in the Office of the President of the Senate on August 26, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7118. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "2010 - 2011 Enterprise Housing Goals; Enterprise Book-entry Procedures" (RIN2590-AA26), received during adjournment of the Senate in the Office of the President of the Senate on September 7, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7119. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing-Federal Housing Commissioner, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Prohibition of the Escrowing of Tax Credit Equity" (RIN2502-AI73), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7120. A communication from the Executive Director, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Update of the Federal Energy Regulatory Commission's Fees Schedule for Annual Charges for the Use of Government Lands" (FERC Docket No. RM10-27-000), received during adjournment of the Senate in the Office of the President of the Senate on August 23, 2010; to the Committee on Energy and Natural Resources.

EC-7121. A communication from the Deputy Chief of the National Forest System, Department of Agriculture, transmitting, pursuant to law, a report relative to the detail boundary for the Black River in Michigan to be added to the National Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources.

EC-7122. A communication from the Administrator, Energy Information Administration, Department of Energy, transmitting, pursuant to law, a report relative to the Uranium Marketing Annual Report; to the Committee on Energy and Natural Resources.

EC-7123. A communication from the Assistant Secretary of Energy (Energy Efficiency and Renewable Energy), transmitting, pursuant to law, a report relative to the implementation of Energy Conservation Standards Activities; to the Committee on Energy and Natural Resources.

EC-7124. A communication from the Administrator of the Department of Energy, transmitting, pursuant to law, a report entitled "International Energy Outlook 2010 (IEO21010)"; to the Committee on Energy and Natural Resources.

EC-7125. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans Georgia: State Implementation Plan Revision; Correction" (FRL No. 9193-5), received during adjournment of the Senate in the Office of the President of the Senate on August 24, 2010; to the Committee on Environment and Public Works.

EC-7126. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Adequacy of New Hampshire Municipal Solid Waste Landfill Permit Program" (FRL No. 9193-1), received during adjournment of the Senate in the Office of the President of the Senate on August 24, 2010; to the Committee on Environment and Public Works.

EC-7127. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans: Kentucky; Approval Section 110(a)(1) Maintenance Plan for the 1997 8-Hour Ozone Standard for the Paducah Area" (FRL No. 9193-4), received during adjournment of the Senate in the Office of the President of the Senate on August 24, 2010; to the Committee on Environment and Public Works.

EC-7128. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Cooperative Agreements and Superfund State Contracts for Superfund Response Actions: Amendments" (FRL No. 9189-1), received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2010; to the Committee on Environment and Public Works.

EC-7129. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Indiana; Transportation Conformity Consultation Requirement" (FRL No. 9189-8), received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2010; to the Committee on Environment and Public Works.

EC-7130. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Final Determination to Approve Alternative Final Cover Request for the Lake County, Montana Landfill" (FRL No. 9149-7), received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2010; to the Committee on Environment and Public Works.

EC-7131. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Oil and Hazardous Substance Pollution Contingency Plan National Priorities List: Deletion of the Rogers Road Municipal Landfill Superfund Site" (FRL No. 9188-8), received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2010; to the Committee on Environment and Public Works.

EC-7132. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Designation of Areas for Air Quality Planning Purposes; State of California; PM-10; Redesignation of the Coso Junction Planning Area to Attainment; Approval of PM-10 Maintenance Plan for the Coso Junction Planning Area" (FRL No. 9191-1), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Environment and Public Works.

EC-7133. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Ocean Dumping; Guam Ocean Dredged Material Disposal Site Designation" (FRL No. 9197-6), received

during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Environment and Public Works.

EC-7134. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Withdrawal of Direct Final Rule" (FRL No. 9197-5), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Environment and Public Works.

EC-7135. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Minnesota; Carbon Monoxide (CO) Limited Maintenance Plan for the Twin Cities Area" (FRL No. 9197-9), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Environment and Public Works.

EC-7136. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Change of Address for Region 5 State and Local Agencies; Technical Correction" (FRL No. 9198-2), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Environment and Public Works.

EC-7137. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Baton Rouge 8-Hour Ozone Nonattainment Area; Determination of Attainment of the 8-Hour Ozone Standard" (FRL No. 9197-8), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Environment and Public Works.

EC-7138. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants for Reciprocating Internal Combustion Engines" (FRL No. 9190-3), received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2010; to the Committee on Environment and Public Works.

EC-7139. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants" (FRL No. 9189-2), received during adjournment of the Senate in the Office of the President of the Senate on August 24, 2010; to the Committee on Environment and Public Works.

EC-7140. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Instrument Sensing Lines" (Regulatory Guide 1.151, Revision 1), received during adjournment of the Senate in the Office of the President of the Senate on August 9, 2010; to the Committee on Environment and Public Works.

EC-7141. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Design, Construction, and Inspection of Embankment Retention Systems at Fuel Cycle Facilities" (Regulatory Guide 3.13, Revision 1), received during adjournment of the Senate in the Office of the President of the Senate on August 9, 2010; to the Committee on Environment and Public Works.

EC-7142. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Containment Structural Integrity Evaluation for Internal Pressure Loadings Above Design-Basis Pressure" (Regulatory Guide 1.216), received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2010; to the Committee on Environment and Public Works.

EC-7143. A communication from the Chairman of the Nuclear Regulatory Commission, transmitting, pursuant to law, a report relative to the efforts of the Radiation Source Protection and Security Task Force; to the Committee on Environment and Public Works.

EC-7144. A communication from the Acting Chief of the Foreign Species Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Listing Three Foreign Bird Species from Latin America and the Caribbean as Endangered Throughout Their Range" (RIN1018-AV76), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Environment and Public Works.

EC-7145. A communication from the Acting Chief of the Recovery and Delisting Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Threatened Status for Shovelnose Sturgeon under the Similarity of Appearance Provisions of the Endangered Species Act" (RIN1018-AW27), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Environment and Public Works.

EC-7146. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Planned Special Exposure" (Regulatory Guide 8.35, Revision 1), received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2010; to the Committee on Environment and Public Works.

EC-7147. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Information Reporting for Payments Made in Settlement of Payment Card and Third Party Network Transactions" (RIN1545-BI51), received during adjournment of the Senate in the Office of the President of the Senate on August 24, 2010; to the Committee on Finance.

EC-7148. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure: Examination of Returns and Claims for Refund, Credit, or Abatement; Determination of Tax Liability" (Rev. Proc. 2010-29), received during adjournment of the Senate in the Office of the President of the Senate on August 24, 2010; to the Committee on Finance

EC-7149. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "LMSB Industry Director Directive on the Planning and Examination of IRC Section 263A Issues in the Auto Dealership Industry No. 2" (LMSB-4-0810-021), received during adjournment of the Senate in the Office of the President of the Senate on August 24, 2010; to the Committee on Finance.

EC-7150. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the

Treasury, transmitting, pursuant to law, the report of a rule entitled "Application of Section 108(i) to Partnerships and S Corporations" (RIN1545-BJ00), received during adjournment of the Senate in the Office of the President of the Senate on August 24, 2010; to the Committee on Finance.

EC-7151. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance Regarding Deferred Discharge of Indebtedness Income of Corporations and Deferred Original Issue Discount Deductions" (RIN1545-BI97), received during adjournment of the Senate in the Office of the President of the Senate on August 24, 2010; to the Committee on Finance.

EC-7152. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Alternative Amortization Schedule for Single-Employer Plans under PRA 2010" (Notice No. 2010-55), received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2010; to the Committee on Finance.

EC-7153. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Xilinx, Inc. v. Commissioner, 598 F. 3d 1191 (9th Cir, 2010), aff'g 125 T.C. 37 (2005)" (AOD 2010-33), received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2010; to the Committee on Finance.

EC-7154. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Notice and Request for Comments Regarding Implementation of New Chapter 4 of the Code" (Notice No. 2010-60), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Finance.

EC-7155. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Disclosures of Return Information Reflected on Returns to Officers and Employees of the Department of Commerce for Certain Statistical Purposes and Related Activities" (RIN1545-BJ47), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Finance.

EC-7156. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Application of Sections 7702 and 7702A to Life Insurance Contracts that Mature after Age 100" (Rev. Proc. 2010-28), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Finance.

EC-7157. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Clarification of Section 6411 Regulations" (RIN1545-BF65), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Finance.

EC-7158. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Examination of Returns and Claims for Refund, Credit or Abatement; Determination of Correct Tax Liability" (Rev. Proc. 2010-30), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Finance.

EC-7159. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Customs Broker License Examination Individual Eligibility Requirements" ((CBP Dec. 10-28)(RIN1651-AA74)), received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2010; to the Committee on Finance.

EC-7160. A communication from the Chief of the Border Securities Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Electronic System for Travel Authorization (ESTA): Travel Promotion Fee and Fee for Use of the System" ((CBP Dec. 10-25)-(RIN1651-AA83)), received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2010; to the Committee on Finance.

EC-7161. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Dominican Republic - - Central America - - United States Free Trade Agreement" ((CBP Dec. 10-26)(RIN1515-AD60)), received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2010; to the Committee on Finance.

EC-7162. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Increase in Tax Rates on Tobacco Products and Cigarette Papers and Tubes.... and Changes to Basis for Denial, Suspension, or Revocation of Permits" (RIN1513-AB63), received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2010; to the Committee on Finance.

EC-7163. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Establishing Additional Medicare Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS) Supplier Enrollment Safeguards" (RIN0938-AO90), received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2010; to the Committee on Finance.

EC-7164. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid Program and Children's Health Insurance Program (CHIP): Revisions to the Medicaid Eligibility Quality Control and Payment Error Rate Measurement Programs" (RIN0938-AP69), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Finance

EC-7165. A communication from the Director of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Entitlement and Termination Requirements for Stepchildren" (RIN0960-AF78), received during adjournment of the Senate in the Office of the President of the Senate on August 24, 2010; to the Committee on Finance.

EC-7166. A communication from the Commissioner of the Social Security Administration, transmitting, pursuant to law, the Administration's 2010 Annual Report on the Supplemental Security Income Program; to the Committee on Finance.

EC-7167. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Evaluation of the Medical Adult Day Services Demonstration"; to the Committee on Finance.

EC-7168. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the activities of the Office of the Medicare Ombudsman; to the Committee on Finance.

EC-7169. A communication from the Secretary of Health and Human Services,

transmitting, pursuant to law, a report entitled "Analysis of the Classification Criteria for Inpatient Rehabilitation Facilities (IRFs)"; to the Committee on Finance.

EC-7170. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to U.S. military personnel and U.S. civilian contractors involved in the anti-narcotics campaign in Colombia; to the Committee on Foreign Relations.

EC-7171. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 10-057, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Foreign Relations.

EC-7172. A communication from the Acting Executive Secretary, Agency for International Development (USAID), (2) two reports relative to vacancies in the Agency for International Development (USAID), received during adjournment of the Senate in the Office of the President of the Senate on August 16, 2010; to the Committee on Foreign Relations.

EC-7173. A communication from the Assistant Secretary of the Department of the Treasury, transmitting, pursuant to law, a report relative to Executive Order 11269 and International Monetary and Financial Policies; to the Committee on Foreign Relations.

EC-7174. A communication from the Broadcasting Board of Governors, transmitting, pursuant to law, the Board's Annual Report for 2009; to the Committee on Foreign Relations.

EC-7175. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, a certification regarding the proposed transfer of major defense equipment to Australia with an original acquisition value of more than $100,000,000; to the Committee on Foreign Relations.

EC-7176. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services to Taiwan for the Hughes Air Defense Radar and Air Defense System (HADAR) in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-7177. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to both a combined technical assistance agreement and manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Taiwan for the GD-53 Multimode Radar on Taiwan's Indigenous Defense Fighter (IDF) Aircraft in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-7178. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the elimination of a Danger Pay Allowance for Cote d'Ivoire based on improved conditions; to the Committee on Foreign Relations.

EC-7179. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled "Schedule of Fees for Consular Services, Department of State and Overseas Embassies and Consulates" ((22 CFR Part 22)(RIN1400-AC58)), received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2010; to the Committee on Foreign Relations.

EC-7180. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, an annual report relative to the extent and disposition of United States contributions to international organizations; to the Committee on Foreign Relations.

EC-7181. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, a report relative to two (2) agreements to which the American Institute in Taiwan is a party; to the Committee on Foreign Relations.

EC-7182. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010-0103 - 2010-0112); to the Committee on Foreign Relations.

EC-7183. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010-0113 - 2010-0122); to the Committee on Foreign Relations.

EC-7184. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010-0123 - 2010-0134); to the Committee on Foreign Relations.

EC-7185. A communication from the Director of Legislative and Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans" (29 CFR Part 4022), received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7186. A communication from the Deputy Director of Policy and External Affairs, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Part 4022), received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7187. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "National Institute on Disability and Rehabilitation Research (NIDRR) - - Disability and Rehabilitation Research Projects and Centers Program - - Rehabilitation Research and Training Centers (RRTCs) - - Center on Employment Policy and Measurement" (CFDA No. 84.133B-4), received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7188. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Requirements Applicable to Blood, Blood Components and Source Plasma" (Docket No. FDA-2007N-02664), received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7189. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Public Affairs in the Department of Health and Human Services, received during adjournment of the Senate in the Office of the

President of the Senate on September 1, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7190. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the Blockson Chemical Company, Joliet, Illinois, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-7191. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Food and Drug Administration's report "Delays in Approvals of Applications Related to Citizen Petitions and Petitions for Stay of Agency Action for Fiscal Year 2009"; to the Committee on Health, Education, Labor, and Pensions.

EC-7192. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Fiscal Year 2009 Performance Report to Congress for the Medical Device User Fee Amendments of 2007"; to the Committee on Health, Education, Labor, and Pensions.

EC-7193. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Fiscal Year 2010 - 2015 Strategic Plan for the Department of Health and Human Services; to the Committee on Health, Education, Labor, and Pensions.

EC-7194. A communication from the Deputy Associate Administrator of Acquisition Policy and Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Definition of Cost or Pricing Data" (RIN9000-AK74), received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7195. A communication from the Deputy Associate Administrator of Acquisition Policy and Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; American Recovery and Reinvestment Act of 2009 (the Recovery Act) - Buy American Requirements for Construction Material" (RIN9000-AL22), received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7196. A communication from the Deputy Associate Administrator of Acquisition Policy and Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-45; Small Entity Compliance Guide" (FAC 2005-45), received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7197. A communication from the Deputy Associate Administrator of Acquisition Policy and Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-45; Introduction" (FAC 2005-45), received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7198. A communication from the Deputy Associate Administrator of Acquisition Policy and Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Inflation Adjustment of Acquisition-Related Thresholds" (RIN9000-AL51), received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7199. A communication from the Director, Employee Services, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Prevailing Rate Systems; Appendix D to Subpart B of Part 532 - Nonappropriated Fund Wage and Survey Areas" (RIN3206-AM09), received during adjournment of the Senate in the Office of the President of the Senate on August 18, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7200. A communication from the Chairman of the National Transportation Safety Board, transmitting, pursuant to law, a report relative to the activities performed by the agency that are not inherently governmental functions; to the Committee on Homeland Security and Governmental Affairs.

EC-7201. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Technical Corrections to Customs and Border Protection Regulations" (CBP Dec. 10-29), received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7202. A communication from the Administrator of the National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, a report entitled "Fiscal Year 2009 Annual Report on the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002"; to the Committee on Homeland Security and Governmental Affairs.

EC-7203. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-491 "Residential Parking Protection Pilot Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7204. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-492 "Assistive Technology Device Warranty Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7205. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-493 "Safe Children and Safe Neighborhoods Educational Neglect Mandatory Reporting Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7206. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-494 "Mamie "Peanut" Johnson Field Designation Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7207. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-495 "Duke Ellington Park Designation Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7208. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-496 "Bishop William F. Hart, Jr. Way Designation Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7209. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-497 "Ward 5 Neighborhood Investment Fund Boundary Expansion Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7210. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-498 "Closing of Public Streets and a Public Alley, and the

Dedication and Designation of Land for Street Purposes, in Squares 3765, 3767, 3768 and 3769, S.O. 09-11837, Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7211. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-499 "PeterBug Matthews Way Designation Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7212. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-500 "Dorothy Irene Height Memorial Library Designation Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7213. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-501 "Frank Kameny Way Designation Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7214. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-502 "Summer Pool Safety Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7215. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-523 "Health Insurance for Dependents Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7216. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-524 "Approval of the Transfer of Control of Starpower Communications, LLC, and its Cable Franchise and Cable System to Yankee Cable Acquisition, LLC Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7217. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-525 "Not-for-Profit Hospital Corporation Establishment Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7218. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-526 "Gun Offender Registration Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7219. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-527 "Wastewater System Regulation Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7220. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-533 "Redevelopment of the Center Leg Freeway (Interstate 395) Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7221. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-534 "Transportation Infrastructure Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7222. A communication from the Director of Legislative Affairs, Office of the Director of National Intelligence, transmitting, pursuant to law, a report relative to the vacancy in the position of Director of National Intelligence, received during adjournment of the Senate in the Office of the President of the Senate on August 12, 2010; to the Select Committee on Intelligence.

REPORT OF A COMMITTEE

The following report of committee was submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 3084. A bill to increase the competitiveness of United States businesses, particularly small and medium-sized manufacturing firms, in interstate and global commerce, foster job creation in the United States, and assist United States businesses in developing or expanding commercial activities in interstate and global commerce by expanding the ambit of the Hollings Manufacturing Extension Partnership program and the Technology Innovation Program to include projects that have potential for commercial exploitation in nondomestic markets, providing for an increase in related resources of the Department of Commerce, and for other purposes (Rept. No. 111-289).

INTRODUCTION OF A BILL

The following bill was introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. AKAKA:

S. 3765. An original bill to amend title 38, United States Code, to improve Servicemembers' Group Life Insurance and Veterans' Group Life Insurance and to modify the provision of compensation and pension to surviving spouses of veterans in months of the deaths of the veterans, and for other purposes; from the Committee on Veterans' Affairs; placed on the calendar.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. SPECTER (for himself, Mrs. BOXER, and Mrs. FEINSTEIN):

S. 3766. A bill to amend the Public Health Service Act to provide for human stem cell research, including human embryonic stem cell research, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEAHY (for himself, Ms. KLOBUCHAR, and Mr. FRANKEN):

S. 3767. A bill to establish appropriate criminal penalties for certain knowing violations relating to food that is misbranded or adulterated; to the Committee on the Judiciary.

By Mrs. HUTCHISON (for herself and Mr. CORNYN):

S. 3768. A bill to eliminate certain provisions relating to Texas and the Education Jobs Fund; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FEINGOLD:

S. 3769. A bill to amend the Elementary and Secondary Education Act of 1965 to promote family and community engagement in school improvement; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FEINGOLD (for himself and Mr. LEAHY):

S. 3770. A bill to amend the Elementary and Secondary Education Act of 1965 to improve elementary and secondary education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FEINGOLD (for himself and Mr. LEAHY):

S. 3771. A bill to amend the Elementary and Secondary Education Act of 1965 to provide competitive grants for creating and implementing innovative assessments; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for himself, Mrs. BOXER, Ms. CANTWELL, Mr. DODD, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. HARKIN, Ms. KLOBUCHAR, Ms. LANDRIEU, Mrs. MCCASKILL, Ms. MIKULSKI, Mrs. MURRAY, Mrs. SHAHEEN, and Ms. STABENOW):

S. 3772. A bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; read the first time.

By Mr. McCONNELL (for himself, Mr. GRASSLEY, Mr. KYL, Mr. MCCAIN, Mr. COCHRAN, Mr. GRAHAM, Mr. ROBERTS, Mr. CORNYN, Mr. INHOFE, Mr. ENSIGN, Mr. ISAKSON, Mr. BROWNBACK, Mr. ENZI, Mr. CRAPO, Mr. BURR, Mr. VITTER, Mr. WICKER, Mr. CHAMBLISS, Mr. BOND, Mrs. HUTCHISON, and Mr. HATCH):

S. 3773. A bill to permanently extend the 2001 and 2003 tax relief provisions and to provide permanent AMT relief and estate tax relief, and for other purposes; read the first time.

ADDITIONAL COSPONSORS

S. 362

At the request of Mr. ROCKEFELLER, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 362, a bill to amend title 38, United States Code, to improve the collective bargaining rights and procedures for review of adverse actions of certain employees of the Department of Veterans Affairs, and for other purposes.

S. 510

At the request of Mr. DURBIN, the names of the Senator from Delaware [Mr. KAUFMAN] and the Senator from New Jersey [Mr. MENENDEZ] were added as cosponsors of S. 510, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply.

S. 515

At the request of Mr. LEAHY, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 515, a bill to amend title 35, United States Code, to provide for patent reform.

S. 850

At the request of Mr. KERRY, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 850, a bill to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks.

S. 984

At the request of Mrs. BOXER, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 984, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 1203

At the request of Mr. BAUCUS, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 1203, a bill to amend the Internal Revenue Code of 1986 to extend the research credit through 2010 and to increase and make permanent the alternative simplified research credit, and for other purposes.

S. 1235

At the request of Ms. LANDRIEU, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 1235, a bill to amend the Public Health Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a minor child's congenital or developmental deformity or disorder due to trauma, infection, tumor, or disease.

S. 1348

At the request of Mr. CHAMBLISS, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 1348, a bill to recognize the heritage of hunting and provide opportunities for continued hunting on Federal public land.

S. 1501

At the request of Mrs. MURRAY, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 1501, a bill to provide a Federal tax exemption for forest conservation bonds, and for other purposes.

S. 1553

At the request of Mr. GRASSLEY, the names of the Senator from Illinois [Mr. BURRIS] and the Senator from Delaware [Mr. CARPER] were added as cosponsors of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1617

At the request of Mr. BROWN of Ohio, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 1617, a bill to require the Secretary of Commerce to establish a program for the award of grants to States to establish revolving loan funds for small and medium-sized manufacturers to improve energy efficiency and produce clean energy technology, and for other purposes.

S. 1703

At the request of Mr. DORGAN, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 1703, a bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes.

S. 1709

At the request of Ms. STABENOW, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 1709, a bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to establish a grant program to promote efforts to develop, implement, and sustain veterinary services, and for other purposes.

S. 2827

At the request of Mr. SCHUMER, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 2827, a bill to amend the Internal Revenue Code of 1986 to expand the military housing allowance exclusion for purposes of determining area gross income in determining whether a residential rental property for purposes of the exempt facility bond rules.

S. 2882

At the request of Mr. KERRY, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 2882, a bill to amend the Internal Revenue Code of 1986 to modify the rules relating to the treatment of individuals as independent contractors or employees, and for other purposes.

S. 2888

At the request of Mr. CARDIN, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 2888, a bill to amend section 205 of title 18, United States Code, to exempt qualifying law school students participating in legal clinics from the application of the general conflict of interest rules under such section.

S. 2925

At the request of Mr. WYDEN, the names of the Senator from Illinois [Mr. DURBIN] and the Senator from Iowa [Mr. HARKIN] were added as cosponsors of S. 2925, a bill to establish a grant program to benefit victims of sex trafficking, and for other purposes.

S. 3036

At the request of Mr. BAYH, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 3036, a bill to establish the Office of the National Alzheimer's Project.

S. 3257

At the request of Mr. ENZI, the names of the Senator from Georgia [Mr. ISAKSON] and the Senator from Arkansas [Mrs. LINCOLN] were added as cosponsors of S. 3257, a bill to authorize the Department of Labor's voluntary protection program and to expand the program to include more small businesses.

S. 3320

At the request of Mr. WHITEHOUSE, the names of the Senator from New York [Mrs. GILLIBRAND] and the Senator from Iowa [Mr. GRASSLEY] were added as cosponsors of S. 3320, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 3328

At the request of Mrs. LINCOLN, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 3328, a bill to examine and improve the child welfare workforce, and for other purposes.

S. 3339

At the request of Mr. KERRY, the names of the Senator from Maryland [Mr. CARDIN], the

Senator from Vermont [Mr. SANDERS] and the Senator from Maryland [Ms. MIKULSKI] were added as cosponsors of S. 3339, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 3345

At the request of Mr. WHITEHOUSE, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 3345, a bill to amend title 46, United States Code, to remove the cap on punitive damages established by the Supreme Court in Exxon Shipping Company v. Baker.

S. 3398

At the request of Mr. BAUCUS, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 3398, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans.

S. 3409

At the request of Mr. THUNE, his name was added as a cosponsor of S. 3409, a bill to make certain adjustments to the price analysis of propane prepared by the Secretary of Commerce.

S. 3424

At the request of Mr. DURBIN, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 3424, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 3437

At the request of Mrs. LINCOLN, the names of the Senator from New Jersey [Mr. MENENDEZ] and the Senator from Ohio [Mr. BROWN] were added as cosponsors of S. 3437, a bill to amend the Child Abuse Prevention and Treatment Act to establish grant programs for the development and implementation of model undergraduate and graduate curricula on child abuse and neglect at institutions of higher education throughout the United States and to assist States in developing forensic interview training programs, to establish regional training centers and other resources for State and local child protection professionals, and for other purposes.

S. 3447

At the request of Mr. AKAKA, the names of the Senator from Maine [Ms. SNOWE], the Senator from Oregon [Mr. MERKLEY], the Senator from Montana [Mr. TESTER], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Missouri [Mrs. MCCASKILL] and the Senator from North Carolina [Mr. BURR] were added as cosponsors of S. 3447, a bill to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes.

S. 3466

At the request of Mr. LEAHY, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 3466, a bill to require restitution for victims of criminal violations of the Federal Water Pollution Control Act, and for other purposes.

S. 3474

At the request of Mr. FEINGOLD, the names of the Senator from South Dakota [Mr. THUNE] and the Senator from Idaho [Mr. CRAPO] were added as cosponsors of S. 3474, a bill to provide an optional fast-track procedure the President may use when submitting rescission requests, and for other purposes.

S. 3479

At the request of Mrs. HAGAN, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 3479, a bill to authorize the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to establish and implement a birth defects prevention, risk reduction, and public awareness program.

S. 3560

At the request of Mr. SCHUMER, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 3560, a bill to instruct the Secretary of State to designate the Pakistani Taliban as a foreign terrorist organization.

S. 3572

At the request of Mrs. LINCOLN, the names of the Senator from Oregon [Mr. MERKLEY], the Senator from Delaware [Mr. KAUFMAN] and the Senator from Georgia [Mr. ISAKSON] were added as cosponsors of S. 3572, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first law enforcement agency, the United States Marshals Service.

S. 3578

At the request of Mr. JOHANNS, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 3578, a bill to repeal the expansion of information reporting requirements for payments of $600 or more to corporations, and for other purposes.

S. 3621

At the request of Mr. JOHNSON, the names of the Senator from Kansas [Mr. ROBERTS] and the Senator from Iowa [Mr. GRASSLEY] were added as cosponsors of S. 3621, a bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs.

S. 3653

At the request of Mr. CORNYN, the name of the Senator from South Dakota [Mr. THUNE] was added as a cosponsor of S. 3653, a bill to remove unelected, unaccountable bureaucrats from seniors' personal health decisions by repealing the Independent Payment Advisory Board.

S. 3719

At the request of Mrs. LINCOLN, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 3719, a bill to establish a grant program for first responder agencies that experience an extraordinary financial burden resulting from the deployment of employees.

S. 3744

At the request of Mrs. BOXER, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 3744, a bill to establish Pinnacles National Park in the State of California as a unit of the National Park System, and for other purposes.

S. 3751

At the request of Mr. HATCH, the names of the Senator from North Carolina [Mrs. HAGAN] and the Senator from Minnesota [Ms. KLOBUCHAR] were added as cosponsors of S. 3751, a bill to amend the Stem Cell Therapeutic and Research Act of 2005.

SENATE CONCURRENT RESOLUTION 39

At the request of Mr. MENENDEZ, the names of the Senator from Illinois [Mr. BURRIS] and the Senator from Massachusetts [Mr. KERRY] were added as cosponsors of Senate Concurrent Resolution 39, a concurrent resolution expressing the sense of the Congress that stable and affordable housing is an essential component of an effective strategy for the prevention, treatment, and care of human immunodeficiency virus, and that the United States should make a commitment to providing adequate funding for the development of housing as a response to the acquired immunodeficiency syndrome pandemic.

SENATE CONCURRENT RESOLUTION 63

At the request of Mr. JOHNSON, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of Senate Concurrent Resolution 63, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

SENATE RESOLUTION 586

At the request of Mr. FEINGOLD, the names of the Senator from Ohio [Mr. BROWN] and the Senator from Minnesota [Mr. FRANKEN] were added as cosponsors of Senate Resolution 586, a resolution supporting democracy, human rights, and civil liberties in Egypt.

EXECUTIVE SESSION

Pursuant to the order of Thursday, August 5, 2010, as modified,

The Senate proceeded to executive session; and after the consideration of executive business (involving one rollcall Vote).

LEGISLATIVE SESSION

Pursuant to the order of Thursday, August 5, 2010,

The Senate resumed its legislative session.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL AEROSPACE WEEK

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on Commerce, Science, and Transportation be discharged from the further consideration of the concurrent resolution (H. Con. Res. 292) supporting the goals and ideals of National Aerospace Week, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

BILL READ THE FIRST TIME

On the request of Mr. DURBIN,

The PRESIDING OFFICER (Mrs. SHAHEEN in the chair) laid before the Senate the bill (S. 3772) to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes, introduced today by Mr. REID (for himself, Mrs. BOXER, Ms. CANTWELL, Mr. DODD, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. HARKIN, Ms. KLOBUCHAR, Ms. LANDRIEU, Mrs. MCCASKILL, Ms. MIKULSKI, Mrs. MURRAY, Mrs. SHAHEEN, and Ms. STABENOW), and at the desk; which was read the first time.

Mr. DURBIN asked unanimous consent that the bill be read the second time.

Mr. DURBIN objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

BILL READ THE FIRST TIME

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the bill (S. 3773) to permanently extend the 2001 and 2003 tax relief provisions and to provide permanent AMT relief and estate tax relief, and for other purposes, introduced today by Mr. MCCONNELL (for himself, Mr. GRASSLEY, Mr. KYL, Mr. MCCAIN, Mr. COCHRAN, Mr. GRAHAM, Mr. ROBERTS, Mr. CORNYN, Mr. INHOFE, Mr. ENSIGN, Mr. ISAKSON, Mr. BROWNBACK, Mr. ENZI, Mr. CRAPO, Mr. BURR, Mr. VITTER, Mr. WICKER, Mr. CHAMBLISS, Mr. BOND, Mrs. HUTCHISON, and Mr. HATCH), and at the desk; which was read the first time.

Mr. DURBIN asked unanimous consent that the bill be read the second time.

Mr. DURBIN objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that the Senate then resume consideration of bill H.R. 5297; and that the time until 11 a.m. be equally divided and controlled for debate between the two leaders, or their designees.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 2:15 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mr. DURBIN,

At 6:55 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

TUESDAY, SEPTEMBER 14, 2010

Mr. CARTE P. GOODWIN, from the State of West Virginia, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mr. GOODWIN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE

PRESIDENT PRO TEMPORE,

Washington, DC, September 14, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CARTE P. GOODWIN, a Senator from the State of West Virginia, to perform the duties of the Chair.

DANIEL K. INOUYE,

PRESIDENT pro tempore.

Mr. GOODWIN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

AUTHORIZING FILING OF AMENDMENTS TO BILL H.R. 5297

By unanimous consent, on the request of Mr. REID,

Ordered, That Senators be authorized to "file" second-degree amendments to bill H.R. 5297 until 12 noon today.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3772) to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes, introduced on yesterday by Mr. REID (for himself, Mrs. BOXER, Ms. CANTWELL, Mr. DODD, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. HARKIN, Ms. KLOBUCHAR, Ms. LANDRIEU, Mrs. MCCASKILL, Ms. MIKULSKI, Mrs. MURRAY, Mrs. SHAHEEN, Ms. STABENOW, and Mr. FEINGOLD), and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3773) to permanently extend the 2001 and 2003 tax relief provisions and to provide permanent AMT relief and estate tax relief, and for other purposes, introduced on yesterday by Mr. MCCONNELL (for himself, Mr. GRASSLEY, Mr. KYL, Mr. MCCAIN, Mr. COCHRAN, Mr. GRAHAM, Mr. ROBERTS, Mr. CORNYN, Mr. INHOFE, Mr. ENSIGN, Mr. ISAKSON, Mr. BROWNBACK, Mr. ENZI, Mr. CRAPO, Mr. BURR, Mr. VITTER, Mr. WICKER, Mr. CHAMBLISS, Mr. BOND, Mrs. HUTCHISON, Mr. HATCH, Mr. BENNETT, Mr. RISCH, and Mr. SHELBY), and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

SMALL BUSINESS JOBS AND CREDIT ACT

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 4601, proposed by Mr. REID, to amendment No. 4600, proposed by Mr. REID, to the instructions (designated amendment No. 4599) contained in the motion to commit the bill to the Committee on Finance.

Pending debate,

By unanimous consent, on the request of Mr. BILL NELSON,

Ordered, That pending amendment Nos. 4595 and 4596 be modified.

The question being on agreeing to amendment No. 4601 to amendment No. 4600 to the instructions (designated amendment No. 4599) contained in the motion to commit the bill to the Committee on Finance.

Pending debate,

The hour of 11 a.m. having arrived,

Pursuant to the order of yesterday,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) laid before the Senate the motion, presented by Mr. REID on Thursday, August 5, 2010, to bring to a close debate on amendment No. 4596, as modified, to amendment No. 4595, as modified, to amendment No. 4594 (in the nature of a substitute) to the bill.

By unanimous consent, on the request of Mr. HARKIN,

Ordered, That each vote following the first be 10 minutes in duration.

Pursuant to the order of Thursday, August 5, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the negative---
yeas... 46, nays... 52

[Rollcall Vote No. 231 Leg.]

YEAS --- 46

Alexander, Barrasso, Bayh, Bennet, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Nelson (NE), Pryor, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Warner, Webb, Wicker.

NAYS --- 52

Akaka, Baucus, Begich, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Whitehouse, Wyden.

So the motion was not agreed to; three-fifths of Senators duly chosen and sworn not having voted in the affirmative.

Pursuant to the order of yesterday,

The PRESIDING OFFICER laid before the Senate the motion, presented by Mr. REID on Thursday, August 5, 2010, to bring to a close debate on amendment No. 4595, as modified, to amendment No. 4594 (in the nature of a substitute) to the bill.

Pursuant to the order of Thursday, August 5, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the negative---
yeas... 56, nays... 42

[Rollcall Vote No. 232 Leg.]

YEAS --- 56

Akaka, Baucus, Bayh, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 42

Alexander, Barrasso, Begich, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, Landrieu, LeMieux, Lincoln, Lugar, McCain, McConnell, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was not agreed to; three-fifths of Senators duly chosen and sworn not having voted in the affirmative.

The PRESIDING OFFICER laid before the Senate the motion, presented by Mr. REID on Thursday, August 5, 2010, to bring to a close debate on amendment No. 4594 (in the nature of a substitute) to the bill.

Pursuant to the order of Thursday, August 5, 2010,

The quorum under the rule having been waived,

Pursuant the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the affirmative---
yeas... 61, nays... 37

[Rollcall Vote No. 233 Leg.]

YEAS --- 61

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS --- 37

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, Lugar,

McCain, McConnell, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Wicker.

So the motion was agreed to; three-fifths of Senators duly chosen and sworn having voted in the affirmative.

The motion to bring to a close debate on amendment No. 4594 (in the nature of a substitute) having been agreed to,

The motion, by Mr. REID, to commit the bill to the Committee on Finance with instructions to report back with an amendment (numbered 4599), and amendments numbered 4600, and 4601, thereto, being inconsistent with cloture, fell.

The question being on agreeing to amendment No. 4596, as modified, proposed by Mr. REID for Mr. JOHANNS (for himself, Mrs. LINCOLN, Mr. BARRASSO, Mr. ROBERTS, Mr. ENZI, Mr. BURR, Mr. GRAHAM, Mr. THUNE, and Mr. ISAKSON), to amendment No. 4595, as modified, proposed by Mr. REID (for Mr. BILL NELSON), to amendment No. 4594 (in the nature of a substitute), proposed by Mr. REID for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID), to the bill.

By unanimous consent, on the request of Ms. LANDRIEU,

Ordered, That the time during recess be counted against the time for debate pursuant to rule XXII of the Standing Rules of the Senate.

The question being on agreeing to amendment No. 4596, as modified, to amendment No. 4595, as modified, to amendment No. 4594 (in the nature of a substitute) to the bill.

RECESS

Pursuant to the order of yesterday, as modified,

At 12:40 p.m.,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) declared the Senate recessed until 2:15 p.m.

AT 2:15 P.M.

The PRESIDING OFFICER (Mr. BEGICH in the chair) called the Senate to order.

SMALL BUSINESS JOBS AND CREDIT ACT

The Senate resumed consideration of bill H.R. 5297.

The question being on agreeing to amendment No. 4596, as modified, to amendment No. 4595, as modified, to amendment No. 4594 (in the nature of a substitute) to the bill.

Pending debate,

By unanimous consent, on the request of Mr. DORGAN,

Ordered, That he be recognized to speak; and that the time be counted against time for debate on amendment No. 4594, as pursuant to rule XXII of the Standing Rules of the Senate.

The question being on agreeing to amendment No. 4596, as modified, to amendment No. 4595, as modified, to amendment No. 4594 (in the nature of a substitute) to the bill.

Pending debate,

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-7223. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2010-1251); to the Committee on the Judiciary.

EC-7224. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2009-1392); to the Committee on the Judiciary.

EC-7225. A communication from the Department of State, transmitting, pursuant to law, a report relative to a foreign terrorist organization (OSS Control No. 2010-1250); to the Committee on the Judiciary.

EC-7226. A communication from the Department of State, transmitting, pursuant to law, a report relative to the transfer of detainees (OSS Control No. 2010-1002); to the Committee on the Judiciary.

EC-7227. A communication from the Department of State, transmitting, pursuant to law, a report relative to foreign terrorist organizations (OSS Control No. 2010-1321); to the Committee on the Judiciary.

EC-7228. A communication from the Management and Program Analyst, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Employment Authorizations for Dependents of Foreign Officials" (RIN1615-AB87), received during adjournment of the Senate in the Office of the President of the Senate on August 11, 2010; to the Committee on the Judiciary.

EC-7229. A communication from the Deputy Assistant Attorney General, Torts Branch of the Civil Division, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Radiation Exposure Compensation Act; Allowance for Costs and Expenses" (RIN1105-AB33), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on the Judiciary.

EC-7230. A communication from the Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "TRICARE: Extended Care Health Option" (RIN0720-AB33), received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2010; to the Committee on Armed Services.

EC-7231. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Perishable Agricultural Commodities Act: Increase in License Fees" ((RIN0581-AC92)-(Docket No. AMS-FV-08-0098)), received during adjournment of the Senate in the Office of the President of the Senate on September 8, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7232. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Walnuts Grown in California; Changes to the Quality Regulations for Shelled Walnuts" (Docket No. AMS-FV-09-0036; FV09-984-4 FR), received during adjournment of the Senate in the Office of the President of the Senate on September 13, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7233. A communication from the Administrator of Dairy Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Milk in the Northeast and Other Marketing Areas; Order Amending the Orders" (Docket No. AMS-DA-09-0062), received during adjournment of the Senate in the Office of the President of the Senate on September 13, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7234. A communication from the Administrator of the National Organic Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Organic Program; Amendment to the National List of Allowed and Prohibited Substances (Livestock)" ((RIN0581-AD04)-(Docket No. AMS-NOP-10-0051; NOP-10-04IR)), received during adjournment of the Senate in the Office of the President of the Senate on September 13, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7235. A communication from the Assistant General Counsel for Regulatory Services, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Special Demonstration Programs - - Model Demonstration Project to Improve Outcomes for Individuals Receiving Social Security Disability Insurance (SSDI) Served by State Vocational Rehabilitation (VR) Agencies" (CFDA No. 84.235L), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7236. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Food and Drug Administration's annual report on the performance evaluation of FDA-approved mammography quality standards accreditation; to the Committee on Health, Education, Labor, and Pensions.

EC-7237. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Prescription Drug User Fee Act of 1992 (PDUFA) for fiscal year 2009; to the Committee on Health, Education, Labor, and Pensions.

EC-7238. A communication from the Director of Regulation Policy and Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Technical Revisions to Conform with the Veterans' Mental Health Care Act of 2008 and Other Laws" (RIN2900-AN52), received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2010; to the Committee on Veterans' Affairs.

EC-7239. A communication from the Director of Regulation Policy and Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Disenrollment Procedures" (RIN2900-AN76), received during adjournment of the Senate in the Office of the President of the Senate on August 24, 2010; to the Committee on Veterans' Affairs.

EC-7240. A communication from the Director of Regulation Policy and Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Deceased Indebted Servicemembers and Veterans: Authority Concerning Certain Indebtedness" (RIN2900-AN14), received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2010; to the Committee on Veterans' Affairs.

EC-7241. A communication from the Director of Regulation Policy and Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Diseases Associated with Exposure to Certain Herbicide Agents (Hairy Cell Leukemia and Other Chronic B Cell Leukemias, Parkinson's Disease and Ischemic Heart Disease" (RIN2900-AN54), received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2010; to the Committee on Veterans' Affairs.

EC-7242. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-201, -202, -203, -223, -243, -301, -302, -303, -321, -322, -323, -341, -342, and -343 Airplanes, Model A340-211, -212, -213, -311, -312, and -313 Airplanes, and Model A340-541 and -642 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0041)), received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7243. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 767-300 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0762)), received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7244. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce plc RB211-524C2 Series Turbofan Engines" ((RIN2120-AA64)-(Docket No. FAA-2010-0521)), received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7245. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A380-800 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0763)), received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7246. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Agusta S.p.A. Model A119 and AW119 MKH Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-0806)), received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7247. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Corporation Model MD-90-30 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0433)), received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7248. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 737-600, -700, -700C, -800, and -900 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2008-0269)), received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7249. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; PILATUS AIRCRAFT LTD. Model PC12/47E Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0583)), received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7250. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-223, -321, -322, and -323 Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2010-0278)), received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7251. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Various Aircraft Equipped with Rotax Aircraft Engines 912 A Series Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0329)), received during

adjournment of the Senate in the Office of the President of the Senate on August 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7252. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France (Eurocopter) Model AS350B, BA, B1, B2, C, D, and D1 Helicopters and Model AS355E, F, F1, F2, and N Helicopters" ((RIN2120-AA64)-(Docket No. FAA-2010-0782)), received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7253. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Schweizer Aircraft Corporation (Schweizer) Model 269D Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-0758)), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7254. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-200 and -300 Series Airplanes, and Model A340-200, -300, -500, and -600 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1215)), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7255. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 737-300, -400, -500, -600, -700, -800 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0046)), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7256. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747-400, 747-400D, 747-400F, 747SR, and 747SP Series Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2010-0045)), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7257. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 767-200, -300, and -300F Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0044)), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7258. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Corporation Model DC-9-10 Series Airplanes, DC-9-30 Series Airplanes, DC-9-81 (MD-81) Airplanes, DC-9-82 (MD-82) Airplanes, DC-9-83 (MD-83) Airplanes, DC-9-87 (MD-87) Airplanes, MD-88 Airplanes, and MD-90-30 Airplanes, Equipped with Flight Deck Doors Installed in Accordance with Supplemental Type Certificate ST02463AT" ((RIN2120-AA64)(Docket No. FAA-2010-0702)), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7259. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB135ER, -135KE, -135KL, and -135LR Airplanes, and Model EMB-145, -145ER, -145MR, -145LR, -145XR, -145MP, and -145EP Airplanes" ((RIN2120-AA64)(Docket No. FAA-2008-1079)), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7260. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; GROB-WERKE GMBH and CO KG Models G102 ASTIR CS and G102 STANDARD ASTIR III Gliders" ((RIN2120-AA64)(Docket No. FAA-2010-0458)), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7261. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Model EC 130 B4 Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-0713)), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7262. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dassault-Aviation Model FALCON 7X Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2010-0800)), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7263. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce plc (RR) RB211-22B and RB211-524 Series Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2009-1157)), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7264. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce Deutschland Ltd. and Co. KG. (RRD) Models Tay 650-15 and Tay 651-54 Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2007-0037)), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7265. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt and Whitney Canada Corp (PandWC) PW615F-A Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0245)), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7266. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt and Whitney Canada Corp. PW617F-E Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0246)), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7267. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Aircraft Industries a.s. (Type Certificate G24EU Previously Held by LETECKE ZAVODY a.s. and LET Aeronautical Works) Model L-13 Blanik Gliders" ((RIN2120-AA64)(Docket No. FAA-2010-0839)), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7268. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-200 and -300 Series Airplanes, and A340-200, -300, -500, and -600 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0003)), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7269. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A300 B4-600, B4-600R and F4-600R Series Airplanes, and Model C4-605R Variant F Airplanes (Collectively Called A300-600 Series Airplanes); and A310 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0281)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7270. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Ontic Engineering and Manufacturing, Inc. Propeller Governors, Part Numbers C210776, T210761, D210760, and J210761" ((RIN2120-AA64)(Docket No. FAA-2010-0102)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7271. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce plc (RR) RB211-Trent 900 Series Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0748)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7272. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE SYSTEMS (OPERATIONS) LIMITED Model Avro 146-RJ and BAe 146 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0222)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7273. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE SYSTEMS (OPERATIONS) LIMITED Model BAe 146-100A and -200A Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0434)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7274. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 777-200LR and -300ER Series Airplanes Equipped with GE90-100 Series Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0704)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7275. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-200 and -300 Series Airplanes, and Model A340-200, -300, -500 and -600 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1215)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7276. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135 Airplanes; and Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-145, -145ER, -145MR, -145LR, -145XR, -145MP, and -145 EP Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0716)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7277. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model DHC-8-400, -401, and -402 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0382)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7278. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Piper Aircraft, Inc. Models PA-32R-301T and PA-46-350P Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0122)), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7279. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (70); Amdt. No. 3385" (RIN2120-AA65), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7280. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (193); Amdt. No. 3386" (RIN2120-AA65), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7281. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (32); Amdt. No. 3387" (RIN2120-AA65), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7282. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (177);

Amdt. No. 3384" (RIN2120-AA65), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7283. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Pine Mountain, GA" ((RIN2120-AA66)(Docket No. FAA-2010-0498)), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7284. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Williamson, WV" ((RIN2120-AA66)(Docket No. FAA-2010-0416)), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7285. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Kulik Lake, AK" ((RIN2120-AA66)(Docket No. FAA-2010-0270)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7286. A communication from the Acting Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Jurisdictional Separations and Referral to the Federal-State Joint Board" (FCC 10-89), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7287. A communication from the Policy Advisor/Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Maritime Communications - Part 80 GMDSS 4th Report and Order and Second Memorandum Opinion and Order" (FCC 10-110), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7288. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Herring Fishery; Specifications" (RIN0648-AY14), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7289. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Deep-Sea Red Crab Fisheries; 2010 Atlantic Deep-Sea Red Crab Specifications In-season Adjustment" (RIN0648-AY88), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7290. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Pollock Catch Limit Revisions" (RIN0648-AY86), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7291. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel Lottery in Areas 542 and 543" (RIN0648-AY14), received during adjournment of the Senate in the Office of the President of the Senate on August 25, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7292. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Implementation of Trip Limit for Witch Flounder and Removal of Trip Limit for Pollock" (RIN0648-XY03), received during adjournment of the Senate in the Office of the President of the Senate on August 25, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7293. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock for American Fisheries Act Catcher Vessels in the Inshore Open Access Fishery in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XX93), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7294. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Modifications of the West Coast Commercial and Recreational Salmon Fisheries; Inseason Actions No. 5, No. 6, No. 7, and No. 8" (RIN0648-XX92), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7295. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Modifications of the West Coast Commercial and Recreational Salmon Fisheries; Inseason Actions No. 1, No. 2, No. 3, and No. 4" (RIN0648-XX18), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7296. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip Limit Reduction and Trawl Gear Restriction" (RIN0648-XX64), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7297. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska: Pacific Ocean Perch for Catcher/Processors Participating in the Rockfish Limited Access Fishery in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XX71), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7298. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled

"Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries" (RIN0648-XX26), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7299. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Closure" (RIN0648-XX54), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7300. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch for Catcher Vessels Participating in the Rockfish Entry Level Trawl Fishery in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XX65), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. CORNYN (for himself, Mrs. HUTCHISON, Ms. LANDRIEU, and Mrs. MCCASKILL):

S. 3774. A bill to extend the deadline for Social Services Block Grant expenditures of supplemental funds appropriated following disasters occurring in 2008; to the Committee on Finance.

By Mr. TESTER (for himself and Mr. VOINOVICH):

S. 3775. A bill to improve prostate cancer screening and treatment, particularly in medically underserved communities, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KERRY:

S. 3776. A bill to provide for safe and humane policies and procedures pertaining to the arrest, detention, and processing of aliens in immigration enforcement operations; to the Committee on the Judiciary.

By Ms. LANDRIEU:

S. 3777. A bill to amend the Internal Revenue Code of 1986 to increase the threshold amount subject to information reporting at source, and for other purposes; to the Committee on Finance.

By Mr. ISAKSON (for himself and Mr. CHAMBLISS):

S. 3778. A bill to authorize the Secretary of the Interior to lease certain lands within Fort Pulaski National Monument, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. THUNE:

S. 3779. A bill to provide for comprehensive budget reform in order to increase transparency and reduce the deficit; to the Committee on the Budget.

By Mrs. SHAHEEN (for herself and Ms. LANDRIEU):

S. 3780. A bill to establish a building efficiency retrofit loan credit support program, a State building revolving fund grant program, and a commercial and large building grant program; to the Committee on Energy and Natural Resources.

By Mrs. HAGAN (for herself and Mr. BURR):

S. 3781. A bill to require the Secretary of the Interior to convey the McKinney Lake National Fish Hatchery to the State of North Carolina, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. McCASKILL:

S. 3782. A bill to amend the National Defense Authorization Act for Fiscal Year 2010 to extend the authority of the Secretary of the Navy to enter into multiyear contracts for F/A-18E, F/A-18F, and EA-18G aircraft; to the Committee on Armed Services.

By Ms. LANDRIEU (for herself and Ms. MIKULSKI):

S. 3783. A bill to amend the Internal Revenue Code of 1986 to increase the threshold amount subject to information reporting at source, and for other purposes; to the Committee on Finance.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mrs. LINCOLN (for herself, Mr. CRAPO, Mr. DODD, Mr. KOHL, Ms. LANDRIEU, Mr. MERKLEY, and Mrs. MURRAY):

S. Res. 618. A resolution designating October 2010 as "National Work and Family Month"; to the Committee on the Judiciary.

By Mr. UDALL of New Mexico:

S. Res. 619. A resolution expressing the sense of the Senate that the Senate of each new Congress is not bound by the Rules of previous Senates; to the Committee on Rules and Administration.

By Mr. PRYOR (for himself and Mrs. LINCOLN):

S. Res. 620. A resolution designating September 12, 2010, as "National Day of Encouragement"; considered and agreed to.

By Mrs. MURRAY (for herself, Mr. ISAKSON, Mr. BEGICH, and Mr. CASEY):

S. Res. 621. A resolution expressing support for designation of October 7, 2010, as "Jumpstart's Read for the Record Day"; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 260

At the request of Mr. DORGAN, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 260, a bill to amend the Internal Revenue Code of 1986 to provide for the taxation of income of controlled foreign corporations attributable to imported property.

S. 535

At the request of Mr. NELSON of Florida, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 535, a bill to amend title 10, United States Code, to repeal requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 654

At the request of Mr. BUNNING, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 654, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care.

S. 833

At the request of Mr. SCHUMER, the names of the Senator from Maryland [Ms. MIKULSKI], the Senator from Pennsylvania [Mr. CASEY] and the Senator from Minnesota [Ms. KLOBUCHAR] were added as cosponsors of S. 833, a bill to amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV.

S. 1156

At the request of Mr. HARKIN, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 1156, a bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to reauthorize and improve the safe routes to school program.

S. 1183

At the request of Mr. DURBIN, the names of the Senator from Indiana [Mr. LUGAR] and the Senator from Massachusetts [Mr. KERRY] were added as cosponsors of S. 1183, a bill to authorize the Secretary of Agriculture to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, and for other purposes.

S. 1428

At the request of Mr. WHITEHOUSE, the name of the Senator from Delaware [Mr. KAUFMAN] was added as a cosponsor of S. 1428, a bill to amend the Toxic Substances Control Act to phase out the use of mercury in the manufacture of chlorine and caustic soda, and for other purposes.

S. 1553

At the request of Mr. GRASSLEY, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1674

At the request of Mr. WYDEN, the names of the Senator from Illinois [Mr. BURRIS] and the Senator from California [Mrs. FEINSTEIN] were added as cosponsors of S. 1674, a bill to provide for an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 1834

At the request of Mr. AKAKA, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 1834, a bill to amend the Animal Welfare Act to ensure that all dogs and cats used by research facilities are obtained legally.

S. 2821

At the request of Mr. BROWN of Ohio, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 2821, a bill to require a review of existing trade agreements and renegotiation of existing trade agreements based on the review, to establish terms for future trade agreements, to express the sense of the Congress that the role of Congress in making trade policy should be strengthened, and for other purposes.

S. 2982

At the request of Mr. KERRY, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 2982, a bill to combat international violence against women and girls.

S. 3112

At the request of Ms. KLOBUCHAR, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 3112, a bill to remove obstacles to legal sales of United States agricultural commodities to Cuba and to end certain travel restrictions to Cuba.

S. 3181

At the request of Mrs. BOXER, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 3181, a bill to protect the rights of consumers to diagnose, service, maintain, and repair their motor vehicles, and for other purposes.

S. 3227

At the request of Mr. HATCH, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 3227, a bill to authorize the Archivist of the United States to make grants to States for the preservation and dissemination of historical records.

S. 3234

At the request of Mrs. MURRAY, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 3234, a bill to improve employment, training, and placement services furnished to veterans, especially those serving in Operation Iraqi Freedom and Operation Enduring Freedom, and for other purposes.

S. 3284

At the request of Mrs. BOXER, the name of the Senator from Florida [Mr. NELSON] was added as a cosponsor of S. 3284, a bill to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California.

S. 3304

At the request of Mr. PRYOR, the name of the Senator from Nevada [Mr. ENSIGN] was added as a cosponsor of S. 3304, a bill to increase the access of persons with disabilities to modern communications, and for other purposes.

S. 3339

At the request of Mr. KERRY, the name of the Senator from Louisiana [Mr. VITTER] was added as a cosponsor of S. 3339, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 3486

At the request of Mr. BROWN of Ohio, the name of the Senator from Virginia [Mr. WEBB] was added as a cosponsor of S. 3486, a bill to amend title 38, United States Code, to repeal the prohibition on collective bargaining with respect to matters and questions regarding compensation of employees of the Department of Veterans Affairs other than rates of basic pay, and for other purposes.

S. 3508

At the request of Mr. UDALL of New Mexico, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 3508, a bill to strengthen the capacity of the United States to lead the international community in reversing renewable natural resource degradation trends around the world that threaten to undermine global prosperity and security and eliminate the diversity of life on Earth, and for other purposes.

S. 3528

At the request of Ms. SNOWE, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3528, a bill to promote coastal jobs creation, promote sustainable fisheries and fishing communities, revitalize waterfronts, and for other purposes.

S. 3540

At the request of Mr. WHITEHOUSE, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 3540, a bill to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes.

S. 3641

At the request of Mr. WHITEHOUSE, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 3641, a bill to create the National Endowment for the Oceans to promote the protection and conservation of United States ocean, coastal, and Great Lakes ecosystems, and for other purposes.

S. 3657

At the request of Mr. WYDEN, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 3657, a bill to establish as a standing order of the Senate that a Senator publicly disclose a notice of intent to objecting to any measure or matter.

S. 3661

At the request of Mr. LAUTENBERG, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 3661, a bill to amend the Federal Water Pollution Control Act to ensure the safe and proper use of dispersants in the event of an oil spill or release of hazardous substances, and for other purposes.

S. 3708

At the request of Mr. SCHUMER, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 3708, a bill to amend titles XVIII and XIX of the Social Security Act to clarify the application of EHR payment incentives in cases of multi-campus hospitals.

S. 3748

At the request of Mr. WYDEN, the names of the Senator from Massachusetts [Mr. KERRY] and the Senator from Vermont [Mr. SANDERS] were added as cosponsors of S. 3748, a bill to amend title 10, United States Code, to provide for the retention of members of the reserve components on active duty for a period of 45 days following an extended deployment in contingency operations of homeland defense missions to support their reintegration into civilian life, and for other purposes.

S. 3752

At the request of Mr. DORGAN, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 3752, a bill to amend the Energy Policy Act of 1992 to streamline Indian energy development, to enhance programs to support Indian energy

development and efficiency, to make technical corrections, and for other purposes.

S. 3772

At the request of Mr. REID, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 3772, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 3773

At the request of Mr. BENNETT, his name was added as a cosponsor of S. 3773, a bill to permanently extend the 2001 and 2003 tax relief provisions and to provide permanent AMT relief and estate tax relief, and for other purposes.

At the request of Mr. RISCH, his name was added as a cosponsor of S. 3773, supra.

At the request of Mr. SHELBY, his name was added as a cosponsor of S. 3773, supra.

SENATE CONCURRENT RESOLUTION 39

At the request of Mr. MENENDEZ, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of Senate Concurrent Resolution 39, a concurrent resolution expressing the sense of the Congress that stable and affordable housing is an essential component of an effective strategy for the prevention, treatment, and care of human immunodeficiency virus, and that the United States should make a commitment to providing adequate funding for the development of housing as a response to the acquired immunodeficiency syndrome pandemic.

SENATE CONCURRENT RESOLUTION 63

At the request of Mr. JOHNSON, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of Senate Concurrent Resolution 63, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

SENATE CONCURRENT RESOLUTION 71

At the request of Mr. FEINGOLD, the names of the Senator from New Jersey [Mr. MENENDEZ] and the Senator from Maryland [Mr. CARDIN] were added as cosponsors of Senate Concurrent Resolution 71, a concurrent resolution recognizing the United States national interest in helping to prevent and mitigate acts of genocide and other mass atrocities against civilians, and supporting and encouraging efforts to develop a whole of government approach to prevent and mitigate such acts.

SENATE RESOLUTION 607

At the request of Mr. DORGAN, the name of the Senator from Virginia [Mr. WARNER] was added as a cosponsor of Senate Resolution 607, a resolution recognizing the month of October 2010 as "National Principals Month".

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Ms. LANDRIEU,

Ordered, That the following committees be authorized to meet during the session of the Senate:

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on September 14, 2010, at 2:30 p.m.

SUBCOMMITTEE ON CRIME AND DRUGS

The Committee on the Judiciary, Subcommittee on Crime and Drugs, be authorized to meet during the session of the Senate, on September 14, 2010, at 2:15 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Rape in the United States: The Chronic Failure to Report and Investigate Rape Cases.”

DESIGNATING "NATIONAL PROSTATE CANCER AWARENESS MONTH"

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 597) designating September 2010 as "National Prostate Cancer Awareness Month".

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

COMMEMORATING THE 50TH ANNIVERSARY OF THE NATIONAL COUNCIL FOR INTERNATIONAL VISITORS, AND DESIGNATING "CITIZEN DIPLOMACY DAY"

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 603) commemorating the 50th anniversary of the National Council for International Visitors, and designating February 16, 2011, as "Citizen Diplomacy Day".

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING "NATIONAL PRINCIPALS MONTH"

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 607) recognizing the month of October 2010 as "National Principals Month".

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL DAY OF ENCOURAGEMENT"

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) laid before the Senate the resolution (S. Res. 620) designating September 12, 2010, as "National Day of Encouragement", submitted today by Mr. PRYOR (for himself and Mrs. LINCOLN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that the Senate then proceed to a period of 1 hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; that the minority control the first 30 minutes therein, and the majority control the second 30 minutes therein; that, following morning business, the Senate resume consideration of bill H.R. 5297; and that time in recess, adjournment, and morning business be

counted against time for debate, pursuant to rule XXII of the Standing Rules of the Senate.

Ordered further, That, on tomorrow, the Senate recess from 2:45 p.m. until 3:30 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mr. SHERROD BROWN,

At 6:49 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

WEDNESDAY, SEPTEMBER 15, 2010

Mr. MARK BEGICH, from the State of Alaska, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. BEGICH led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, September 15, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK BEGICH, a Senator from the State of Alaska, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. BEGICH took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-7301. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish for Catcher/Processors Participating in the Rockfish Limited Access Fishery in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XX68), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7302. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fisheries; Adjustment to the Loligo Trimester 2 and 3 Quota; Correction" (RIN0648-XW95), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7303. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Yakutat District of the Gulf of Alaska" (RIN0648-XX77), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7304. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Areas, Safety Zones, Security Zones; Deepwater Ports in Boston Captain of the Port Zone, MA" ((RIN1625-AA00 and RIN1625-AA11)(Docket No. USCG-2009-0589)), received during adjournment of the Senate in the Office of the President of the Senate on August 28, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7305. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Thiabendazole; Pesticide Tolerances" (FRL No. 8842-7), received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7306. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Spiromesifen; Pesticide Tolerances" (FRL No. 8841-9), received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7307. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Bifenazate; Pesticide Tolerances" (FRL No. 8840-9), received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7308. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Choline hydroxide; Exemption from the Requirement of a Tolerance" (FRL No. 8841-6), received during adjournment of the Senate in the Office of the President of the Senate on August 30, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7309. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2-methyl-1,3-propanediol; Exemption from the Requirement of a Tolerance" (FRL No. 8838-3), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7310. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flubendiamide; Pesticide Tolerances" (FRL No. 8836-2), received during adjournment of the Senate in the Office of the President of the Senate on

September 12, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7311. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Mancozeb; Pesticide Tolerances" (FRL No. 8841-1), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7312. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Alkyl Alcohol Alkoxylate Phosphate Derivatives; Exemption from the Requirement of a Tolerance" (FRL No. 8836-5), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7313. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to members of the Armed Forces and their dependents reliance on the supplemental nutrition assistance program under the Food and Nutrition Act of 2008; to the Committee on Armed Services.

EC-7314. A communication from the Chief Counsel of the Fiscal Service, Bureau of Public Debt, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Regulations Governing Agencies for Issue of United States Savings Bonds Offering of United States Savings Bonds" (31 CFR Parts 317, 351, 353, and 359), received during adjournment of the Senate in the Office of the President of the Senate on August 24, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7315. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67)(Docket No. FEMA-2010-0003)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7316. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Docket No. FEMA-2010-0003)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7317. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Transportation Conformity Regulations; Withdrawal of Direct Final Rule" (FRL No. 9187-9), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Environment and Public Works.

EC-7318. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Restructuring of the Stationary Source Audit Program" (FRL No. 9195-7), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Environment and Public Works.

EC-7319. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Powersville Site Superfund Site" (FRL No. 9194-3), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Environment and Public Works.

EC-7320. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Connecticut; Determination of Attainment of the 1997 Ozone Standard for the Greater Connecticut Area" (FRL No. 9195-2), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Environment and Public Works.

EC-7321. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Massachusetts: Final Authorization of State Hazardous Waste Management Program Revisions" (FRL No. 9190-6), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Environment and Public Works.

EC-7322. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Outer Continental Shelf Air Regulations Consistency Update for Massachusetts" (FRL No. 9167-7), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Environment and Public Works.

EC-7323. A communication from the Assistant Secretary, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Minerals Management: Adjustments of Cost Recovery Fees" (RIN1004-AE18), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Environment and Public Works.

EC-7324. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Delaware; Administrative and Non-Substantive Amendments to Existing Delaware SIP Regulations" (FRL No. 9186-6), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Environment and Public Works.

EC-7325. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Missouri" (FRL No. 9186-2), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Environment and Public Works.

EC-7326. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Nebraska" (FRL No. 9186-5), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Environment and Public Works.

EC-7327. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and

Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Ohio; Final Approval and Promulgation of State Implementation Plans; Carbon Monoxide and Volatile Organic Compounds" (FRL No. 9187-4), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Environment and Public Works.

EC-7328. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Minnesota" (FRL No. 9187-5), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Environment and Public Works.

EC-7329. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Establishment of the Sierra Pelona Valley Viticultural Area" (RIN1513-AB64), received in the Office of the President of the Senate on September 13, 2010; to the Committee on the Judiciary.

EC-7330. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice No. 2010-57), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Finance.

EC-7331. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Announcement of the Results of 2009-10 Allocation Round of the Qualifying Advanced Coal Project Program and the Qualifying Gasification Project Program" (Notice No. 2010-56), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Finance.

EC-7332. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Expanded Carryback of Net Operating Losses and Losses from Operations" (Notice No. 2010-58), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Finance.

EC-7333. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates - September 2010" (Notice No. 2010-20), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Finance.

EC-7334. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Entry Requirements for Certain Softwood Lumber Products Exported from Any Country into the United States" (RIN1515-AD62), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Finance.

EC-7335. A communication from the Assistant Secretary, Occupational Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Procedures for the Handling of Retaliation Complaints Under Section 219 of the Consumer Product Safety Improvement Act of 2008" (RIN1218-AC47), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7336. A communication from the Director of Legislative and Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Allocation of Assets in Single-Employer Plans; Valuation of Benefits and Assets; Expected Retirement Age" (29 CFR Part 4044), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7337. A communication from the Assistant General Counsel of the Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled "Coordinated Communications" (Notice No. 2010-17), received during adjournment of the Senate in the Office of the President of the Senate on September 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7338. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards; Final Rule" (RIN2060-AP58; RIN2127-AK50), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7339. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled "Report to Congress: Study of Discharges Incidental to Normal Operation of Commercial Fishing Vessels and Other Non-Recreational Vessels Less than 79 Feet"; to the Committee on Commerce, Science, and Transportation.

REPORT OF A COMMITTEE

The following report of committee was submitted:

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 139. A bill to require Federal agencies, and persons engaged in interstate commerce, in possession of data containing sensitive personally identifiable information, to disclose any breach of such information (Rept. No. 111-290).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. BROWN of Ohio:

S. 3784. A bill to designate the facility of the United States Postal Service located at 4865 Tallmadge Road in Rootstown, Ohio, as the "Marine Sgt. Jeremy E. Murray Post Office"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. NELSON of Florida (for himself and Mr. BROWNBACK):

S. 3785. A bill to amend the Internal Revenue Code of 1986 to encourage investment in commercial spaceflight facilities and equipment, research, and job training, and for other purposes; to the Committee on Finance.

By Mr. KERRY (for himself, Mr. BROWN of Ohio, Mrs. MURRAY, Mr. FRANKEN, Mr. AKAKA, Mr. SCHUMER, Mr. LEAHY, Mrs. GILLIBRAND, and Mr. MENENDEZ):

S. 3786. A bill to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury to issue prospective guidance clarifying the employment status of individuals for purposes of employment taxes and to prevent retroactive assessments with respect to such clarifications; to the Committee on Finance.

By Mrs. GILLIBRAND:

S. 3787. A bill to amend the Internal Revenue Code of 1986 to extend and modify the benefits available in empowerment zones and other tax-incentive areas, to require the Secretary of Commerce to establish a

program for the award of grants to States to establish revolving loan funds for small and medium-sized manufacturers to improve energy efficiency and produce clean energy technology, to amend the Internal Revenue Code of 1986 to provide a tax credit for farmers' investments in value-added agriculture, and for other purposes; to the Committee on Finance.

By Mr. WYDEN (for himself and Mr. CRAPO):

S. 3788. A bill to amend the Internal Revenue Code of 1986 to temporarily increase the investment tax credit for geothermal energy property; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself, Mr. GREGG, Ms. SNOWE, Mr. BROWN of Ohio, and Mr. BARRASSO):

S. 3789. A bill to limit access to social security account numbers; to the Committee on Finance.

By Mr. COBURN (for himself, Mr. BURR, Mr. ENSIGN, Mr. THUNE, and Mr. ISAKSON):

S. 3790. A bill to amend title 5, United States Code, to provide that persons having seriously delinquent tax debts shall be ineligible for Federal employment; read the first time.

By Mr. COBURN (for himself, Mr. BURR, Mr. ENSIGN, and Mr. THUNE):

S. 3791. A bill to require Members of Congress to disclose delinquent tax liability, require an ethics inquiry, and garnish the wages of a Member with Federal tax liability; read the first time.

By Mr. VITTER:

S. 3792. A bill to provide for restoration of the coastal areas of the Gulf of Mexico affected by the Deepwater Horizon oil spill, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. COBURN (for himself and Mrs. MCCASKILL):

S. Res. 622. A resolution to stop secret spending; to the Committee on Rules and Administration.

By Mr. KAUFMAN (for himself, Mrs. FEINSTEIN, and Mrs. BOXER):

S. Res. 623. A resolution commending the encouragement of interest in science, technology, engineering, and mathematics by the entertainment industry, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. INHOFE (for himself and Mr. COBURN):

S. Res. 624. A resolution honoring the members of the Army National Guard and Air National Guard of the State of Oklahoma for their service and sacrifice on behalf of the United States since September 11, 2001; considered and agreed to.

By Mr. LIEBERMAN:

S. Res. 625. A resolution designating September 2010 as "National Preparedness Month"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 493

At the request of Mr. CASEY, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of S. 493, a bill to amend the Internal Revenue Code of 1986 to provide for the establishment of ABLE accounts for the care of family members with disabilities, and for other purposes.

S. 654

At the request of Mr. BUNNING, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 654, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care.

S. 831

At the request of Mr. KERRY, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 831, a bill to amend title 10, United States Code, to include service after September 11, 2001, as service qualifying for the determination of a reduced eligibility age for receipt of non-regular service retired pay.

S. 984

At the request of Mrs. BOXER, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 984, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 1611

At the request of Mr. GREGG, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 1611, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 1619

At the request of Mr. DODD, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 1619, a bill to establish the Office of Sustainable Housing and Communities, to establish the Interagency Council on Sustainable Communities, to establish a comprehensive planning grant program, to establish a sustainability challenge grant program, and for other purposes.

S. 1695

At the request of Mr. BURRIS, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 1695, a bill to authorize the award of a Congressional gold medal to the Montford Point Marines of World War II.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 2896

At the request of Mr. FRANKEN, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 2896, a bill to recruit, support, and prepare principals to improve student academic achievement at high-need schools.

S. 3156

At the request of Mr. BROWNBACK, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 3156, a bill to develop a strategy for assisting stateless children from North Korea, and for other purposes.

S. 3184

At the request of Mrs. BOXER, the names of the Senator from Arkansas [Mrs. LINCOLN] and the Senator from Colorado [Mr. UDALL] were added as cosponsors of S. 3184, a bill to provide United States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes.

S. 3231

At the request of Mr. GRASSLEY, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 3231, a bill to amend the Internal Revenue Code of 1986 to extend certain tax incentives for alcohol used as fuel and to amend the Harmonized Tariff Schedule of the United States to extend additional duties on ethanol.

S. 3447

At the request of Mr. AKAKA, the names of the Senator from Hawaii [Mr. INOUYE], the Senator from Vermont [Mr. SANDERS] and the Senator from Colorado [Mr. BENNET] were added as cosponsors of S. 3447, a bill to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes.

S. 3657

At the request of Mr. WYDEN, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 3657, a bill to establish as a standing order of the Senate that a Senator publicly disclose a notice of intent to objecting to any measure or matter.

S. 3671

At the request of Mr. ROCKEFELLER, the names of the Senator from Iowa [Mr. HARKIN] and the Senator from Washington [Mrs. MURRAY] were added as cosponsors of S. 3671, a bill to improve compliance with mine and occupational safety and health law,

empower workers to raise safety concerns, prevent future mine and other workplace tragedies, establish rights of families of victims of workplace accidents, and for other purposes.

S. 3703

At the request of Mrs. MURRAY, the names of the Senator from Minnesota [Ms. KLOBUCHAR] and the Senator from Minnesota [Mr. FRANKEN] were added as cosponsors of S. 3703, a bill to expand the research, prevention, and awareness activities of the Centers for Disease Control and Prevention and the National Institutes of Health with respect to pulmonary fibrosis, and for other purposes.

S. 3737

At the request of Mr. ENZI, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 3737, a bill to amend the Public Health Service Act and title XVIII of the Social Security Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly.

S. 3739

At the request of Mr. CASEY, the names of the Senator from Maryland [Mr. CARDIN] and the Senator from California [Mrs. FEINSTEIN] were added as cosponsors of S. 3739, a bill to amend the Safe and Drug-Free Schools and Communities Act to include bullying and harassment prevention programs.

S. 3772

At the request of Mr. REID, the names of the Senator from Vermont [Mr. LEAHY], the Senator from Hawaii [Mr. AKAKA], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Illinois [Mr. BURRIS], the Senator from Illinois [Mr. DURBIN], the Senator from Michigan [Mr. LEVIN], the Senator from Oregon [Mr. MERKLEY], the Senator from Minnesota [Mr. FRANKEN], the Senator from New York [Mr. SCHUMER], the Senator from Pennsylvania [Mr. CASEY], the Senator from Oregon [Mr. WYDEN], the Senator from Rhode Island [Mr. REED] and the Senator from Pennsylvania [Mr. SPECTER] were added as cosponsors of S. 3772, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 3773

At the request of Mr. MCCONNELL, the name of the Senator from South Dakota [Mr. THUNE] was added as a cosponsor of S. 3773, a bill to permanently extend the 2001 and 2003 tax relief provisions and to provide permanent AMT relief and estate tax relief, and for other purposes.

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. 3773, supra.

S. 3774

At the request of Mr. CORNYN, the names of the Senator from Missouri [Mr. BOND] and the Senator from Illinois [Mr. DURBIN] were added as cosponsors of S. 3774, a bill to extend the deadline for Social Services Block Grant expenditures of supplemental funds appropriated following disasters occurring in 2008.

SENATE CONCURRENT RESOLUTION 71

At the request of Mr. FEINGOLD, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of Senate Concurrent Resolution 71, a concurrent resolution recognizing the United States national interest in helping to prevent and mitigate acts of genocide and other mass atrocities against civilians, and supporting and encouraging efforts to develop a whole of government approach to prevent and mitigate such acts.

SENATE RESOLUTION 603

At the request of Mr. SPECTER, the name of the Senator from Kansas [Mr. ROBERTS] was added as a cosponsor of Senate Resolution 603, a resolution commemorating the 50th anniversary of the National Council for International Visitors, and designating February 16, 2011, as "Citizen Diplomacy Day".

SENATE RESOLUTION 609

At the request of Mr. CARDIN, the names of the Senator from New York [Mr. SCHUMER], the Senator from New York [Mrs. GILLIBRAND], the Senator from New Jersey [Mr. MENENDEZ] and the Senator from Illinois [Mr. BURRIS] were added as cosponsors of Senate Resolution 609, a resolution congratulating the National Urban League on its 100th year of service to the United States.

SENATE RESOLUTION 618

At the request of Mrs. LINCOLN, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of Senate Resolution 618, a resolution designating October 2010 as "National Work and Family Month".

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on September 15, 2010, at 10 a.m. in room SR-328A of the Russell Senate Office Building.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 15, 2010, at 10 a.m., to conduct a hearing entitled "Covered Bonds: Potential Uses and Regulatory Issues."

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on September 15, 2010, at 2 p.m., in room 253 of the Russell Senate Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on September 15, 2010, at 10 a.m., to conduct a hearing entitled "Banking on Reform: Capital Increase Proposals from the Multilateral Development Banks."

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on September 15, 2010, at 10 a.m. to conduct a hearing entitled "Nuclear Terrorism: Strengthening Our Domestic Defenses, Part II."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on September 15, 2010, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Prohibiting Obscene Animal Crush Videos in the Wake of United States v. Stevens."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on September 15, 2010, at 2 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Judicial Nominations."

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10:34 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6102. An act to amend the National Defense Authorization Act for Fiscal Year 2010 to extend the authority of the Secretary of the Navy to enter into multiyear contracts for F/A-18E, F/A-18F, and EA-18G aircraft.

At 6:21 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the amendments of the Senate to the bill (H.R. 3978) to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to authorize the Secretary of Homeland Security to accept and use gifts for otherwise authorized activities of the Center for Domestic Preparedness that are

related to preparedness for and response to terrorism, and for other purposes.

NOTICES OF INTENT TO MOVE TO SUSPEND THE RULES

Mr. GRASSLEY, in accordance with rule V of the Standing Rules of the Senate, submitted notice in writing of his intent to move to suspend rule XXII of the Standing Rules of the Senate for the purpose of proposing his amendment No. 4433

Mr. HATCH, in accordance with rule V of the Standing Rules of the Senate, submitted notice in writing of his intent to move to suspend rule XXII of the Standing Rules of the Senate, for the purpose of moving to commit the bill H.R. 5297 to the Committee on Finance with instructions to report the same back with changes to make permanent the research credit under section 41 of the Internal Revenue Code of 1986.

SMALL BUSINESS JOBS AND CREDIT ACT

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 4596, as modified, proposed by Mr. REID for Mr. JOHANNS (for himself, Mrs. LINCOLN, Mr. BARRASSO, Mr. ROBERTS, Mr. ENZI, Mr. BURR, Mr. GRAHAM, Mr. THUNE, Mr. ISAKSON, Mr. BENNETT, and Mr. ALEXANDER), to amendment No. 4595, as modified, proposed by Mr. REID (for Mr. BILL NELSON), to amendment No. 4594 (in the nature of a substitute), proposed by Mr. REID for Mr. BAUCUS (for himself, Ms. LANDRIEU, Mr. REID, and Mr. SCHUMER), to the bill.

Pending debate,

ORDER FOR RECESS

By unanimous consent, on the request of Mr. KYL,

Ordered, That, notwithstanding the order of yesterday, the Senate recess until 3:30 p.m.

RECESS

Pursuant to the order of yesterday, as modified,

At 2:38 p.m.,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) declared the Senate recessed until 3:30 p.m.

AT 3:30 P.M.

The PRESIDING OFFICER (Mr. MERKLEY in the chair) called the Senate to order.

SMALL BUSINESS JOBS AND CREDIT ACT

The Senate resumed consideration of bill H.R. 5297.

The question being on agreeing to amendment No. 4596, as modified, to amendment No. 4595, as modified, to amendment No. 4594 (in the nature of a substitute) to the bill.

Pending debate,

HONORING THE MEMBERS OF THE ARMY NATIONAL GUARD AND AIR NATIONAL GUARD OF THE STATE OF OKLAHOMA FOR THEIR SERVICE AND SACRIFICE

On the request of Mr. DURBIN,

The ACTING PRESIDENT pro tempore laid before the Senate the resolution (S. Res. 624) honoring the members of the Army National Guard and Air National Guard of the State of Oklahoma for their service and sacrifice on behalf of the United States since September 11, 2001, submitted today by Mr. INHOFE (for himself and Mr. COBURN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL PREPAREDNESS MONTH"

On the request of Mr. DURBIN,

The ACTING PRESIDENT pro tempore laid before the Senate the resolution (S. Res. 625) designating September 2010 as "National Preparedness Month", submitted today by Mr. LIEBERMAN, and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

BILL READ THE FIRST TIME

On the request of Mr. DURBIN,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3790) to amend title 5, United States Code, to provide that persons having seriously delinquent tax debts shall be ineligible for Federal employment, introduced today by Mr. COBURN (for himself, Mr. BURR, Mr. ENSIGN, Mr. THUNE, and Mr. ISAKSON), and at the desk; which was read the first time.

Mr. DURBIN asked unanimous consent that the bill be read the second time.

Mr. DURBIN objected.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

BILL READ THE FIRST TIME

On the request of Mr. DURBIN,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3791) to require Members of Congress to disclose delinquent tax liability, require an ethics inquiry, and garnish the wages of a Member with Federal tax liability, introduced today by Mr. COBURN (for himself, Mr. BURR, Mr. ENSIGN, and Mr. THUNE), and at the desk; which was read the first time.

Mr. DURBIN asked unanimous consent that the bill be read the second time.

Mr. DURBIN objected.

Whereupon,

The ACTING PRESIDENT stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

ORDER FOR FURTHER CONSIDERATION OF BILL H.R. 5297

By unanimous consent, on the request of Mr. REID,

Ordered, That when the Senate convenes at 9:30 a.m. on tomorrow, it resume consideration of bill H.R. 5297; that, at 10:45 a.m., time for debate on amendment No. 4594 (in the nature of a substitute), pursuant to rule XXII of the Standing Rules of the Senate, be concluded; that the pending amendments, except for amendment No. 4594 (in the nature of a substitute), then be withdrawn; that no other amendment be in order to be proposed; that no points of order be in order to be raised; that the following be the only motions in order to be made; and that said motions be submitted at the desk on today:

A motion, by Mr. HATCH, to suspend the Standing Rules of the Senate, relative to R&D;

A motion, by Mr. GRASSLEY, to suspend the Standing Rules of the Senate, relative to biodiesel.

Ordered further, That there be 15 minutes, equally divided and controlled, for debate

between Mr. BAUCUS, Mr. HATCH, and Mr. GRASSLEY, or their designees; that, at 10:45 a.m., the Senate vote in relation to said motions in the order made; that each vote following the first be 10 minutes in duration; that there be 2 minutes, equally divided and controlled in the usual form, for debate prior to each vote; that, upon disposition of said motions, no further motion, point of order, or amendment be in order; that the PAYGO letter of the Chairman of the Committee on the Budget be read; and that amendment No. 4594 (in the nature of a substitute) then be agreed to.

Ordered further, That the time from then until 12 noon be equally divided and controlled for debate between the leaders, or their designees; that, at 12 noon, the Senate vote on the question of agreeing to the motion to bring to a close debate on the bill, as amended; that, if said motion is agreed to, time for debate thereon, pursuant to rule XXII of the Standing Rules of the Senate, be concluded; that the bill, as amended, be read the third time; and that the Senate then vote on passage of the bill, as amended.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of bill H.R. 5297, as pursuant to the order of today.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 7:20 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

THURSDAY, SEPTEMBER 16, 2010

Mr. CARTE P. GOODWIN, from the State of West Virginia, called the Senate to order at 9:30 a.m., the Reverend Dr. Bruce Hargrave, Vice President of Development for the United Methodist Theological Seminary, Moscow, Russia, offered a prayer, and Mr. GOODWIN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, September 16, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CARTE P. GOODWIN, a Senator from the State of West Virginia, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. GOODWIN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3790) to amend title 5, United States Code, to provide that persons having seriously delinquent tax debts shall be ineligible for Federal employment, introduced on yesterday by Mr. COBURN (for himself, Mr. BURR, Mr. ENSIGN, Mr. THUNE, and Mr. ISAKSON), and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3791) to require Members of Congress to disclose delinquent tax liability, require an ethics inquiry, and garnish the wages of a Member with Federal tax liability, introduced on yesterday by Mr. COBURN (for himself, Mr. BURR, Mr. ENSIGN, and Mr. THUNE), and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

SMALL BUSINESS JOBS AND CREDIT ACT

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 4596, as modified, proposed by Mr. Mr. REID for Mr. JOHANNS (for himself, Mrs. LINCOLN, Mr. BARRASSO, Mr. ROBERTS, Mr. ENZI, Mr. BURR, Mr. GRAHAM, Mr. THUNE, Mr. ISAKSON, Mr. BENNETT, and Mr. ALEXANDER), to amendment No. 4595, as modified, proposed by Mr. REID (for Mr. BILL NELSON), to amendment No. 4594 (in the nature of a substitute), proposed by Mr. REID for Mr. BAUCUS (for himself, Ms. LANDRIEU, Mr. REID, and Mr. SCHUMER), to the bill.

Pending debate,

Pursuant to the order of yesterday,

On motion by Mr. GRASSLEY to suspend rule XXII of the Standing Rules of the Senate for purpose of proposing and considering amendment No. 4433.

Pursuant to the order of yesterday,

On motion by Mr. HATCH to suspend rule XXII of the Standing Rules of the Senate for purpose of moving to commit the bill to the Committee on Finance with instructions to report the same back to the Senate with changes to make permanent the research credit under section 41 of the Internal Revenue Code of 1986.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL H.R. 4849

Mr. BAUCUS asked unanimous consent that the Committee on Finance be discharged from the further consideration of the bill

(H.R. 4849) to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, extend the Build America Bonds program, provide other infrastructure job creation tax incentives, and for other purposes; that the Senate proceed to consider the bill; that an amendment (in the nature of a substitute) be proposed by him, and agreed to; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. HATCH objected.

SMALL BUSINESS JOBS AND CREDIT ACT

The Senate resumed consideration of bill H.R. 5297.

The question being on agreeing to amendment No. 4596, as modified, to amendment No. 4595, as modified, to amendment No. 4594 (in the nature of a substitute) to the bill.

Pursuant to the order of yesterday,

Pending amendments numbered 4595, 4596, 4597, and 4598, were withdrawn.

The question being on agreeing to amendment No. 4594 (in the nature of a substitute) to the bill.

Pursuant to the order of yesterday,

The question recurring on agreeing to the motion, by Mr. GRASSLEY, to suspend rule XXII paragraph 2 of the Standing Rules of the Senate for the purpose of proposing amendment No. 4433.

On motion by Mr. GRASSLEY,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the negative---
yeas... 41, nays... 58

[Rollcall Vote No. 234 Leg.]

YEAS --- 41

Alexander, Bayh, Bennet, Bennett, Bond, Brown (MA), Brownback, Burr, Cantwell, Chambliss, Cochran, Collins, Conrad, Cornyn, Dorgan, Franken, Graham, Grassley, Hagan, Harkin, Hatch, Hutchison, Inhofe, Isakson, Johanns, Klobuchar, Lugar, McCaskill, McConnell, Murkowski, Murray, Nelson (NE), Pryor, Roberts, Shaheen, Snowe, Specter, Thune, Vitter, Wicker, Wyden.

NAYS --- 58

Akaka, Barrasso, Baucus, Begich, Bingaman, Boxer, Brown (OH), Bunning, Burris, Cardin, Carper, Casey, Coburn, Corker, Crapo, DeMint, Dodd, Durbin, Ensign, Enzi, Feingold, Feinstein, Gillibrand, Goodwin, Gregg, Inouye, Johnson, Kaufman, Kerry, Kohl, Kyl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, McCain, Menendez, Merkley, Mikulski, Nelson (FL), Reed, Reid, Risch, Rockefeller, Sanders, Schumer, Sessions, Shelby, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse.

So the motion was not agreed to; two-thirds of Senators voting, a quorum being present, not having voted in the affirmative.

Pursuant to the order of today.

The question recurring on agreeing to the motion, by Mr. HATCH, to suspend rule XXII of the Standing Rules of the Senate for the purpose of moving to commit pending bill H.R. 5297 to the Committee on Finance with instructions to report back forthwith with changes.

After debate,

On motion by Mr. HATCH,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the negative---
yeas... 51, nays... 48

[Rollcall Vote No. 235 Leg.]

YEAS --- 51

Alexander, Barrasso, Bayh, Bennet, Bennett, Bond, Boxer, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Franken, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Isakson, Johanns, Klobuchar, Kyl, LeMieux, Lincoln, Lugar, McCain, McCaskill, McConnell, Murkowski, Murray, Nelson (NE), Risch, Roberts, Shelby, Snowe, Specter, Thune, Vitter, Warner, Wicker.

NAYS --- 48

Akaka, Baucus, Begich, Bingaman, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Gillibrand, Goodwin, Harkin, Inouye, Johnson, Kaufman, Kerry, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Menendez, Merkley, Mikulski, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Webb, Whitehouse, Wyden.

So the motion was not agreed to; two-thirds of Senators voting, a quorum being present, not having voted in the affirmative.

The question being on agreeing to amendment No. 4594 (in the nature of a substitute) to the bill.

The PAYGO letter of the Chairman of the Committee on the Budget was read.

The question being on agreeing to amendment No. 4594 (in the nature of a substitute) to the bill.

Pursuant to the order of yesterday,

The amendment (in the nature of a substitute) was agreed to.

The question being on passage of the bill, as amended.

After debate,

Pursuant to the order of yesterday,

The PRESIDING OFFICER (Mrs. GILLIBRAND in the chair) laid before the Senate the motion, presented by Mr. REID on August 5, 2010, to bring to a close debate on bill H.R. 5297.

Pursuant to the order of August 5, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the affirmative---
yeas... 61, nays... 38

[Rollcall Vote No. 236 Leg.]

YEAS --- 61

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS --- 38

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Wicker.

So the motion was agreed to; three-fifths of Senators duly chosen and sworn having voted in the affirmative.

The question being on passage of the bill, as amended.

Pursuant to the order of yesterday,

Time for debate, pursuant to rule XXII of the Standing Rules of the Senate, was concluded.

Pursuant to the order of yesterday,

The bill, as amended, was read the third time.

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the passage of the bill, as amended.

On the question, Shall it pass?

It was determined in the affirmative---
yeas... 61, nays... 38

[Rollcall Vote No. 237 Leg.]

YEAS --- 61

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall

(NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS --- 38

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Wicker.

So it was

Resolved, That the bill, as amended, do pass.

On motion by Mr. REID to reconsider the vote on passage of the bill, as amended.

On motion by Mr. REID,

The motion to reconsider was laid on the table.

MOTION TO PROCEED TO CONSIDER BILL S. 3454

On motion by Mr. REID that the Senate proceed to consider the bill (S. 3454) to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The question being on agreeing to the motion.

Mr. REID presented a motion to bring to a close debate on the motion to proceed to consider bill S. 3454; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to consider bill S. 3454:

HARRY REID, CARL LEVIN, TOM UDALL, JACK REED, B. A. MIKULSKI, JON TESTER, AL FRANKEN, DICK DURBIN, BYRON L. DORGAN, JEANNE SHAHEEN, FRANK R. LAUTENBERG, S. WHITEHOUSE, BEN CARDIN, ROLAND W. BURRIS, JIM WEBB, DANIEL K. AKAKA, BILL NELSON.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

The question being on agreeing to the motion to proceed.

By unanimous consent, on the request of Mr. REID,

Ordered, That, on Tuesday, September 21, 2010, following a period for the transaction of morning business, the Senate resume consideration of the motion to proceed to consider the bill; that the time until 12:30 p.m. be equally divided and controlled for debate between Mr. LEVIN and Mr. MCCAIN, or their designees; and that the Senate vote on the question of agreeing to the motion to bring to a close debate on the motion to proceed to consider the bill at 2:15 p.m. on Tuesday, September 21, 2010.

The question being on agreeing to the motion to proceed.

Pending debate,

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. GOODWIN,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by Mrs. Neiman, one of his secretaries:

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO PERSONS WHO COMMIT, THREATEN TO COMMIT, OR SUPPORT TERRORISM THAT WAS ESTABLISHED IN EXECUTIVE ORDER 13224 ON SEPTEMBER 21, 2006 -- PM 66

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice, stating that the national emergency with respect to persons who commit, threaten to commit, or support terrorism is to continue in effect beyond September 23, 2010.

The crisis constituted by the grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the terrorist attacks on September 11, 2001, in New York and Pennsylvania, and against the Pentagon, and the continuing and immediate threat of further attacks on United States nationals or the United States that led to the declaration of a national emergency on September 23, 2001, has not been resolved. These actions pose a continuing unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to persons who commit, threaten to commit, or support terrorism, and maintain in force the comprehensive sanctions to respond to this threat.

BARACK OBAMA.

THE WHITE HOUSE, *September 16, 2010.*

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-7340. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of VOR Federal Airways V-8, V-14, V-38, V-47, V-279, and V-422 in the Vicinity of Findlay, Ohio" ((RIN2120-AA66)(Docket No. FAA-2010-0709)), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7341. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Automatic Dependent Surveillance-Broadcast (ADS-B) Out Performance Requirements to Support Air Traffic Control (ATC) Service; OMB Approval of Information Collection" ((RIN2120-AI92)(Docket No. FAA-2007-29305)), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7342. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Inclusion of Reference to Manual Requirements" ((RIN2120-AJ44)(Docket No. FAA-2006-25877)), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7343. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of the Pacific High and Low Offshore Airspace Areas; California" ((RIN2120-AA66)(Docket No. FAA-2010-0187)), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7344. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law,

the report of a rule entitled "Amendment of Colored Federal Airway B-38; Alaska" ((RIN2120-AA66)(Docket No. FAA-2010-0365)), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7345. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment and Establishment of Restricted Areas and Other Special Use Airspace, Razorback Range Airspace Complex, AR" ((RIN2120-AA66)-(Docket No. FAA-2009-1050)), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7346. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment and Establishment of Restricted Areas and Other Special Use Airspace, Avon Park Air Force Range, FL" ((RIN2120-AA66)(Docket No. FAA-2008-1261)), received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7347. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Restricted Area R-3405; Sullivan, IN" ((RIN2120-AA66)(Docket No. FAA-2007-28633)), received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7348. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Maneuvering Speed Limitation Statement" ((RIN2120-AJ21)(Docket No. FAA-2009-0810)), received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7349. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Re-Registration and Renewal of Aircraft Registration; OMB Approval of Information Collection" ((RIN2120-AI89)(Docket No. FAA-2008-0118)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7350. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dowty Propellers R408/6-123-F/17 Model Propellers" ((RIN2120-AA64)-(Docket No. FAA-2009-0776)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7351. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Shark Management Measures; Amendment 3" (RIN0648-AW65), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7352. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Crab Rationalization Program; Emergency Rule Extension" (RIN0648-AY52), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7353. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Emergency Fisheries Closures in the Southeast Region Due to the Deepwater Horizon MC252 Oil Spill; Publication of Coordinates" (RIN0648-AY90), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7354. A communication from the Assistant Chief Counsel for Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Pipeline Safety: Periodic Updates of Regulatory References to Technical Standards and Miscellaneous Edits" (RIN2137-AE41), received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7355. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Theft Prevention Standard; Final Listing of 2011 Light Duty Truck Lines Subject to the Requirements of This Standard and Exempted Vehicle Lines for Model Year 2011" (RIN2127-AK68), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7356. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Schedule of Fees Authorized by 49 U.S.C. 30141" (RIN2127-AK70), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7357. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards; Side Impact Protection; Fuel System Integrity; Electric-Powered Vehicles: Electrolyte Spillage and Electrical Shock Protection" (RIN2127-AK48), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7358. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards; Theft Protection and Rollaway Prevention" (RIN2127-AK38), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7359. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards; Electric-Powered Vehicles; Electrolyte Spillage and Electrical Shock Protection" (RIN2127-AK05), received during adjournment of the Senate in the Office of the President of the Senate on September 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7360. A communication from the Deputy Chief Financial Officer, Department of Homeland Security, transmitting, pursuant

to law, a report relative to the transfer of funds from the Oil Spill Liability Trust Fund to the Emergency Fund, which is administered by the United States Coast Guard; to the Committee on Commerce, Science, and Transportation.

EC-7361. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Blythe, California)" (MB Docket No. 08-151), received during adjournment of the Senate in the Office of the President of the Senate on August 31, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7362. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (DeBeque, Colorado)" (MB Docket No. 10-22), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7363. A communication from the Senior Regulations Analyst, Office of the Secretary of Transportation, Department of Transportation, transmitting, pursuant to law, a rule entitled "Procedures for Transportation Workplace Drug and Alcohol Testing Programs" (RIN2105-AD95), received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7364. A communication from the Chairman of the National Transportation Safety Board, transmitting, pursuant to law, the report of a rule entitled "Notification and Reporting of Aircraft Accidents or Incidents and Overdue Aircraft, and Preservation of Aircraft Wreckage, Mail, Cargo, and Records" (49 CFR Part 830), received during adjournment of the Senate in the Office of the President of the Senate on August 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7365. A communication from the Senior Regulation Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "List of Nonconforming Vehicles Decided to be Eligible for Importation" (Docket No. NHTSA-2008-0134), received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7366. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Direct Final Rulemaking Procedures" (RIN2126-AB23), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7367. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Medical Certification Requirements as Part of the Commercial Driver's License (CDL); Technical, Organizational, and Conforming Amendments" (RIN2126-AB24), received in the Office of the President of the Senate on August 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7368. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Updated Statements of Legal Authority for the Export Administration Regulations" (RIN0694-AF00), received during adjournment of the Senate in the Office of the President of the Senate on September 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7369. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Wassenaar Arrangement 2009 Plenary Agreements Implementation: Categories 1, 2, 3, 4, 5 Part I, 6, 7, and 9 of the Commerce Control List, Definitions Reports" (RIN0694-AE91), received during adjournment of the Senate in the Office of the President of the Senate on August 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7370. A communication from the Chief of Recovery and Delisting Branch, Endangered Species Program, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Removal of the Utah (Desert) Valvata Snail (Valvata utahensis) From the Federal List of Endangered and Threatened Wildlife" (RIN1018-AW16), received during adjournment of the Senate in the Office of the President of the Senate on August 17, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7371. A communication from the Under Secretary of Commerce (Oceans and Atmosphere), transmitting, pursuant to law, a report relative to the activities of the Northwest Atlantic Fisheries Organization during 2008 and 2009; to the Committee on Commerce, Science, and Transportation.

EC-7372. A communication from the Deputy Chief Financial Officer, Department of Homeland Security, transmitting, pursuant to law, a report relative to the transfer of funds from the Oil Spill Liability Trust Fund to the Emergency Fund, which is administered by the United States Coast Guard; to the Committee on Commerce, Science, and Transportation.

EC-7373. A communication from the Chairman of the Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Regulations Governing Fees for Services Performed in Connection with Licensing and Related Services - - 2010 Update" (STB Ex Parte No. 542), received during adjournment of the Senate in the Office of the President of the Senate on August 10, 2010; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

H.R. 3980. A bill to provide for identifying and eliminating redundant reporting requirements and developing meaningful performance metrics for homeland security preparedness grants, and for other purposes (Rept. No. 111-291).

By Mrs. BOXER, from the Committee on Environment and Public Works, with an amendment and an amendment to the title:

S. 2739. A bill to amend the Federal Water Pollution Control Act to provide for the establishment of the Puget Sound Program Office, and for other purposes (Rept. No. 111-292).

By Mrs. BOXER, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

H.R. 4715. A bill to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes (Rept. No. 111-293).

By Mr. NELSON, of Nebraska, from the Committee on Appropriations, without amendment:

S. 3799. An original bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2011, and for other purposes (Rept. No. 111-294).

By Mr. INOUYE, from the Committee on Appropriations, without amendment:

S. 3800. An original bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, and for other purposes (Rept. No. 111-295).

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 3717. A bill to amend the Securities Exchange Act of 1934, the Investment Company Act of 1940, and the Investment Advisers Act of 1940 to provide for certain

disclosures under section 552 of title 5, United States Code, (commonly referred to as the Freedom of Information Act), and for other purposes.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. BAUCUS:

S. 3793. A bill to extend expiring provisions and for other purposes; read the first time.

By Mr. LEAHY (for himself and Ms. COLLINS):

S. 3794. A bill to amend chapter 5 of title 40, United States Code, to include organizations whose membership comprises substantially veterans as recipient organizations for the donation of Federal surplus personal property through State agencies; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CARPER (for himself, Mr. BAYH, and Mrs. BOXER):

S. 3795. A bill to amend the Internal Revenue Code of 1986 to reduce the tax gap, and for other purposes; to the Committee on Finance.

By Mr. BAYH:

S. 3796. A bill to establish community health improvement councils and State health improvement technical assistance center grants; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND:

S. 3797. A bill to amend the Foreign Assistance Act of 1961 to provide assistance for developing countries to promote quality basic education and to establish the achievement of quality universal basic education in all developing countries as an objective of United States foreign assistance policy, and for other purposes; to the Committee on Foreign Relations.

By Mr. LEAHY (for himself and Mr. BROWNBACK):

S. 3798. A bill to authorize appropriations of United States assistance to help eliminate conditions in foreign prisons and other detention facilities that do not meet minimum human standards of health, sanitation, and safety, and for other purposes; to the Committee on Foreign Relations.

By Mr. NELSON of Nebraska:

S. 3799. An original bill making appropriations for the Legislative Branch for the fiscal year ending September 30, 2011, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. INOUYE:

S. 3800. An original bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. AKAKA:

S. 3801. A bill to amend title 38, United States Code, to increase the maximum age for children eligible for medical care under the CHAMPVA program, and for other purposes; to the Committee on Veterans' Affairs.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. NELSON of Florida (for himself and Mr. LEMIEUX):

S. Res. 626. A resolution acknowledging and congratulating Miami Dade College on the occasion of its 50th anniversary of service to the students and residents of the State of Florida; to the Committee on the Judiciary.

By Ms. SNOWE (for herself, Ms. COLLINS, Mr. CHAMBLISS, Mrs. LINCOLN, and Mr. BURR):

S. Res. 627. A resolution designating September 16, 2010, as "The American Legion Day"; considered and agreed to.

By Mr. SCHUMER (for himself and Mr. BENNETT):

S. Res. 628. A resolution recognizing the 10th Anniversary of the National Book Festival; considered and agreed to.

By Mr. MENENDEZ (for himself, Mr. CORNYN, Mr. REID, Mr. WHITEHOUSE, Mrs. MURRAY, Mr. SCHUMER, Mr. BINGAMAN, Ms. MIKULSKI, Mr. CARDIN, Mrs. BOXER, Mrs. GILLIBRAND, Mr. MERKLEY, Mr. BURRIS, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. BENNET, Mr. UDALL of Colorado, Mr. INOUYE, Mr. LAUTENBERG, Mr. UDALL of New Mexico, Mr. CASEY, Mr. LEMIEUX, Mr. NELSON of Florida, Mrs. HUTCHISON, Mr. WYDEN, Mr. CRAPO, Mr. MCCAIN, and Mr. LUGAR):

S. Res. 629. A resolution recognizing Hispanic Heritage Month and celebrating the heritage and culture of Latinos in the United States and their immense contributions to the Nation; considered and agreed to.

ADDITIONAL COSPONSORS

S. 424

At the request of Mr. HARKIN, his name was added as a cosponsor of S. 424, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 941

At the request of Mr. CRAPO, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 941, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearm laws and regulations, protect the community from criminals, and for other purposes.

S. 1275

At the request of Mr. WARNER, the name of the Senator from Massachusetts [Mr. BROWN] was added as a cosponsor of S. 1275, a bill to establish a National Foundation on Physical Fitness and Sports to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports.

S. 1536

At the request of Mr. SCHUMER, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 1536, a bill to amend title 23, United States Code, to reduce the amount of Federal highway funding available to States that do not enact a law prohibiting an individual from writing, sending, or reading text messages while operating a motor vehicle.

S. 1695

At the request of Mr. BURRIS, the names of the Senator from Illinois [Mr. DURBIN] and the Senator from Delaware [Mr. KAUFMAN] were added as cosponsors of S. 1695, a bill to authorize the award of a Congressional gold medal to the Montford Point Marines of World War II.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 2736

At the request of Mr. FRANKEN, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 2736, a bill to reduce the rape kit backlog and for other purposes.

S. 2782

At the request of Mrs. MCCASKILL, the names of the Senator from Vermont [Mr. LEAHY] and the Senator from Rhode Island [Mr. WHITEHOUSE] were added as cosponsors of S. 2782, a bill to provide personal jurisdiction in causes of action against contractors of the United States performing contracts abroad with respect to members of the Armed Forces, civilian employees of the United States, and United States citizen employees of companies performing work for the United States in connection with contractor activities, and for other purposes.

S. 3036

At the request of Mr. BAYH, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 3036, a bill to

establish the Office of the National Alzheimer's Project.

S. 3184

At the request of Mrs. BOXER, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 3184, a bill to provide United States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes.

S. 3479

At the request of Mrs. HAGAN, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 3479, a bill to authorize the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to establish and implement a birth defects prevention, risk reduction, and public awareness program.

S. 3562

At the request of Mr. NELSON of Nebraska, the name of the Senator from Nebraska [Mr. JOHANNS] was added as a cosponsor of S. 3562, a bill to rename the Homestead National Monument of America near Beatrice, Nebraska, as the Homestead National Historical Park.

S. 3665

At the request of Mr. LUGAR, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 3665, a bill to promote the strengthening of the private sector in Pakistan.

S. 3673

At the request of Mrs. HUTCHISON, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 3673, a bill to amend the Patient Protection and Affordable Care Act to repeal certain limitations on tax health care benefits.

S. 3709

At the request of Mr. WHITEHOUSE, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 3709, a bill to amend the Public Health Services Act and the Social Security Act to extend health information technology assistance eligibility to behavioral health, mental health, and substance abuse professionals and facilities, and for other purposes.

S. 3767

At the request of Mr. LEAHY, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 3767, a bill to establish appropriate criminal penalties for certain knowing violations relating to food that is misbranded or adulterated.

S. 3786

At the request of Mr. KERRY, the names of the Senator from Vermont [Mr. SANDERS] and the Senator from Illinois [Mr. DURBIN] were added as cosponsors of S. 3786, a bill to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury to issue prospective guidance clarifying the employment status of individuals for purposes of employment taxes and to prevent retroactive assessments with respect to such clarifications.

SENATE CONCURRENT RESOLUTION 39

At the request of Mr. MENENDEZ, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of Senate Concurrent Resolution 39, a concurrent resolution expressing the sense of the Congress that stable and affordable housing is an essential component of an effective strategy for the prevention, treatment, and care of human immunodeficiency virus, and that the United States should make a commitment to providing adequate funding for the development of housing as a response to the acquired immunodeficiency syndrome pandemic.

SENATE CONCURRENT RESOLUTION 63

At the request of Mr. JOHNSON, the name of the Senator from South Carolina [Mr. DEMINT] was added as a cosponsor of Senate Concurrent Resolution 63, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

SENATE RESOLUTION 619

At the request of Mr. UDALL of New Mexico, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of Senate Resolution 619, a resolution expressing the sense of the Senate that the Senate of each new Congress is not bound by the Rules of previous Senates.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on September 16, 2010, at 9:30 a.m.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 16, 2010, at 10 a.m. to conduct a hearing entitled "The Treasury Department's Report on International Economic and Exchange Rate Policies.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on September 16, 2010, at 9:30 a.m.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on September 16, 2010, at 3 p.m.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on September 16, 2010, at 10 a.m. in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on September 16, 2010, at 10 a.m. to conduct a hearing entitled "The Deepwater Drilling Moratorium: A Review of the Obama Administration's Economic Impact Analysis on U.S. Small Businesses."

SUBCOMMITTEE ON AVIATION OPERATIONS, SAFETY, AND SECURITY

The Subcommittee on Aviation Operations, Safety, and Security of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on September 16, 2010, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 10:09 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2039. An act to clarify the applicability of the Buy American Act to products purchased for the use of the legislative branch, to prohibit the application of any of the exceptions to the requirements of such Act to products bearing an official Congressional insignia, and for other purposes.

H.R. 3116. An act to prohibit the Department of Homeland Security from procuring certain items directly related to the national security unless the items are grown, reprocessed, reused, or produced in the United States, and for other purposes.

H.R. 3519. An act to amend the National Agricultural Research, Extension and Teaching Policy Act of 1977 to establish a grant program to promote efforts to develop, implement, and sustain veterinary services, and for other purposes.

H.R. 4862. An act to permit Members of Congress to administer the oath of allegiance to applicants for naturalization.

H.R. 5282. An act to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces to assist the Corps with curation and historic

preservation activities, and for other purposes.

H.R. 5366. An act to require the proposal for debarment from contracting with the Federal Government of persons violating the Foreign Corrupt Practices Act of 1977.

H.R. 5651. An act to designate the Federal building and United States courthouse located at 515 9th Street in Rapid City, South Dakota, as the “Andrew W. Bogue Federal Building and United States Courthouse”.

H.R. 5706. An act to designate the building occupied by the Government Printing Office located at 31451 East United Avenue in Pueblo, Colorado, as the “Frank Evans Government Printing Office Building.”

H.R. 5773. An act to designate the Federal building located at 6401 Security Boulevard in Baltimore, Maryland, commonly known as the Social Security Administration Operations Building, as the “Robert M. Ball Federal Building”.

H.R. 5873. An act to designate the facility of the United States Postal Service located at 218 North Milwaukee Street in Waterford, Wisconsin, as the “Captain Rhett W. Schiller Post Office”.

The message also announced that the House has passed the following bill with amendments, in which it requests the concurrence of the Senate:

S. 2868. An act to provide increased access to the General Services Administration’s Schedules Program by the American Red Cross and State and local governments.

The message further announced that the House has passed the following bill, without amendment:

S. 3656. An act to amend the Agricultural Marketing Act of 1946 to improve the reporting on sales of livestock and dairy products, and for other purposes.

HOUSE BILLS REFERRED

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

H.R. 2039. An act to clarify the applicability of the Buy American Act to products purchased for the use of the legislative branch, to prohibit the application of any of the exceptions to the requirements of such Act to products bearing a Congressional seal, and for other purposes; to the Committee on Homeland Security and Governmental Affairs

H.R. 3116. An act to prohibit the Department of Homeland Security from procuring certain items directly related to the national security unless the items are grown, reprocessed, reused, or produced in the United States, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3519. An act to amend the National Agricultural Research, Extension and Teaching Policy Act of 1977 to establish a grant program to promote efforts to develop, implement, and sustain veterinary services, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 4862. An act to permit Members of Congress to administer the oath of allegiance to applicants for naturalization, and for other purposes; to the Committee on the Judiciary.

H.R. 5282. An act to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces to assist the Corps with curation and historic preservation activities, and for other purposes; to the Committee on Environment and Public Works.

H.R. 5366. An act to require the proposal for debarment from contracting with the Federal Government of persons violating the Foreign Corrupt Practices Act of 1977; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5651. An act to designate the Federal building and United States courthouse located at 515 9th Street in Rapid City, South Dakota, as the "Andrew W. Bogue Federal Building and United States Courthouse"; to the Committee on Environment and Public Works.

H.R. 5706. To designate the building occupied by the Government Printing Office located at 31451 East United Avenue in Pueblo, Colorado, as the "Frank Evans Government Printing Office Building"; to the Committee on Environment and Public Works.

H.R. 5773. To designate the Federal building located at 6401 Security Boulevard in Baltimore, Maryland, commonly known as the Social Security Administration Operations Building, as the "Robert M. Ball Federal Building"; to the Committee on Environment and Public Works.

H.R. 5873. An act to designate the facility of the United States Postal Service located at 218 North Milwaukee Street in Waterford, Wisconsin, as the "Captain Rhett W. Schiller Post Office"; to the Committee on Homeland Security and Governmental Affairs.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. GOODWIN,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. GOODWIN,

The Senate resumed its legislative session.

EXTENDING THE AUTHORITY OF THE SECRETARY OF THE NAVY TO ENTER INTO MULTIYEAR CONTRACTS FOR CERTAIN AIRCRAFT

On the request of Mr. GOODWIN,

The PRESIDING OFFICER (Mrs. SHAHEEN in the chair) laid before the Senate the bill (H.R. 6102) to amend the National Defense Authorization Act for Fiscal Year 2010 to extend the authority of the Secretary of the Navy to enter into multiyear contracts for F/A-18E, F/A-18F, and EA-18G aircraft, received from the House of Representatives for concurrence on yesterday, and remaining undisposed of; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "THE AMERICAN LEGION DAY"

On the request of Mr. GOODWIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 627) designating September 16, 2010, as "The American Legion Day", submitted today by Ms. SNOWE (for herself, Ms. COLLINS, Mr. CHAMBLISS, Mrs. LINCOLN, and Mr. BURR), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE 10TH ANNIVERSARY OF THE NATIONAL BOOK FESTIVAL

On the request of Mr. GOODWIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 628) recognizing the 10th Anniversary of the National Book Festival, submitted today by Mr. SCHUMER (for himself and Mr. BENNETT), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING HISPANIC HERITAGE MONTH

On the request of Mr. GOODWIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 629) recognizing Hispanic Heritage Month and celebrating the heritage and culture of Latinos in the United States and their immense contributions to the Nation, submitted today by Mr. MENENDEZ (for himself, Mr. CORNYN, Mr. REID, Mr. WHITEHOUSE, Mrs. MURRAY, Mr. SCHUMER, Mr. BINGAMAN, Ms. MIKULSKI, Mr. CARDIN, Mrs. BOXER, Mrs. GILLIBRAND, Mr. MERKLEY, Mr. BURRIS, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. BENNET, Mr. MARK UDALL, Mr. INOUYE, Mr. LAUTENBERG, Mr. TOM UDALL, Mr. CASEY, Mr. LEMIEUX, Mr. BILL NELSON, Mrs. HUTCHISON, Mr. WYDEN, Mr. CRAPO, Mr. MCCAIN, and Mr. LUGAR), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

BILL READ THE FIRST TIME

On the request of Mr. GOODWIN,

The PRESIDING OFFICER laid before the Senate the bill (S. 3793) to extend expiring provisions and for other purposes, introduced today by Mr. BAUCUS, and at the desk; which was read the first time.

Mr. GOODWIN asked unanimous consent that the bill be read the second time.

Mr. GOODWIN objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, SEPTEMBER 20, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. GOODWIN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2 p.m. on Monday, September 20, 2010; that, on Monday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that the Senate then proceed to a period of morning business until 3 p.m., with Senators permitted to speak for 10 minutes each therein; and that, following morning business, the Senate resume consideration of the motion to proceed to consider bill S. 3454.

ADJOURNMENT

By unanimous consent, on the request of Mr. GOODWIN,

At 4:13 p.m.,

The Senate adjourned, under its order of today, until 2 p.m. on Monday, September 20, 2010.

MONDAY, SEPTEMBER 20, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE

PRESIDENT PRO TEMPORE,

Washington, DC, September 20, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

DANIEL K. INOUYE,

PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of Thursday, September 16, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Thursday, September 16, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Thursday, September 16, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3793) to extend expiring provisions and for other purposes, introduced on Thursday, September 16, 2010 by Mr. BAUCUS, and read the first time on that day; which was read the second time.

Mr. BAUCUS objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-7374. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "S-metolachlor; Pesticide Tolerances" (FRL No. 8842-3), received in the Office of the President of the Senate on September 14, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7375. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fenarimol; Pesticide Tolerance" (FRL No. 8844-6), received in the Office of the President of the Senate on September 14, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7376. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Ammonium Formate; Exemption from the Requirement of a Tolerance" (FRL No. 8839-3), received in the Office of the President of the Senate on September 14, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7377. A communication from the Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Competitive and Noncompetitive Non-formula Federal Assistance Programs - General Award Administrative Provisions and Specific Administrative Provisions at Subpart G - Agriculture and Food Research Initiative; Subpart H - Organic Agriculture Research and Extension Initiative; and Subpart I - Integrated Research, Education, and Extension Competitive Grants Program" (RIN0524-AA58), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7378. A communication from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Black Stem Rust; Additions of Rust-Resistant Varieties" (Docket No. APHIS-2010-0088), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7379. A communication from the Director of the Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Conservation Loan Program" (RIN0560-AI04), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7380. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Amendments to Enforceable Consent Agreement Procedural Rules" (FRL No. 8832-8), received in the Office of the President of the Senate on September 14, 2010; to the Committee on Environment and Public Works.

EC-7381. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Technical Amendments for Marine Spark-Ignition Engines and Vessels" (FRL No. 9202-4), received in the Office of the President of the Senate on September 14, 2010; to the Committee on Environment and Public Works.

EC-7382. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, San Diego County Air Pollution Control District" (FRL No. 9200-6), received in the Office of the President of the Senate on September 14, 2010; to the Committee on Environment and Public Works.

EC-7383. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Carbaryl; Order Denying NRDC's Objections and Requests for Hearing" (FRL No. 8843-7), received in the Office of the President of the Senate on September 14, 2010; to the Committee on Environment and Public Works.

EC-7384. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; Alabama: Birmingham; Determination of Attaining Data for the 2006 24-Hour Fine Particulate Standard" (FRL No. 9209-9), received in the Office of the President of the Senate on September 14, 2010; to the Committee on Environment and Public Works.

EC-7385. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Multi-Walled Carbon Nanotubes and Single-Walled Carbon Nanotubes; Significant New Use Rules" (FRL No. 8835-5), received in the Office of the President of the Senate on September 14, 2010; to the Committee on Environment and Public Works.

EC-7386. A communication from the President of the United States, transmitting, pursuant to law, a report relative to his extension of the national emergency period pertaining to the terrorist attacks of September 11, 2001, for an additional year; to the Committee on Banking, Housing, and Urban Affairs.

EC-7387. A communication from the Secretary of the Treasury, transmitting, pursuant to Executive Order 13313 of July 31, 2003, the semiannual report detailing payments made to Cuba as a result of the provision of telecommunications services pursuant to Department of the Treasury specific licenses; to the Committee on Banking, Housing, and Urban Affairs.

EC-7388. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Iraqi Sanctions Regulations" (31 CFR Part 575), received in the Office of the President of the Senate on September 14, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7389. A communication from the Assistant Secretary, Occupational Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Procedures for the Handling of Retaliation Complaints Under the Employee Protection Provision of the Surface Transportation Assistance Act of 1982" (RIN1218-AC36), received in the Office of the President of the Senate on September 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7390. A communication from the Assistant Secretary, Occupational Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Procedures for the Handling of Retaliation Complaints Under the National Transit Systems Security Act and the Federal Railroad Safety Act" (RIN1218-AC36), received in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7391. A communication from the Director, Bureau of Economic Analysis, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Services Surveys: BE-180, Benchmark Survey of Financial Services Transactions between U.S. Financial Services Providers and Foreign Persons" (RIN0691-AA73), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7392. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Commercial Quota Harvested for the Commonwealth of Massachusetts" (RIN0648-XY35), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7393. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice No. 2010-61), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Finance.

EC-7394. A communication from the Director of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Improvements to the Supplemental Security Income Program - Heroes Earnings Assistance and Relief Tax Act of 2008 (HEART Act)" (RIN0960-AD78), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Finance.

EC-7395. A communication from the Principal Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for manufacture of significant military equipment abroad for the manufacture of Executable Object Code for the Have Quick I/II Electronic Counter Counter-Measures (ECCM) Waveform to be used by Japan; to the Committee on Foreign Relations.

EC-7396. A communication from the Principal Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, to include technical data, and defense services for Commercial Communication Satellite Systems in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-7397. A communication from the Principal Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, to include technical data, and defense services to support the Proton launch of the Anik G1 Commercial Communication Satellite from the Baikonur Cosmodrome in Kazakhstan in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-7398. A communication from the Principal Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, to include technical data, and defense services for the assembly, modification, rework, integration and test of Antenna Subsystems, Payload Units and Bus Units for use in commercial communications satellites in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-7399. A joint communication from the Acting Deputy Assistant Administrator for Legislative Affairs, U.S. Agency for International Development (USAID) and the Assistant Secretary, Bureau for Legislative and Public Affairs, Department of State, transmitting, pursuant to law, the "Joint Summary of Performance and Financial Information Fiscal Year 2009 Summary"; to the Committee on Foreign Relations.

EC-7400. A communication from the Assistant Secretary of the Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Senior Community Service Employment Program; Final Rule" (RIN1205-AB48; RIN1205-AB47), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7401. A communication from the Chief Human Capital Officer, National Science Foundation, transmitting, pursuant to law, a report relative to the National Science Foundation's use of the alternative method for ranking and selecting candidates for competitive appointment for Federal positions; to the Committee on Health, Education, Labor, and Pensions.

EC-7402. A communication from the Board Members, Railroad Retirement Board, transmitting, pursuant to law, a report relative to the Board's budget request for the fiscal year 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7403. A communication from the Inspector General, Railroad Retirement Board, transmitting, pursuant to law, a report relative to the Office of Inspector General's budget request for the fiscal year 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-7404. A communication from the Assistant General Counsel of the Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled "Definition of Federal Election Activity" (Notice No. 2010-18), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Rules and Administration.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1252. A bill to promote ocean and human health and for other purposes (Rept. No. 111-296).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 2871. A bill to make technical corrections to the Western and Central Pacific Fisheries Convention Implementation Act, and for other purposes (Rept. No. 111-297).

By Mrs. BOXER, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 3119. A bill to amend and reauthorize certain provisions relating to Long Island Sound restoration and stewardship (Rept. No. 111-298).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Ms. MURKOWSKI:

S. 3802. A bill to designate a mountain and icefield in the State of Alaska as the "Mount Stevens" and "Ted Stevens Icefield", respectively; to the Committee on Energy and Natural Resources.

By Mr. ROBERTS (for himself and Mrs. LINCOLN) (by request):

S. 3803. A bill to amend the Internal Revenue Code of 1986 to expand the availability of employee stock ownership plans in S corporations, and for other purposes; to the Committee on Finance.

By Mr. LEAHY (for himself, Mr. HATCH, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. SCHUMER, Mr. KOHL, Mr. SPECTER, Mr. DURBIN, Mr. BAYH, Mr. VOINOVICH, and Mrs. FEINSTEIN):

S. 3804. A bill to combat online infringement, and for other purposes; to the Committee on the Judiciary.

By Mr. BINGAMAN (for himself, Mr. UDALL of New Mexico, Mr. SCHUMER, and Mr. BENNET):

S. 3805. A bill to authorize the Attorney General to award grants for States to implement minimum and enhanced DNA collection processes; to the Committee on the Judiciary.

By Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. AKAKA, and Mr. VOINOVICH):

S. 3806. A bill to protect Federal employees and visitors, improve the security of Federal facilities and authorize and modernize the Federal Protective Service; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BAUCUS (for himself and Mr. TESTER):

S. 3807. A bill to amend title 10, United States Code, to authorize long-term contracts for the purchase of liquid synthetic or biomass-derived aviation or aviation blend fuels for the Department of Defense, and for other purposes; to the Committee on Armed Services.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. ISAKSON (for himself, Mr. CHAMBLISS, and Ms. KLOBUCHAR):

S. Res. 630. A resolution designating November 28, 2010, as "Drive Safer Sunday"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 833

At the request of Mr. SCHUMER, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 833, a bill to amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV.

S. 850

At the request of Mr. KERRY, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 850, a bill to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks.

S. 1153

At the request of Mr. SCHUMER, the names of the Senator from California [Mrs. BOXER] and the Senator from Maryland [Mr. CARDIN] were added as cosponsors of S. 1153, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible designated beneficiaries of employees.

S. 1183

At the request of Mr. DURBIN, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 1183, a bill to authorize the Secretary of Agriculture to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, and for other purposes.

S. 1197

At the request of Mr. VOINOVICH, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 1197, a bill to establish a grant program for automated external defibrillators in elementary and secondary schools.

S. 1349

At the request of Ms. SNOWE, the name of the Senator from Florida [Mr. NELSON] was added as a cosponsor of S. 1349, a bill to amend the Internal Revenue Code of 1986 to simplify the deduction for use of a portion of a residence as a home office by providing an optional standard home office deduction.

S. 1481

At the request of Mr. MENENDEZ, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of S. 1481, a bill to amend section 811 of the Cranston-Gonzalez National Affordable Housing Act to improve the program under such section for supportive housing for persons with disabilities.

S. 1695

At the request of Mr. BURRIS, the names of the Senator from Missouri [Mr. BOND] and the Senator from Maryland [Mr. CARDIN] were added as cosponsors of S. 1695, a bill to authorize the award of a Congressional gold medal to the Montford Point Marines of World War II.

S. 2747

At the request of Mr. BINGAMAN, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 2747, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 2814

At the request of Ms. COLLINS, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 2814, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 2899

At the request of Mrs. FEINSTEIN, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 2899, a bill to amend the American Recovery and Reinvestment Act of 2009 and the Internal Revenue Code of 1986 to provide incentives for the development of solar energy.

S. 3039

At the request of Mr. UDALL of New Mexico, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 3039, a bill to prevent drunk driving injuries and fatalities, and for other purposes.

S. 3184

At the request of Ms. MIKULSKI, her name was added as a cosponsor of S. 3184, a bill to provide United States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes.

S. 3189

At the request of Mr. BROWN of Ohio, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 3189, a bill to amend title 49, United States Code, to allow for additional transportation assistance grants.

S. 3315

At the request of Ms. COLLINS, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 3315, a bill to amend title XVIII of the Social Security Act to protect Medicare beneficiaries' access to home health services under the Medicare program.

S. 3430

At the request of Ms. SNOWE, the names of the Senator from Hawaii [Mr. AKAKA] and the Senator from Hawaii [Mr. INOUYE] were added as cosponsors of S. 3430, a bill to amend the Internal Revenue Code of 1986 to expand the tip tax credit to employers of cosmetologists and to promote tax compliance in the cosmetology sector.

S. 3622

At the request of Mr. JOHANNS, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 3622, a bill to require the Administrator of the Environmental Protection Agency to finalize a proposed rule to amend the spill prevention, control, and countermeasure rule to tailor and streamline the requirements for the dairy industry, and for other purposes.

S. 3657

At the request of Mr. WYDEN, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 3657, a bill to establish as a standing order of the Senate that a Senator publicly disclose a notice of intent to objecting to any measure or matter.

S. 3716

At the request of Mrs. GILLIBRAND, the name of the Senator from West Virginia [Mr. ROCKEFELLER] was added as a cosponsor of S. 3716, a bill to amend the Internal Revenue Code of 1986 to provide a tax incentive for the installation and maintenance of mechanical insulation property.

S. 3735

At the request of Mr. BARRASSO, his name was added as a cosponsor of S. 3735, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve the use of certain registered pesticides.

S. 3747

At the request of Mr. HATCH, the name of the Senator from Wyoming [Mr. ENZI] was added as a cosponsor of S. 3747, a bill to provide for a reduction and limitation on the total number of Federal employees, and for other purposes.

S. 3748

At the request of Mr. WYDEN, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 3748, a bill to amend title 10, United States Code, to provide for the retention of members of the reserve components on active duty for a period of 45 days following an extended deployment in contingency operations of homeland defense missions to support their reintegration into civilian life, and for other purposes.

S. 3772

At the request of Mr. REID, the names of the Senator from Ohio [Mr. BROWN], the Senator from Massachusetts [Mr. KERRY], the Senator from Maryland [Mr. CARDIN] and the Senator from New Mexico [Mr. UDALL] were added as cosponsors of S. 3772, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

SENATE CONCURRENT RESOLUTION 39

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of Senate Concurrent Resolution 39, a concurrent resolution expressing the sense of the Congress that stable and affordable housing is an essential component of an effective strategy for the prevention, treatment, and care of human immunodeficiency virus, and that the United States should make a commitment to providing adequate funding for the development of housing as a response to the acquired immunodeficiency syndrome pandemic.

SENATE CONCURRENT RESOLUTION 63

At the request of Mr. JOHNSON, the names of the Senator from Idaho [Mr. RISCH], the Senator from Florida [Mr. LEMIEUX] and the Senator from Texas [Mr. CORNYN] were added as cosponsors of Senate Concurrent Resolution 63, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

SENATE RESOLUTION 586

At the request of Mr. FEINGOLD, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of Senate Resolution 586, a resolution supporting democracy, human rights, and civil liberties in Egypt.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 2:06 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4785. An act to authorize the Secretary of Agriculture to make loans to certain entities that agree that the funds will be used to make loans to consumers to implement energy efficiency measures involving structural improvements and investments in cost-effective, commercial off-the-shelf technologies to reduce energy use, and for other purposes.

The message also announced that the House agrees to the amendments of the Senate to the bill (H.R. 3562) to designate the federally occupied building located at 1220 Echelon Parkway in Jackson, Mississippi, as the "James Chaney, Andrew Goodman, and Michael Schwerner Federal Building".

At 2:47 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 3656. An act to amend the Agricultural Marketing Act of 1946 to improve the reporting on sales of livestock and dairy products, and for other purposes.

H.R. 3978. An act to amend the Homeland Security Act of 2002 to authorize the Secretary of Homeland Security to accept and use gifts for otherwise authorized activities of the Center for Domestic Preparedness that are related to preparedness for a response to terrorism, and for other purposes.

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the PRESIDENT pro tempore.

HOUSE BILL REFERRED

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

H.R. 4785. An act to authorize the Secretary of Agriculture to make loans to certain entities that agree that the funds will be used to make loans to consumers to implement energy efficiency measures involving structural improvements and investments in cost-effective, commercial off-the-shelf technologies to reduce energy use, and for other purposes; to the Committee on Energy and Natural Resources.

MOTION TO PROCEED TO CONSIDER BILL S. 3454

Pursuant to the order of Thursday, September 16, 2010,

The ACTING PRESIDENT pro tempore laid before the Senate the motion, made by Mr. REID on Thursday, September 16, 2010, that the Senate proceed to consider the bill (S. 3454) to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; and

The Senate resumed consideration of the motion to proceed.

The question being on agreeing to the motion.

Pending debate,

SENATOR PAUL SIMON WATER FOR THE WORLD ACT

By unanimous consent, on the request of Mr. LEVIN,

The Senate proceeded to consider the bill (S. 624) to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis by 2015 by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. LEVIN for (Mr. DURBIN) to insert, in lieu of the language proposed to be inserted by the pending reported amendment (in the nature of a substitute), other words (being amendment No. 4620, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The reported amendment (in the nature of a substitute), as amended, was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ENABLING STATE HOMES TO FURNISH NURSING HOME CARE TO PARENTS ANY OF WHOSE CHILDREN DIED WHILE SERVING IN THE ARMED FORCES

By unanimous consent, on the request of Mr. LEVIN,

Ordered, That the Committee on Veterans' Affairs be discharged from the further consideration of the bill (H.R. 4505) to enable State homes to furnish nursing home care to parents any of whose children died while serving in the Armed Forces.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "DRIVE SAFER SUNDAY"

On the request of Mr. LEVIN,

The PRESIDING OFFICER (Mr. KAUFMAN in the chair) laid before the Senate the resolution (S. Res. 630) designating November 28, 2010, as "Drive Safer Sunday", submitted today by Mr. ISAKSON

(for himself, Mr. CHAMBLISS, and Ms. KLOBUCHAR), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. LEVIN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 11 a.m.; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; that the majority control the first half of the time therein, and the minority control the second half of the time therein; and that, following morning business, the Senate resume consideration of the motion to proceed to consider bill S. 3454, as pursuant to the order of Thursday, September 16, 2010.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 2:15 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mr. LEVIN,

At 5:34 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

TUESDAY, SEPTEMBER 21, 2010

Mr. AL FRANKEN, from the State of Minnesota, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mr. FRANKEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, September 21, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable AL FRANKEN, a Senator from the State of Minnesota, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. FRANKEN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, Tuesday, September 21, 2010, she had presented to the President of the United States the following enrolled bill:

S. 3656. A bill to amend the Agricultural Marketing Act of 1946 to improve the reporting on sales of livestock and dairy products, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-7405. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 10-076, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-7406. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 10-058, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-7407. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 10-064, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-7408. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 10-095, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-7409. A communication from the Under Secretary of Defense (Policy), transmitting, pursuant to law, a report relative to Cooperative Threat Reduction Programs; to the Committee on Armed Services.

EC-7410. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General John F. Kimmons, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-7411. A communication from the Principal Deputy Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the Department's purchases from foreign entities for Fiscal Year 2009; to the Committee on Armed Services.

EC-7412. A communication from the Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "TRICARE: TRICARE Delivery of Health Care in Alaska" (RIN0720-AB29), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Armed Services.

EC-7413. A communication from the Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "TRICARE: Transitional Assistance Management Program (TAMP)" (RIN0720-AB34), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Armed Services.

EC-7414. A communication from the Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "TRICARE: Non-Physician Referrals for Physical Therapy, Occupational Therapy, and Speech Therapy" (RIN0720-AB36), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Armed Services.

EC-7415. A communication from the Assistant Secretary for Housing-Federal Housing Commissioner, Department of Housing and Urban Development, transmitting, pursuant to law, a report entitled "Annual Report to Congress on Initiatives to Address Management Deficiencies Identified in the Audit of FHA's Financial Statements for Fiscal Years 2009 and 2008"; to the Committee on Banking, Housing, and Urban Affairs.

EC-7416. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Internal Agency Docket No. FEMA-8149)), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7417. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing-Federal Housing Commissioner, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Federal Housing Administration Risk Management Initiatives: New Loan-to-Value and Credit Score Requirements" (FR-5404-N-02), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7418. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles that are controlled under Category I of the United States Munitions List sold commercially under a contract in the amount of $1,000,000 or more to the Royal Guard of Oman; to the Committee on Foreign Relations.

EC-7419. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles that are controlled under Category I of the United States Munitions List sold commercially under a contract in the amount of $1,000,000 or more to Taiwain; to the Committee on Foreign Relations.

EC-7420. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, to include technical data, and defense services to the United Arab Emirates for the sale of six C-17A Globemaster III transport aircraft in the amount of $14,000,000 or more; to the Committee on Foreign Relations.

EC-7421. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, to include technical data, and defense services to the Republic of Korea for the assembly, integration and maintenance of the Rolling Airframe Missile (RAM) Guided Missile Weapon System in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-7422. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, to include technical data, and defense services for installation in various vehicles and dismounted applications to support the Australian Government Department of Defence for Communications in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-7423. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, to include technical data, and defense services to Japan for the post-production support of the AN/ALQ-131(V) Electronic Countermeasures ("ECM") in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-7424. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, to include technical data, and defense services to the United Kingdom and Greece for the manufacture of Lightweight 30mm (LW 30mm) TP projectile and the LW 30mm cartridge case as well as the LAP of TP and HEDP LW 30mm ammunition; to the Committee on Foreign Relations.

EC-7425. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, to include technical data, and defense services to the United Arab Emirates for the establishment of a maintenance service center for the Ministry of Defense's fleet of H-60 and S-70 model helicopters in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-7426. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, to include technical data, and defense services for the manufacture of Patriot PAC-3 Missile Segment Canister Assemblies and Components in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-7427. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, to include technical data, and defense services for the manufacture of MJU-68/B Decoy Flares for end use by the Joint Strike Fighter Partner Nations for the Joint Strike Fighter (F35) in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-7428. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, to include technical data, and defense services to Japan for the manufacture of Patriot PAC-3 Missile Segment Command and Launch System in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-7429. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010-0134 - 2010-0136); to the Committee on Foreign Relations.

EC-7430. A communication from the General Counsel, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, a report relative to a vacancy in the position of

Director, Pension Benefit Guaranty Corporation; to the Committee on Health, Education, Labor, and Pensions.

EC-7431. A communication from the General Counsel and Senior Policy Advisor, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, (2) reports relative to vacancies in the positions of Director and Deputy Director in the Office of Management and Budget; to the Committee on Homeland Security and Governmental Affairs.

EC-7432. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Letter Report: Fiscal Year 2009 District of Columbia Agency Compliance with Small Business Enterprise Goals"; to the Committee on Homeland Security and Governmental Affairs.

EC-7433. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report entitled "Report of the Proceedings of the Judicial Conference of the United States" for the March 2010 session; to the Committee on the Judiciary.

EC-7434. A communication from the President, American Academy of Arts and Letters, transmitting, pursuant to law, a report relative to the Academy's activities during the year ending December 31, 2009; to the Committee on the Judiciary.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mrs. GILLIBRAND:

S. 3808. A bill to amend the Consolidated Farm and Rural Development Act to expand eligibility for Farm Service Agency loans; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. GILLIBRAND:

S. 3809. A bill to amend the Food Security Act of 1985 to require the Secretary of Agriculture to carry out a conservation program under which the Secretary shall make payments to assist owners and operators of muck land to conserve and improve the soil, water, and wildlife resources of the land; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. GILLIBRAND (for herself and Mr. CARDIN):

S. 3810. A bill to restrict participation in offshore oil and gas leasing by a person who engages in any activity for which sanctions may be imposed under section 5 of the Iran Sanctions Act of 1996, to require the lessee under an offshore oil and gas lease to disclose any participation by the lessee in certain energy-related joint ventures, investments, or partnerships located outside Iran, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. LINCOLN (for herself and Mr. CRAPO):

S. 3811. A bill to establish the Military Family-Friendly Employer Award for employers that have developed and implemented workplace flexibility policies to assist the working spouses and caregivers of service members, and returning service members, in addressing family and home needs during deployments; to the Committee on Armed Services.

By Mr. VITTER (for himself and Mr. MCCAIN):

S. 3812. A bill to prohibit trade in billfish and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BINGAMAN (for himself, Mr. BROWNBACK, Mr. DORGAN, Ms. COLLINS, Mr. UDALL of New Mexico, Mr. ENSIGN, Mr. UDALL of Colorado, Ms. CANTWELL, Mr. JOHNSON, Mrs. SHAHEEN, Mr. HARKIN, Mr. REID, Mr. BENNET, Mrs. MURRAY, Mr. BEGICH, Mr. FRANKEN, Mr. BURRIS, Mr. KAUFMAN, Mrs. FEINSTEIN, Mr. KERRY, and Mr. DURBIN):

S. 3813. A bill to amend the Public Utility Regulatory Policies Act of 1978 to establish a Federal renewable electricity standard, and for other purposes; read the first time.

By Mr. VITTER (for himself, Mr. CHAMBLISS, Mr. ISAKSON, Mrs. HUTCHISON, Mr. ALEXANDER, Ms. LANDRIEU, and Mr. NELSON of Florida):

S. 3814. A bill to extend the National Flood Insurance Program until September 30, 2011; considered and passed.

By Mr. REID:

S. 3815. A bill to amend the Internal Revenue Code of 1986 to reduce oil consumption and improve energy security, and for other purposes; read the first time.

By Mr. DURBIN (for himself, Mr. REID, Mr. SCHUMER, and Mr. DORGAN):

S. 3816. A bill to amend the Internal Revenue Code of 1986 to create American jobs and to prevent the offshoring of such jobs overseas; read the first time.

By Mr. ENZI:

S.J. Res. 39. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule relating to status as a grandfathered health plan under the Patient Protection and Affordable Care Act; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mrs. LINCOLN (for herself, Mr. COCHRAN, Mr. BROWN of Ohio, Mr. BEGICH, and Mr. FEINGOLD):

S. Res. 631. A resolution designating the week beginning on November 8, 2010, as National School Psychology Week; to the Committee on the Judiciary.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 632. A resolution honoring the work of the United Service Organizations and congratulating the United Service Organizations on the sending of their 2 millionth troop care package; considered and agreed to.

By Mr. KOHL (for himself, Ms. MIKULSKI, Mr. CASEY, Mr. FEINGOLD, and Mr. LEMIEUX):

S. Res. 633. A resolution designating September 23, 2010, as "National Falls Prevention Awareness Day" to raise awareness and encourage the prevention of falls among older adults; considered and agreed to.

By Mrs. McCASKILL (for herself and Mr. BOND):

S. Res. 634. A resolution commemorating the 100th anniversary of the founding of the Saint Louis Zoo; considered and agreed to.

By Mr. MENENDEZ (for himself, Mr. CORNYN, Mr. LAUTENBERG, Mr. UDALL of New Mexico, Mrs. MURRAY, Mrs. HUTCHISON, Mr. BINGAMAN, Mr. UDALL of Colorado, Mrs. BOXER, Mrs. FEINSTEIN, Mr. ENSIGN, and Mr. WARNER):

S. Res. 635. A resolution designating the week beginning September 19, 2010, as "National Hispanic-Serving Institutions Week"; considered and agreed to.

By Mr. BAUCUS (for himself and Mr. TESTER):

S. Res. 636. A resolution congratulating Walter Breuning on the occasion of his 114th birthday; to the Committee on the Judiciary.

By Ms. CANTWELL (for herself and Mrs. MURRAY):

S. Res. 637. A resolution commending the Seattle Storm for winning the 2010 Women's National Basketball Association Championship; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 510

At the request of Mr. DURBIN, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 510, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply.

S. 535

At the request of Mr. NELSON of Florida, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 535, a bill to amend title 10, United States Code, to repeal requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 833

At the request of Mr. SCHUMER, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 833, a bill to amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV.

S. 987

At the request of Mr. DURBIN, the names of the Senator from Wisconsin [Mr. FEINGOLD] and the Senator from Massachusetts [Mr. BROWN] were added as cosponsors of S. 987, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 1153

At the request of Mr. SCHUMER, the names of the Senator from Pennsylvania [Mr. CASEY] and the Senator from Minnesota [Mr. FRANKEN] were added as cosponsors of S. 1153, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible designated beneficiaries of employees.

S. 1183

At the request of Mr. DURBIN, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 1183, a bill to authorize the Secretary of Agriculture to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, and for other purposes.

S. 1617

At the request of Mr. BROWN of Ohio, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 1617, a bill to require the Secretary of Commerce to establish a program for the award of grants to States to establish revolving loan funds for small and medium-sized manufacturers to improve energy efficiency and produce clean energy technology, and for other purposes.

S. 1652

At the request of Mr. HARKIN, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 1652, a bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

S. 1695

At the request of Mr. BURRIS, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 1695, a bill to authorize the award of a Congressional gold medal to the Montford Point Marines of World War II.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 2814

At the request of Ms. COLLINS, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 2814, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 2896

At the request of Mr. FRANKEN, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 2896, a bill to recruit, support, and prepare principals to improve student academic achievement at high-need schools.

S. 2982

At the request of Mr. KERRY, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 2982, a bill to combat international violence against women and girls.

S. 3107

At the request of Mr. AKAKA, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 3107, a bill to amend title 38, United States Code, to provide for an increase, effective December 1, 2010, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

S. 3184

At the request of Mrs. BOXER, the name of the Senator from Nebraska [Mr. JOHANNS] was added as a cosponsor of S. 3184, a bill to provide United States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes.

S. 3320

At the request of Mr. WHITEHOUSE, the names of the Senator from Rhode Island [Mr. REED] and the Senator from California [Mrs. BOXER] were added as cosponsors of S. 3320, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 3424

At the request of Mr. DURBIN, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 3424, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 3510

At the request of Mr. CONRAD, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 3510, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 3572

At the request of Mrs. LINCOLN, the names of the Senator from Alabama [Mr. SESSIONS] and the Senator from South Dakota [Mr. JOHNSON] were added as cosponsors of S. 3572, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first law enforcement agency, the United States Marshals Service.

S. 3574

At the request of Mr. BROWN of Ohio, the name of the Senator from Wyoming [Mr. BARRASSO] was added as a cosponsor of S. 3574, a bill to amend title II of the Social Security Act to prohibit the inclusion of Social Security account numbers on Medicare cards.

S. 3693

At the request of Mr. GRASSLEY, the name of the Senator from South Carolina [Mr. GRAHAM] was added as a cosponsor of S. 3693, a bill to provide funding for the settlement of lawsuits against the Federal Government for discrimination against Black Farmers.

S. 3735

At the request of Mrs. LINCOLN, the names of the Senator from Utah [Mr. HATCH], the Senator from Kansas [Mr. ROBERTS], the Senator from Nebraska [Mr. JOHANNS], the Senator from Idaho [Mr. CRAPO], the Senator from Iowa [Mr. GRASSLEY], the Senator from Idaho [Mr. RISCH] and the Senator from Wyoming [Mr. ENZI] were added as cosponsors of S. 3735, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve the use of certain registered pesticides.

S. 3748

At the request of Mr. WYDEN, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of S. 3748, a bill to amend title 10, United States Code, to provide for the retention of members of the reserve components on active duty for a period of 45 days following an extended deployment in contingency operations of homeland defense missions to support their reintegration into civilian life, and for other purposes.

S. 3766

At the request of Mr. SPECTER, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 3766, a bill to amend the Public Health Service Act to provide for human stem cell research,

including human embryonic stem cell research, and for other purposes.

S. 3774

At the request of Mr. CORNYN, the name of the Senator from Florida [Mr. NELSON] was added as a cosponsor of S. 3774, a bill to extend the deadline for Social Services Block Grant expenditures of supplemental funds appropriated following disasters occurring in 2008.

S. 3786

At the request of Mr. KERRY, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 3786, a bill to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury to issue prospective guidance clarifying the employment status of individuals for purposes of employment taxes and to prevent retroactive assessments with respect to such clarifications.

S. 3804

At the request of Mr. LEAHY, the names of the Senator from Oklahoma [Mr. COBURN], the Senator from Maryland [Mr. CARDIN] and the Senator from South Carolina [Mr. GRAHAM] were added as cosponsors of S. 3804, a bill to combat online infringement, and for other purposes.

SENATE RESOLUTION 593

At the request of Mrs. MURRAY, the name of the Senator from Massachusetts [Mr. BROWN] was added as a cosponsor of Senate Resolution 593, a resolution expressing support for designation of October 7, 2010, as "Jumpstart's Read for the Record Day".

SENATE RESOLUTION 603

At the request of Mr. SPECTER, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of Senate Resolution 603, a resolution commemorating the 50th anniversary of the National Council for International Visitors, and designating February 16, 2011, as "Citizen Diplomacy Day".

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. LEVIN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on September 21, 2010, at 9:30 a.m.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 21, 2010, at 10 a.m., to conduct a hearing entitled "Investing in Infrastructure: Creating Jobs and Growing the Economy."

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on September 21, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Welfare Reform: A New Conversation on Women and Poverty."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on September 21, 2010, at 2:30 p.m.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on September 21, 2010, at 2:30 p.m.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on September 21, 2010, at 9 a.m.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on September 21, 2010, at 2:30 p.m.

MOTION TO PROCEED TO CONSIDER BILL S. 3454

Pursuant to the order of yesterday,

The PRESIDING OFFICER (Mr. MERKLEY in the chair) laid before the Senate the motion, made by Mr. REID on Thursday, September 16, 2010, that the Senate proceed to consider the bill (S. 3454) to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; and

The Senate resumed consideration of the motion to proceed.

The question being on agreeing to the motion.

Pending debate,

By unanimous consent, on the request of Mr. LEVIN,

Ordered, That the order of Thursday, September 16, 2010, that the Senate vote on the question of agreeing to the `motion to bring to a close debate on the motion to proceed to consider bill S. 3454 at 2:15 p.m. on today, be modified such that the Senate instead vote at 2:30 p.m. on today; and that the additional time for debate be equally divided and controlled.

The question being on agreeing to the motion to proceed.

Pending debate,

RECESS

Pursuant to the order of yesterday, as modified,

At 12:34 p.m.,

The PRESIDING OFFICER declared the Senate recessed until 2:15 p.m.

AT 2:15 P.M.

The PRESIDING OFFICER (Mr. BEGICH in the chair) called the Senate to order.

MOTION TO PROCEED TO CONSIDER BILL S. 3454

The Senate resumed consideration of the motion to proceed to consider bill S. 3454.

The question being on agreeing to the motion to proceed.

Pending debate,

Mr. MCCONNELL asked unanimous consent that the Senate immediately proceed to consider bill S. 3454; that amendments be proposed in alternating fashion; that the first 20 amendments be defense-related, within the jurisdiction of the Committee on Armed Services; and that no amendment relative to immigration be in order be among the first 20 to be proposed.

Mr. REID objected.

Pursuant to the order of Thursday, September 16, 2010,

The PRESIDING OFFICER laid before the Senate the motion, presented by Mr. REID on that day, to bring to a close debate on the motion to proceed to consider bill S. 3454.

Pursuant to the order of Thursday, September 16, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the negative---
yeas... 56, nays... 43

[Rollcall Vote No. 238 Leg.]

YEAS --- 56

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Reed, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 43

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl,

LeMieux, Lincoln, Lugar, McCain, McConnell, Pryor, Reid, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was not agreed to; three-fifths of Senators duly chosen and sworn not having voted in the affirmative.

Mr. REID, having voted on the prevailing side, entered a motion to reconsider the vote disagreeing to the motion to bring to a close debate on the motion to proceed to consider bill S. 3454.

Pending debate,

PROVIDING FOR CERTAIN DISCLOSURES UNDER THE FREEDOM OF INFORMATION ACT

By unanimous consent, on the request of Mr. KAUFMAN,

The Senate proceeded to consider the bill (S. 3717) to amend the Securities Exchange Act of 1934, the Investment Company Act of 1940, and the Investment Advisers Act of 1940 to provide for certain disclosures under section 552 of title 5, United States Code, (commonly referred to as the Freedom of Information Act), and for other purposes.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

NATIONAL FLOOD INSURANCE PROGRAM REEXTENSION ACT

On the request of Mr. KAUFMAN

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) laid before the Senate the bill (S. 3814) to extend the National Flood Insurance Program until September 30, 2011, introduced on today by Mr. VITTER (for himself, Mr. CHAMBLISS, Mr. ISAKSON, Mrs. HUTCHISON, Mr. ALEXANDER, Ms. LANDRIEU, and Mr. BILL NELSON), and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXPRESSING SUPPORT FOR DESIGNATION OF "JUMPSTART'S READ FOR THE RECORD DAY"

By unanimous consent, on the request of Mr. KAUFMAN,

Ordered, That the Committee on Health, Education, Labor, and Pensions be discharged from the further consideration of the resolution (S. Res. 593) expressing support for designation of October 7, 2010, as "Jumpstart's Read for the Record Day".

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HONORING THE WORK OF THE UNITED SERVICE ORGANIZATIONS

On the request of Mr. KAUFMAN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 632) honoring the work of the United Service Organizations and congratulating the United Service Organizations on the sending of their 2 millionth troop care package, submitted today by Mr. REID (for himself and Mr. MCCONNELL), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL FALLS PREVENTION AWARENESS DAY"

On the request of Mr. KAUFMAN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 633) designating September 23, 2010, as "National Falls Prevention Awareness Day" to raise awareness and encourage the prevention of falls among older adults, submitted today by Mr. KOHL (for himself, Ms. MIKULSKI, Mr. CASEY, Mr. FEINGOLD, and Mr. LEMIEUX), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

COMMEMORATING THE 100TH ANNIVERSARY OF THE FOUNDING OF THE SAINT LOUIS ZOO

On the request of Mr. KAUFMAN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 634) commemorating the 100th anniversary of the founding of the Saint Louis Zoo, submitted today by Mrs. MCCASKILL (for herself and Mr. BOND), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL HISPANIC-SERVING INSTITUTIONS WEEK"

On the request of Mr. KAUFMAN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 635) designating the week beginning September 19, 2010, as "National Hispanic-Serving Institutions Week", submitted today by Mr. MENENDEZ (for himself, Mr. CORNYN, Mr. LAUTENBERG, Mr. TOM UDALL, Mrs. MURRAY, Mrs. HUTCHISON, Mr. BINGAMAN, Mr. MARK UDALL, Mrs. BOXER, Mrs. FEINSTEIN, Mr. ENSIGN, and Mr. WARNER), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

BILL READ THE FIRST TIME

On the request of Mr. KAUFMAN,

The PRESIDING OFFICER laid before the Senate the bill (S. 3813) to amend the Public Utility Regulatory Policies Act of 1978 to establish a Federal renewable electricity standard, and for other purposes, introduced today by Mr. BINGAMAN (for himself, Mr. BROWNBACK, Mr. DORGAN, Ms. COLLINS, Mr. TOM UDALL, Mr. ENSIGN, Mr. MARK UDALL, Ms. CANTWELL, Mr. JOHNSON, Mrs. SHAHEEN, Mr. HARKIN, Mr. REID, Mr. BENNET, Mrs. MURRAY, Mr. BEGICH, Mr. FRANKEN, Mr. BURRIS, Mr. KAUFMAN, Mrs. FEINSTEIN, Mr. KERRY, and Mr. DURBIN), and at the desk; which was read the first time.

Mr. KAUFMAN asked unanimous consent that the bill be read the second time.

Mr. KAUFMAN objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

BILL READ THE FIRST TIME

On the request of Mr. KAUFMAN,

The PRESIDING OFFICER laid before the Senate the bill (S. 3815) to amend the Internal Revenue Code of 1986 to reduce oil consumption and improve energy security, and for other purposes, introduced today by Mr. REID, and at the desk; which was read the first time.

Mr. KAUFMAN asked unanimous consent that the bill be read the second time.

Mr. KAUFMAN objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

ORDER RELATIVE TO CONSIDERATION OF JOINT RESOLUTION S.J. RES. 30

By unanimous consent, on the request of Mr. FRANKEN,

Ordered, That, at 10:30 a.m. on Thursday, September 23, 2010, the minority leader, or his designee, be recognized to move to proceed to consider the joint resolution (S.J. Res. 30) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Mediation Board relating to representation election procedures; that there be 2 hours, equally divided and controlled, for debate between Mr. HARKIN and Mr. ISAKSON, or their designees; that, upon conclusion of debate, the Senate vote on the question of agreeing to the motion to proceed; that, if said motion is agreed to, there be one hour, equally divided and controlled, for debate between Mr. HARKIN and Mr. ISAKSON, or their designees, on the joint resolution; that, upon conclusion of debate, the joint resolution be read the third time; and that the Senate then vote on passage of the joint resolution.

Ordered further, That, if the motion to proceed is not agreed to, no further motion to proceed to the joint resolution be in order; that no amendment or motion be in order to the joint resolution; and that all other provisions of the statute governing consideration of the joint resolution remain in effect.

BILL READ THE FIRST TIME

On the request of Mr. FRANKEN,

The PRESIDING OFFICER laid before the Senate the bill (S. 3816) to amend the Internal Revenue Code of 1986 to create American jobs and to prevent the offshoring of such jobs overseas, introduced today by Mr. DURBIN (for himself, Mr. REID, Mr. SCHUMER, and Mr. DORGAN), and at the desk; which was read the first time.

Mr. FRANKEN asked unanimous consent that the bill be read the second time.

Mr. FRANKEN objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. FRANKEN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 4 p.m., with Senators permitted to speak for 10 minutes each therein; that the time until 10 a.m. be equally divided and controlled for debate between the two leaders, or their designees; that the time between 10 a.m. and 4 p.m. be equally divided and controlled for debate between the majority and the minority; that the first half hour of the time therein be controlled by the majority party; that the second half hour of the time therein be controlled by the minority party; that each half hour thereafter be controlled in like alternating fashion; and that, following morning business, the Senate resume consideration of the motion to proceed to consider bill S. 3454.

ADJOURNMENT

By unanimous consent, on the request of Mr. FRANKEN,

At 7:39 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

WEDNESDAY, SEPTEMBER 22, 2010

Mr. CARTE P. GOODWIN, from the State of West Virginia, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. GOODWIN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, September 22, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CARTE P. GOODWIN, a Senator from the State of West Virginia, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. GOODWIN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3813) to amend the Public Utility Regulatory Policies Act of 1978 to establish a Federal renewable electricity standard, and for other purposes, introduced on yesterday by Mr. BINGAMAN (for himself, Mr. BROWNBACK, Mr. DORGAN, Ms. COLLINS, Mr. TOM UDALL, Mr. ENSIGN, Mr. MARK UDALL, Ms. CANTWELL, Mr. JOHNSON, Mrs. SHAHEEN, Mr. HARKIN, Mr. REID, Mr. BENNET, Mrs. MURRAY, Mr. BEGICH, Mr. FRANKEN, Mr. BURRIS, Mr. KAUFMAN, Mrs. FEINSTEIN, Mr. KERRY, Mr. DURBIN, Mr. CARDIN, Mr. GRASSLEY, and Ms. STABENOW), and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of

the Standing Rules of the Senate, the bill would be placed on the calendar.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3815) to amend the Internal Revenue Code of 1986 to reduce oil consumption and improve energy security, and for other purposes, introduced on yesterday by Mr. REID (for himself and Mr. MENENDEZ), and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3816) to amend the Internal Revenue Code of 1986 to create American jobs and to prevent the offshoring of such jobs overseas, introduced on yesterday by Mr. DURBIN (for himself, Mr. REID, Mr. SCHUMER, Mr. DORGAN, Mrs. BOXER, Mr. SHERROD BROWN, and Mr. LEAHY), and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

JOINT RESOLUTION DISCHARGED BY PETITION

Pursuant to 5 U.S.C. 802(c), the following joint resolution was discharged by petition from the Committee on Health, Education, Labor, and Pensions, and placed on the Calendar:

S.J. Res. 30. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Mediation Board relating to representation election procedures.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-7435. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (27); Amdt. No. 3391" (RIN2120-AA65), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7436. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (152); Amdt. No. 3388" (RIN2120-AA65), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7437. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (8); Amdt. No. 3389" (RIN2120-AA65), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7438. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; 2010 Seattle Seafair Fleet Week Moving Vessels, Puget Sound, Washington" ((RIN1625-AA87)-(Docket No. USCG-2010-0709)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7439. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Thunder on Niagara, Niagara River, North Tonawanda, NY" ((RIN1625-AA00)(Docket No. USCG-2010-0745)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7440. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Kanawha River Mile 56.7 to 57.6, Charleston, WV" ((RIN1625-AA00)(Docket No. USCG-2010-0208)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7441. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fireworks within the Captain of the Port Sector Boston Zone" ((RIN1625-AA00)(Docket No. USCG-2010-0685)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7442. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Live-Fire Gun Exercise, M/V Del Monte, James River, VA" ((RIN1625-AA00)(Docket No. USCG-2010-0585)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7443. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; DEEPWATER HORIZON Response Staging Area in the Vicinity of Shell Beach, Hopedale, LA" ((RIN1625-AA00)(Docket No. USCG-2010-0622)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7444. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; He'eia Kea Small Boat Harbor, Kaneohe Bay, Oahu, HI" ((RIN1625-AA00)(Docket No. USCG-2010-0458)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7445. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Transformers 3 Movie Filming, Chicago River, Chicago, IL" ((RIN1625-AA00)(Docket No. USCG-2010-0706)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7446. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; AVI September Fireworks Display, Laughlin, Nevada, NV" ((RIN1625-AA00)(Docket No. USCG-2010-0020)), received during adjournment of the

Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7447. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Celebrate Erie, Presque Isle Bay, Erie, PA" ((RIN1625-AA00)(Docket No. USCG-2010-0746)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7448. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 Airplanes; and Model ERJ 190-100 LR, -100 IGW, -100 STD, -200 STD, -200LR, and -200 IGW Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2009-0497)), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7449. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Hawker Beechcraft Corporation (Type Certificate No. A00010WI Previously Held by Raytheon Aircraft Company) Model 390 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0523)), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7450. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 and 440) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0482)), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7451. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Air Tractor, Inc. Models AT-802 and AT-802A Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2010-0827)), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7452. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A318, A319, A320, and A321 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0804)), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7453. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 and ERJ 190 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0799)), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7454. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 737-600, -700, -700C, -800, -900, and -900ER Series Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2010-0798)), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7455. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt and Whitney Canada (PandWC) PW530A, PW545A, and PW545B Turbofan Engines" ((RIN2120-AA64)-(Docket No. FAA-2010-0860)), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7456. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Thielert Aircraft Engines GmbH (TAE) Models TAE 125-01 and TAE 125-02-99 Reciprocating Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0683)), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7457. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; GA 8 Airvan (Pty) Ltd Models GA8 and GA8-TC320 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0847)), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7458. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt and Whitney (PW) PW4000 Series Turbofan Engines" ((RIN2120-AA64)-(Docket No. FAA-2010-0217)), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7459. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sikorsky Aircraft Corporation Model S-76A, S-78B, and S-76C Helicopters" ((RIN2120-AA64)(Docket No. FAA-2008-0609)), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7460. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2C10 (Regional Jet Series 700, 701 and 702), CL-600-2D15 (Regional Jet Series 705), and CL-600-2D24 (Regional Jet Series 900) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1110)), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7461. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 737-700 (IGW) Series Airplanes Equipped with Auxiliary Fuel Tanks Installed in Accordance with Configuration 3 of Supplemental Type Certificate ST00936NY" ((RIN2120-AA64)(Docket No. FAA-2010-0037)), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7462. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model DHC-8-200 and DHC-8-300 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0432)), received in the Office of the President of the Senate on September 21, 2010; to the

Committee on Commerce, Science, and Transportation.

EC-7463. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area: Galveston Channel, TX" ((RIN1625-AA11)-(Docket No. USCG-2009-0931)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7464. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area: Boom Deployment Strategy Testing, Great Bay, NH" ((RIN1625-AA11)(Docket No. USCG-2010-0666)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7465. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Elizabeth River, Norfolk, VA" ((RIN1625-AA09)(Docket No. USCG-2009-0754)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7466. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments, Sector Columbia River, WA" ((RIN1625-ZA25)(Docket No. USCG-2010-0351)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7467. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments, Sector Puget Sound, WA" ((RIN1625-ZA25)(Docket No. USCG-2010-0351)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7468. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments, Bridges" ((RIN1625-ZA25)-(Docket No. USCG-2010-0351)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7469. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation for Marine Events; Elizabeth River, Portsmouth, VA" ((RIN1625-AA08)(Docket No. USCG-2010-0713)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7470. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Marine Events Within the Captain of the Port Sector Boston Zone" ((RIN1625-AA08)(Docket No. USCG-2010-0675)), received during adjournment of the Senate in the Office of the President of the Senate on September 12, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7471. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Electronic On-Board Recorders for Hours-of-Service Compliance" (RIN2126-AA89), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7472. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Compliance with Interstate Motor Carrier Noise Emission Standards: Exhaust Systems" (RIN2126-AB31), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7473. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Parts and Accessories Necessary for Safe Operation: Antilock Brake Systems" (RIN2126-AB27), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7474. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Pilot, Flight Instructor, and Pilot School Certification" ((RIN2120-AI86)(Docket No. FAA-2006-26661)), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7475. A communication from the Assistant Chief Counsel for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Minor Editorial Corrections and Clarifications" (RIN2137-AE61), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7476. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace; Kaneohe, HI" ((RIN2120-AA66)(Docket No. FAA-2010-0530)), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7477. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class E Airspace; Eastsound, WA" ((RIN2120-AA66)(Docket No. FAA-2010-0387)), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7478. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Litchfield, MN" ((RIN2120-AA66)(Docket No. FAA-2010-0401)), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7479. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Center, TX" ((RIN2120-AA66)(Docket No. FAA-2010-0181)), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7480. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law,

the report of a rule entitled "Amendment of Class E Airspace; Port Angeles, WA" ((RIN2120-AA66)(Docket No. FAA-2010-0002)), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7481. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Astoria, OR" ((RIN2120-AA66)(Docket No. FAA-2009-0902)), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7482. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Chinook Salmon Bycatch Management in the Bering Sea Pollock Fishery" (RIN0648-AX89), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7483. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska" (RIN0648-XY57), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7484. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Quarterly Listings; Safety Zones; Security Zones; Special Local Regulations; Regulated Navigation Areas; Drawbridge Operation Regulations" (Docket No. USCG-2010-0732), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7485. A communication from the Chief of the Foreign Species Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Final Rule to List the Medium Tree-Finch (Camarhynchus pauper) as Endangered Throughout Its Range" (RIN1018-AW01), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC-7486. A communication from the Chief of the Foreign Species Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Determination of Threatened Status for Five Penguin Species" (RIN1018-AW40), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC-7487. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Richard C. Zilmer, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-7488. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Nebraska: Final Authorization of State Hazardous Waste Management Program Revisions" (FRL No. 9205-3), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC-7489. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Adoption of Control Techniques Guidelines for Flexible Packaging and Printing" (FRL No. 9205-9), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC-7490. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control Technique Guidelines for Paper, Film, and Foil Coatings" (FRL No. 9206-4), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC-7491. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Michigan; PSD Regulations" (FRL No. 9205-6), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC-7492. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Michigan; Redesignation of the Allegan County Areas to Attainment for Ozone" (FRL No. 9204-5), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC-7493. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Mandatory Reporting of Greenhouse Gases" (FRL No. 9204-7), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC-7494. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District" (FRL No. 9204-3), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC-7495. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Indiana; Revised Format for Materials Being Incorporated by Reference" (FRL No. 9200-1), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC-7496. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Ocean Dumping; Correction of Typographical Error in 2006 Federal Register Final Rule for Designation of Ocean Dredged Material Disposal Site at Coos Bay, Oregon, Site F; Restoration of Coordinates for Ocean Dredged Material Disposal Site at Coos Bay, Oregon, Site H" (FRL No. 9161-6), received in the Office of the President of the Senate on September 21,

2010; to the Committee on Environment and Public Works.

EC-7497. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Revisions to Emissions Inventory Reporting Requirements, and General Provisions" (FRL No. 9187-8), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC-7498. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Commonwealth of Kentucky; Prevention of Significant Deterioration and Nonattainment New Source Review Rules: Nitrogen Oxide as Precursor to Ozone" (FRL No. 9201-1), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC-7499. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Texas; Revisions to the New Source Review (NSR) State Implementation Plan (SIP); Prevention of Significant Deterioration (PSD)" (FRL No. 9199-8), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC-7500. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; Revisions to the New Source Review (NSR) State Implementation Plan (SIP); Nonattainment NSR (NNSR) for the 1-Hour and the 1997 8-Hour Ozone Standard, NSR Reform, and a Standard Permit" (FRL No. 9199-6), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC-7501. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within the Department of the Navy and was assigned case number 09-06; to the Committee on Appropriations.

EC-7502. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within the Department of the Navy and was assigned case number 09-05; to the Committee on Appropriations.

EC-7503. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Technical Amendments to Pesticide Regulations" (FRL No. 8844-7), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7504. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency declared in Executive Order 12978 of October 21, 1995, with respect to significant narcotics traffickers centered in Colombia; to the Committee on Banking, Housing, and Urban Affairs.

EC-7505. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Iran as declared in Executive Order 12957; to the Committee on Banking, Housing, and Urban Affairs.

EC-7506. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Hungary; to the Committee on Banking, Housing, and Urban Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-138. A resolution adopted by the St. Charles County Council of the State of Missouri relative to the Comprehensive Plan for Flood Control on the Mississippi and Illinois Rivers; to the Committee on Environment and Public Works.

POM-139. A resolution adopted by the City of Wentzville, Missouri relative to the Comprehensive Plan for Flood Control on the Mississippi and Illinois Rivers; to the Committee on Environment and Public Works.

POM-140. A message from the Canadian Parliament extending best wishes to the United States Congress and the people of the United States of America as they celebrate Independence Day on July 4, 2010; to the Committee on Foreign Relations.

POM-141. A message from the National Assembly of Kuwait to the President of the Senate expressing congratulations on the occasion of the National Day of the United States of America; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DORGAN, from the Committee on Indian Affairs, without amendment:

H.R. 3553. A bill to exclude from consideration as income under the Native American Housing Assistance and Self-Determination Act of 1996 amounts received by a family from the Department of Veterans Affairs for service-related disabilities of a member of the family (Rept. No. 111-299).

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

H.R. 2092. A bill to amend the National Children's Island Act of 1995 to expand allowable uses for Kingman and Heritage Islands by the District of Columbia, and for other purposes (Rept. No. 111-300).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 2925. A bill to establish a grant program to benefit victims of sex trafficking, and for other purposes.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. DODD (for himself, Mr. ENZI, and Mr. HARKIN):

S. 3817. A bill to amend the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and the Abandoned Infants Assistance Act of 1988 to reauthorize the Acts, and for other purposes; to the Committee on Health, Education, Labor, and Pensions

By Mr. CASEY:

S. 3818. A bill to amend the Internal Revenue Code of 1986 to allow credits for the establishment of franchises with veterans; to the Committee on Finance.

By Mrs. LINCOLN (for herself and Mr. KERRY):

S. 3819. A bill to amend the Internal Revenue Code of 1986 to reduce the mileage threshold for the deduction for National Guard and Reservists overnight travel expenses; to the Committee on Finance.

By Mr. BEGICH (for himself and Ms. MURKOWSKI):

S. 3820. A bill to authorize the Secretary of the Interior to issue permits for a microhydro project in nonwilderness areas within the boundaries of Denali National Park and Preserve, to acquire land for Denali National Park and Preserve from Doyon Tourism, Inc., and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SPECTER:

S. 3821. A bill to amend title VI of the Civil Rights Act of 1964 to prohibit discrimination on the ground of religion in educational program or activities; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico):

S. 3822. A bill to adjust the boundary of the Carson National Forest, New Mexico; to the Committee on Energy and Natural Resources.

By Mr. SESSIONS:

S. 3823. A bill to remove preferential treatment for sleeping bags under the Generalized System of Preferences, and for other purposes; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 3824. A bill to amend title 49, United States Code, to provide for enhanced safety and environmental protection in pipeline transportation and to provide for enhanced reliability in the transportation of United States energy products by pipeline, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. RISCH (for himself and Mr. CRAPO):

S. 3825. A bill to amend the Endangered Species Act of 1973 to remove certain portions of the distinct population segment of the Rocky Mountain gray wolf from the list of threatened species or the list of endangered species published under the Endangered Species Act of 1973, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DeMINT (for himself, Mr. SESSIONS, Mr. GRASSLEY, Mr. COBURN, Mr. CORNYN, Mr. ENSIGN, Mr. VITTER, Mr. THUNE, Mr. RISCH, Mr. INHOFE, Mr. ENZI, Mr. WICKER, and Mr. HATCH):

S. 3826. A bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DURBIN (for himself, Mr. LUGAR, and Mr. LEAHY):

S. 3827. A bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes; read the first time.

By Mr. PRYOR:

S. 3828. A bill to make technical corrections in the Twenty-First Century Communications and Video Accessibility Act of 2010 and the amendments made by that Act; considered and passed.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent and Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Ms. SNOWE (for herself, Ms. LANDRIEU, Mr. VITTER, Mr. LIEBERMAN, Mr. ENZI, Mrs. SHAHEEN, Mr. ISAKSON, Mrs. HAGAN, Mr. THUNE, Ms. CANTWELL, Mr. BOND, Mr. WICKER, Mr. RISCH, and Mr. PRYOR):

S. Res. 638. A resolution celebrating the 30th anniversary of the Small Business Development Center network; considered and agreed to.

By Mr. BROWNBACK:

S. Con. Res. 72. A concurrent resolution recognizing the 45th anniversary of the White House Fellows Program; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 455

At the request of Mr. ROBERTS, the names of the Senator from Oklahoma [Mr. INHOFE] and the Senator from New Hampshire [Mr. GREGG] were added as cosponsors of S. 455, a bill to require the Secretary of the Treasury to mint coins in recognition of 5 United States Army Five-Star Generals, George Marshall, Douglas MacArthur, Dwight Eisenhower, Henry "Hap" Arnold, and Omar Bradley, alumni of the United States Army Command and General Staff College, Fort Leavenworth, Kansas, to coincide with the celebration of the 132nd Anniversary of the founding of the United States Army Command and General Staff College.

S. 833

At the request of Mr. SCHUMER, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 833, a bill to amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV.

S. 1695

At the request of Mr. BURRIS, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 1695, a bill to authorize the award of a Congressional gold medal to the Montford Point Marines of World War II.

S. 1760

At the request of Mr. LAUTENBERG, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 1760, a bill to amend the Public Health Service Act with regard to research on asthma, and for other purposes.

S. 2814

At the request of Ms. COLLINS, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 2814, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 2828

At the request of Mr. KERRY, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 2828, a bill to amend the Public Health Service Act to authorize the National Institute of Environmental Health Sciences to conduct a research program on endocrine disruption, to prevent and reduce the production of, and exposure to, chemicals that can undermine the development of children before they are born and cause lifelong impairment to their health and function, and for other purposes.

S. 3178

At the request of Mr. BROWN of Ohio, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 3178, a bill to amend the Workforce Investment Act of 1998 to provide for the establishment of Youth Corps programs and provide for wider dissemination of the Youth Corps model.

S. 3293

At the request of Mr. HARKIN, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 3293, a bill to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

S. 3527

At the request of Mr. BROWN of Ohio, the name of the Senator from Ohio [Mr. VOINOVICH] was added as a cosponsor of S. 3527, a bill to amend title XVIII of the Social Security Act to ensure access to chest radiography (x-ray) services that use Computer-Aided Detection for the purpose of early detection of lung cancer.

S. 3641

At the request of Mr. WHITEHOUSE, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3641, a bill to create the National Endowment for the Oceans to promote the protection and conservation of United States ocean, coastal, and Great Lakes ecosystems, and for other purposes.

S. 3704

At the request of Mr. BEGICH, the names of the Senator from Colorado [Mr. BENNET] and

the Senator from Oregon [Mr. MERKLEY] were added as cosponsors of S. 3704, a bill to improve the financial safety and soundness of the FHA mortgage insurance program.

S. 3767

At the request of Mr. LEAHY, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 3767, a bill to establish appropriate criminal penalties for certain knowing violations relating to food that is misbranded or adulterated.

S. 3786

At the request of Mr. KERRY, the names of the Senator from Oregon [Mr. MERKLEY] and the Senator from Maryland [Mr. CARDIN] were added as cosponsors of S. 3786, a bill to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury to issue prospective guidance clarifying the employment status of individuals for purposes of employment taxes and to prevent retroactive assessments with respect to such clarifications.

S. 3813

At the request of Mr. BINGAMAN, the names of the Senator from Maryland [Mr. CARDIN], the Senator from Iowa [Mr. GRASSLEY] and the Senator from Michigan [Ms. STABENOW] were added as cosponsors of S. 3813, a bill to amend the Public Utility Regulatory Policies Act of 1978 to establish a Federal renewable electricity standard, and for other purposes.

S. 3815

At the request of Mr. REID, the names of the Senator from Utah [Mr. HATCH] and the Senator from New Jersey [Mr. MENENDEZ] were added as cosponsors of S. 3815, a bill to amend the Internal Revenue Code of 1986 to reduce oil consumption and improve energy security, and for other purposes.

S. 3816

At the request of Mr. DURBIN, the names of the Senator from California [Mrs. BOXER], the Senator from Ohio [Mr. BROWN] and the Senator from Vermont [Mr. LEAHY] were added as cosponsors of S. 3816, a bill to amend the Internal Revenue Code of 1986 to create American jobs and to prevent the offshoring of such jobs overseas.

SENATE RESOLUTION 586

At the request of Mr. FEINGOLD, the name of the Senator from Kansas [Mr. BROWNBACK] was added as a cosponsor of Senate Resolution 586, a resolution supporting democracy, human rights, and civil liberties in Egypt.

SENATE RESOLUTION 603

At the request of Mr. INHOFE, his name was added as a cosponsor of Senate Resolution 603, a resolution commemorating the 50th anniversary of the National Council for International Visitors, and designating February 16, 2011, as "Citizen Diplomacy Day".

SENATE RESOLUTION 618

At the request of Mrs. LINCOLN, the name of the Senator from Georgia [Mr. ISAKSON] was added as a cosponsor of Senate Resolution 618, a resolution designating October 2010 as "National Work and Family Month".

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 22, 2010, at 10 a.m., to conduct a hearing entitled "Oversight of the SEC Inspector General's Report on the 'Investigation of the SEC's Response to Concerns Regarding Robert Allen Stanford's Alleged Ponzi Scheme.'"'

COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 22, 2010, at 2 p.m., to conduct a hearing entitled "Reauthorization of the National Flood Insurance Program."

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on September 22, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Tax and Fiscal Policy: Effects on the Military and Veterans Community."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on September 22, 2010, at 10 a.m.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on September 22, 2010, at 11 a.m.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on September 22, 2010, at 3 p.m.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on September 22, 2010, at 10 a.m., to conduct a hearing entitled "Nine Years After 9/11: Confronting the Terrorist Threat to the Homeland."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on September 22, 2010, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "The Electronic Communications Privacy Act: Promoting Security and Protecting Privacy in the Digital Age."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on September 22, 2010, at 2 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Investigating and Prosecuting Financial Fraud after the Fraud Enforcement and Recovery Act."

COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration be authorized to meet during the session of the Senate on September 22, 2010, at 10 a.m.

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs be authorized to meet during the session of the Senate on September 22, 2010. The Committee will meet in room 345 in the Cannon House Office Building beginning at 10 a.m.

SUBCOMMITTEE ON CONSUMER PROTECTION, PRODUCT SAFETY, AND INSURANCE

The Subcommittee on Consumer Protection, Product Safety, and Insurance of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on September 22, 2010, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 4:11 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3562. An act to designate the federally occupied building located at 1220 Echelon Parkway in Jackson, Mississippi, as the 'James Chaney, Andrew Goodman, Michael Schwerner, and Roy K. Moore Federal Building'.

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the PRESIDENT pro tempore.

ORDER RELATIVE TO BILL S. 3628

By unanimous consent, on the request of Mr. REID,

Ordered, That, on tomorrow, following disposition of S.J. Res. 30, the Senate proceed to consider the motion to reconsider the vote disagreeing to the motion to bring to a close debate on the motion to proceed to consider the bill (S. 3628) to amend the Federal Election Campaign Act of 1971 to

prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes; that the motion to reconsider be agreed to; that, at 2:15 p.m., the Senate vote on the question of agreeing to said motion to bring to a close debate on the motion to proceed to consider bill S. 3628; and that the time until 2:15 p.m. be equally divided and controlled for debate between the leaders, or their designees.

TWENTY-FIRST CENTURY COMMUNICATIONS AND VIDEO ACCESSIBILITY ACT OF 2010 TECHNICAL CORRECTIONS ACT

On the request of Mr. REID,

The PRESIDING OFFICER (Mr. BEGICH in the chair) laid before the Senate the bill (S. 3828) to make technical corrections in the Twenty-First Century Communications and Video Accessibility Act of 2010 and the amendments made by that Act, introduced on today by Mr. PRYOR, and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

VETERANS' COMPENSATION COST-OF-LIVING ADJUSTMENT ACT

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (S. 3107) to amend title 38, United States Code, to provide for an increase, effective December 1, 2010, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

The question being on passage of the bill.

The bill was read the third time, by unanimous consent.

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on Veterans Affairs was discharged from the further consideration of the bill (H.R. 4667) to increase, effective as of December 1, 2010, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

The Senate proceeded, by unanimous consent to consider the bill.

The question being on passage of the bill.

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

By unanimous consent, on the request of Mr. REID,

Ordered, That bill S. 3107 be returned to the calendar.

AUTHORIZING CERTAIN INDIAN TRIBES TO OBTAIN 99-YEAR LEASE AUTHORITY FOR TRUST LAND

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (S. 1448) to amend the Act of August 9, 1955, to authorize the Coquille Indian Tribe, the Confederated Tribes of Siletz Indians, the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw, the Klamath Tribes, and the Burns Paiute Tribe to obtain 99-year lease authority for trust land.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

MODIFYING CERTAIN PROVISION RELATING TO LEASES INVOLVING CERTAIN INDIAN TRIBES

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (S. 2906) to amend the Act of August 9, 1955, to modify a provision relating to leases involving certain Indian tribes.

The question being on agreeing to the reported amendments to the bill.

The reported amendments were agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

REDUNDANCY ELIMINATION AND ENHANCED PERFORMANCE FOR PREPAREDNESS GRANTS ACT

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (H.R. 3980) to provide for identifying and eliminating redundant reporting requirements and developing meaningful performance metrics for homeland security preparedness grants, and for other purposes.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

The reported amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

IMPROVING THE OPERATION OF CERTAIN FACILITIES AND PROGRAMS OF THE HOUSE OF REPRESENTATIVES

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on Rules and Administration be discharged from the further consideration of the bill (H.R. 5682) to improve the operation of certain facilities and programs of the House of Representatives, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

COMMENDING THE ENCOURAGEMENT OF INTEREST IN SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS BY THE ENTERTAINMENT INDUSTRY

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on Commerce, Science, and Transportation be discharged from the further consideration of the resolution (S. Res. 623) commending the encouragement of interest in science, technology, engineering, and mathematics by the entertainment industry, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CELEBRATING THE 30TH ANNIVERSARY OF THE SMALL BUSINESS DEVELOPMENT CENTER NETWORK

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 638) celebrating the 30th anniversary of the Small Business Development Center network, submitted today by Ms. SNOWE (for herself, Ms. LANDRIEU, Mr. VITTER, Mr. LIEBERMAN, Mr. ENZI, Mrs. SHAHEEN, Mr. ISAKSON, Mrs. HAGAN, Mr. THUNE, Ms. CANTWELL, Mr. BOND, Mr. WICKER, Mr. RISCH, and Mr. PRYOR), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

BILL READ THE FIRST TIME

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the bill (S. 3827) to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes, introduced today by Mr. DURBIN (for himself, Mr. LUGAR, and Mr. LEAHY), and at the desk; which was read the first time.

Mr. REID asked unanimous consent that the bill be read the second time.

Mr. REID objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

APPOINTMENT BY THE MAJORITY LEADER

ELECTION ASSISTANCE BOARD OF ADVISORS

The PRESIDING OFFICER announced that, pursuant to Public Law 107-252, Title II, Section 214, the majority leader had appointed Dr. Barbara Simons, of California, to serve as a member of the Election Assistance Board of Advisors.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 10:30 a.m., with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; that the minority control the first half therein, and the majority control the second half therein; and that, following morning business, the Senate proceed to consider the motion to proceed to consider joint resolution S.J. Res. 30, as pursuant to the order of today.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 7:20 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

THURSDAY, SEPTEMBER 23, 2010

Mrs. KIRSTEN E. GILLIBRAND, from the State of New York, called the Senate to order at 9:30 a.m., the Reverend Doctor Joel Hunter, Senior Pastor of Northland Church in Longwood, Florida offered a prayer, and Mrs. GILLIBRAND led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, September 23, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mrs. GILLIBRAND took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3827) to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes, introduced on yesterday by Mr. DURBIN (for himself, Mr. LUGAR, and Mr. LEAHY), and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, Thursday, September 23, 2010, she had presented to the President of the United States the following enrolled bill:

S. 2781. A bill to change references in Federal law to mental retardation to references to an intellectual disability, and to change references to a mentally retarded individual to references to an individual with an intellectual disability.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-7507. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Government - Assigned Serial Number Making" (DFARS Case 2008-D047), received in the Office of the President of the Senate on September 20, 2010; to the Committee on Armed Services.

EC-7508. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; DoD Office of the Inspector General Address" (DFARS Case 2010-D015), received in the Office of the President of the Senate on September 20, 2010; to the Committee on Armed Services.

EC-7509. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Admiral Mark P. Fitzgerald, United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

EC-7510. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Internal Agency Docket No. FEMA-8147)), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7511. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67)(Docket ID FEMA-2010-0003)), received during adjournment of the Senate in the Office of the President of the Senate on September 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7512. A communication from the Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Commission Guidance on Presentation of Liquidity and Capital Resources Disclosures in Management's Discussion and Analysis" received in the Office of the President of the Senate on September 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7513. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Over the Counter Drugs" (Notice No. 2010-59), received in the Office of the President of the Senate on September 20, 2010; to the Committee on Finance.

EC-7514. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Special Funding Rules for Multiemployer Plans under PRA 2010" (Notice No. 2010-56), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Finance.

EC-7515. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries in the Western Pacific; Bottomfish and Seamount Groundfish Fisheries; 2010-11 Main Hawaiian Islands Bottomfish Total Allowable Catch (RIN0648-XX15), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7516. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XY44), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7517. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the West Yakutat District of the Gulf of Alaska" (RIN0648-XY66), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7518. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XY62), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7519. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Economic Exclusive Zone Off Alaska; Pacific Cod in the Bering Sea and Aleutian Islands" (RIN0648-XY45), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7520. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; Inseason Adjustments to Fishery Management Measures" (RIN0648-BA05), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7521. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries in the Western Pacific; Community Development Program Process" (RIN0648-AX76), received in the Office of the President of the Senate on September 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7522. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to obligations and unobligated balances of funds provided for Federal-aid highway and safety construction programs during fiscal year 2009; to the Committee on Commerce, Science, and Transportation.

EC-7523. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Final Airworthiness Design Standards for Acceptance Under the Primary Category Rule; Orlando Helicopter Airways (OHA), Inc. Models Cessna 172I, 172K, 172L, and 172M" ((RIN2120-ZZ50)(14 CFR Part 21)), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7524. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Model SA330J Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-0825)), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7525. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of

Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; GA 8 Airvan (Pty) Ltd Models GA8 and GA8-TC320 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0463)), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7526. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Robert E. Rust, Jr. Model DeHavilland DH.C1 Chipmunk 21, DH.C1 Chipmunk 22, and DH.C1 Chipmunk 22A Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0632)), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7527. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 737-100 and -200 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0481)), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7528. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Thielert Aircraft Engines GmbH (TAE) Models TAE 125-01 and TAE 125-02-99 Reciprocating Engines Installed In, But Not Limited To, Diamond Aircraft Industries Model DA 42 Airplanes; Correction" ((RIN2120-AA64)(Docket No. FAA-2009-0201)), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7529. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Agusta S.p.A. (Agusta) Model A119 and AW119 MKII Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-0824)), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7530. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier-Rotax GmbH 912 F Series and 912 S Series Reciprocating Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0449)), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7531. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE SYSTEMS (OPERATIONS) LIMITED Model BAe 146 and Avro 146-RJ Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0477)), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7532. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2C10 (Regional Jet Series 700, 701, and 702); Model CL-600-2D15 (Regional Jet Series 705); and Model CCL-600-2D24 (Regional Jet Series 900) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0851)), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7533. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Restricted Area R-5113; Socorro, NM" ((RIN2120-AA66)(Docket No. FAA-2010-0693)), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7534. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (104); Amdt. No. 3390" (RIN2120-AA65), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7535. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airspace Designations; Incorporation by Reference" (RIN2120-AA66), received in the Office of the President of the Senate on September 15, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7536. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Telemarketing Sales Rule" (RIN3084-AB19), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7537. A communication from the Acting Executive Secretary, U. S. Agency for International Development (USAID), (4) four reports relative to vacancies in the Agency for International Development (USAID), received in the Office of the President of the Senate on September 16, 2010; to the Committee on Foreign Relations.

EC-7538. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Arkansas Advisory Committee; to the Committee on the Judiciary.

EC-7539. A communication from the Director of Regulation Policy and Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Loan Guaranty: Assistance to Eligible Individuals in Acquiring Specially Adapted Housing" (RIN2900-AM87), received in the Office of the President of the Senate on September 16, 2010; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 2971. A bill to authorize certain authorities by the Department of State, and for other purposes (Rept. No. 111-301).

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and an amendment to the title:

S. 3581. A bill to implement certain defense trade treaties (Rept. No. 111-302).

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 3751. A bill to amend the Stem Cell Therapeutic and Research Act of 2005.

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 3767. A bill to establish appropriate criminal penalties for certain knowing violations relating to food that is misbranded or adulterated.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second

times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. GRAHAM (for himself, Mr. COBURN, Mr. CHAMBLISS, Mr. MCCAIN, and Mr. CORNYN):

S. 3829. A bill to repeal the CLASS Act; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND:

S. 3830. A bill to establish the Undergraduate Scholarships for Science, Technology, Engineering, and Mathematics Program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARPER:

S. 3831. A bill to amend the provisions of title 5, United States Code, relating to the methodology for calculating the amount of any Postal surplus or supplemental liability under the Civil Service Retirement System, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. COBURN:

S. 3832. A bill to ensure greater food safety without creating new or unneeded government bureaucracy; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND:

S. 3833. A bill to amend the National Environmental Education Act to update, streamline, and modernize that Act, and for other purposes; to the Committee on Environment and Public Works.

By Ms. KLOBUCHAR (for herself and Mr. LUGAR):

S. 3834. A bill to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to require the appointment of a member of the Science Advisory Board based on the recommendation of the Secretary of Agriculture; to the Committee on Environment and Public Works

By Mr. CARDIN (for himself, Ms. LANDRIEU, and Mr. BAUCUS):

S. 3835. A bill to reinstate the increase in the surety bond guarantee limits for the Small Business Administration; to the Committee on Small Business and Entrepreneurship.

By Mr. CARDIN (for himself, Ms. LANDRIEU, and Mr. BAUCUS):

S. 3836. A bill to make permanent the increase in the surety bond guarantee limits for the Small Business Administration; to the Committee on Small Business and Entrepreneurship.

By Mr. RISCH:

S. 3837. A bill to prohibit the Secretary of Education from promulgating regulations or guidance regarding gainful employment for purposes of titles I or IV of the Higher Education Act of 1965; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. LINCOLN (for herself, Ms. LANDRIEU, and Mrs. HAGAN):

S. 3838. A bill to appropriate funds for the final settlement of lawsuits against the Federal Government for discrimination against Black Farmers and to provide relief for discrimination in a credit program of the Department of Agriculture under the Equal Credit Opportunity Act; to the Committee on Finance.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. CARPER (for himself, Mr. MCCAIN, Ms. COLLINS, and Mr. DODD):

S. Res. 639. A resolution supporting the goals and ideals of Fire Prevention Week, which begins on October 3, 2010, and the work of firefighters in educating and protecting the communities of the United States; to the Committee on Homeland Security and Governmental Affairs.

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

S. Res. 640. A resolution expressing the sense of the Senate regarding United States engagement with ASEAN and its member-states; considered and agreed to.

By Ms. LANDRIEU (for herself, Mr. VITTER, Mr. CORNYN, and Mrs. HUTCHISON):

S. Res. 641. A resolution observing the 5th anniversary of the date on which Hurricane Rita devastated the coasts of Louisiana and Texas; considered and agreed to.

By Mr. INOUYE (for himself and Ms. COLLINS):

S. Res. 642. A resolution congratulating the National Institute of Nursing Research on the occasion of its 25th anniversary; considered and agreed to.

By Mr. INOUYE (for himself and Mr. ALEXANDER):

S. Res. 643. A resolution designating the week beginning October 3, 2010, as "National Nurse-Managed Health Clinic Week"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 424

At the request of Mr. LEAHY, the name of the Senator from Colorado [Mr. UDALL] was added as a cosponsor of S. 424, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 455

At the request of Mr. ROBERTS, the names of the Senator from South Carolina [Mr. DEMINT], the Senator from Nebraska [Mr. JOHANNS], the Senator from South Dakota [Mr. THUNE], the Senator from Wyoming [Mr. BARRASSO], the Senator from Indiana [Mr. LUGAR], the Senator from South Carolina [Mr. GRAHAM], the Senator from Montana [Mr. BAUCUS], the Senator from Colorado [Mr. BENNET], the Senator from Delaware [Mr. CARPER], the Senator from North Dakota [Mr. DORGAN], the Senator from Minnesota [Mr. FRANKEN], the Senator from New York [Mrs. GILLIBRAND], the Senator from Connecticut [Mr. DODD], the Senator from Alabama [Mr. SHELBY], the Senator from North Dakota [Mr. CONRAD], the Senator from North Carolina [Mr. BURR], the Senator from Massachusetts [Mr. KERRY], the Senator from West Virginia [Mr. ROCKEFELLER], the Senator from California [Mrs. FEINSTEIN] and the Senator from Utah [Mr. HATCH] were added as cosponsors of S. 455, a bill to require the Secretary of the Treasury to mint coins in recognition of 5 United States Army Five-Star Generals, George Marshall, Douglas MacArthur, Dwight Eisenhower, Henry "Hap" Arnold, and Omar Bradley, alumni of the United States Army Command and General Staff College, Fort Leavenworth, Kansas, to coincide with the celebration of the 132nd Anniversary of the founding of the United States Army Command and General Staff College.

S. 1349

At the request of Ms. SNOWE, the name of the Senator from Florida [Mr. NELSON] was withdrawn as a cosponsor of S. 1349, a bill to amend the Internal Revenue Code of 1986 to simplify the deduction for use of a portion of a residence as a home office by providing an optional standard home office deduction.

At the request of Ms. SNOWE, the name of the Senator from Delaware [Mr. CARPER] was added as a cosponsor of S. 1349, supra.

S. 1352

At the request of Mr. DODD, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 1352, a bill to provide for the expansion of Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme and other tick-borne diseases, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. 1695

At the request of Mr. BURRIS, the names of the Senator from Alaska [Mr. BEGICH], the Senator from Louisiana [Ms. LANDRIEU], the Senator from Michigan [Mr. LEVIN] and the Senator from New Jersey [Mr. MENENDEZ] were added as cosponsors of S. 1695, a bill to authorize the award of a Congressional gold medal to the Montford Point Marines of World War II.

S. 3036

At the request of Mr. BAYH, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 3036, a bill to establish the Office of the National Alzheimer's Project.

S. 3184

At the request of Mrs. BOXER, the names of the Senator from New York [Mr. SCHUMER] and the Senator from Mississippi [Mr. COCHRAN] were added as cosponsors of S. 3184, a bill to provide United States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes.

S. 3234

At the request of Mrs. MURRAY, the names of the Senator from Massachusetts [Mr. KERRY] and the Senator from Connecticut [Mr. DODD] were added as cosponsors of S. 3234, a bill to improve employment, training, and placement services furnished to veterans, especially those serving in Operation Iraqi Freedom and Operation Enduring Freedom, and for other purposes.

S. 3320

At the request of Mr. WHITEHOUSE, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 3320, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 3398

At the request of Mr. BAUCUS, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 3398, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans.

S. 3402

At the request of Mr. LEMIEUX, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 3402, a bill to encourage residential use of renewable energy systems by minimizing upfront costs and providing immediate utility cost savings to consumers through leasing of such systems to homeowners, and for other purposes.

S. 3442

At the request of Mr. DORGAN, the names of the Senator from Florida [Mr. LEMIEUX] and the Senator from Maine [Ms. COLLINS] were added as cosponsors of S. 3442, a bill to promote the deployment of plug-in electric drive vehicles, and for other purposes.

S. 3447

At the request of Mr. AKAKA, the names of the Senator from Illinois [Mr. BURRIS], the Senator from Oregon [Mr. WYDEN] and the Senator from Montana [Mr. BAUCUS] were added as cosponsors of S. 3447, a bill to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes.

S. 3466

At the request of Mr. LEAHY, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 3466, a bill to require restitution for victims of criminal violations of the Federal Water Pollution Control Act, and for other purposes.

S. 3524

At the request of Mrs. HUTCHISON, the name of the Senator from Texas [Mr. CORNYN] was added as a cosponsor of S. 3524, a bill to authorize the Secretary of the Interior to enter into a cooperative agreement for a park headquarters at San Antonio Missions National Historical Park, to expand the boundary of the Park, to conduct a study of potential land acquisitions, and for other purposes.

S. 3664

At the request of Mrs. FEINSTEIN, the name of the Senator from Florida [Mr. NELSON] was added as a cosponsor of S. 3664, a bill to amend the Internal Revenue Code of 1986 to exempt certain farmland from the estate tax, and for other purposes.

S. 3673

At the request of Mrs. HUTCHISON, the name of the Senator from Kansas [Mr. ROBERTS] was added as a cosponsor of S. 3673, a bill to amend the Patient Protection and Affordable Care Act to repeal certain limitations on tax health care benefits.

S. 3703

At the request of Mrs. MURRAY, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 3703, a bill to expand the research, prevention, and awareness activities of the Centers for Disease Control and Prevention and the National Institutes of Health with respect to pulmonary fibrosis, and for other purposes.

S. 3751

At the request of Mr. HATCH, the name of the Senator from Oklahoma [Mr. COBURN] was added as a cosponsor of S. 3751, a bill to amend the Stem Cell Therapeutic and Research Act of 2005.

S. 3767

At the request of Mr. LEAHY, the name of the Senator from Wisconsin [Mr. KOHL] was added as a cosponsor of S. 3767, a bill to establish appropriate criminal penalties for certain knowing violations relating to food that is misbranded or adulterated.

S. 3772

At the request of Mr. REID, the name of the Senator from Delaware [Mr. KAUFMAN] was added as a cosponsor of S. 3772, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 3786

At the request of Mr. KERRY, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 3786, a bill to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury to issue prospective guidance clarifying the employment status of individuals for purposes of employment taxes and to prevent retroactive assessments with respect to such clarifications.

S. 3804

At the request of Mr. LEAHY, the name of the Senator from Iowa [Mr. GRASSLEY] was added as a cosponsor of S. 3804, a bill to combat online infringement, and for other purposes.

S. 3816

At the request of Mr. DURBIN, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 3816, a bill to amend the Internal Revenue Code of 1986 to create American jobs and to prevent the offshoring of such jobs overseas.

SENATE CONCURRENT RESOLUTION 39

At the request of Mr. MENENDEZ, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of Senate Concurrent Resolution 39, a concurrent resolution expressing the sense of the Congress that stable and affordable housing is an essential component of an effective strategy for the prevention, treatment, and care of human immunodeficiency virus, and that the United States should make a commitment to providing adequate funding for the development of housing as a response to the acquired immunodeficiency syndrome pandemic.

SENATE CONCURRENT RESOLUTION 71

At the request of Mr. FEINGOLD, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of Senate Concurrent Resolution 71, a concurrent resolution recognizing the United States national interest in helping to prevent and mitigate acts of genocide and other mass atrocities against civilians, and supporting and encouraging efforts to develop a whole of government approach to prevent and mitigate such acts.

SENATE RESOLUTION 583

At the request of Mr. ENSIGN, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of Senate Resolution 583, a resolution expressing support for designation of 2011 as "World Veterinary Year" to bring attention to and show appreciation for the veterinary profession on its 250th anniversary.

SENATE RESOLUTION 611

At the request of Mr. CARDIN, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of Senate Resolution 611, a resolution congratulating the Cumberland Valley Athletic Club on the 48th anniversary of the running of the JFK 50-Mile Ultra-Marathon.

SENATE RESOLUTION 631

At the request of Mrs. LINCOLN, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of Senate Resolution 631, a resolution designating the week beginning on November 8, 2010, as National School Psychology Week.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. HARKIN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on September 23, 2010, at 2 p.m. in room SR-328A of the Russell Senate Office Building.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 23, 2010, at 10 a.m. to conduct a hearing entitled "the Federal Housing Administration—current condition and future challenges."

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on September 23, 2010, at 10:15 a.m., in room 253 of the Russell Senate Office Building.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on September 23, 2010, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on September 23, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Tax Reform: Lessons from the Tax Reform Act of 1986."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on September 23, 2010, at 9:45 a.m.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on September 23, 2010, at 2 p.m., to hold an East Asian and Pacific Affairs subcommittee hearing entitled, "Challenges to Water and Security in Southeast Asia."

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on September 23, 2010.

COMMITTEE ON THE JUDICIARY

The Committee on Judiciary be authorized to meet during the session of the Senate on September 23, 2010, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

SELECT COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs be authorized to meet during the session of the Senate on September 23, 2010. The Committee will meet in room G50 of the Dirksen Senate Office Building beginning at 9:30 a.m.

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

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on September 23, 2010, at 2:30 p.m.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10:38 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2923. An act to enhance the ability to combat methamphetamine.

H.R. 3470. An act to authorize funding for the creation and implementation of infant mortality pilot programs in standard metropolitan statistical areas with high rates of infant mortality, and for other purposes.

H.R. 4195. An act to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

H.R. 4347. An act to amend the Indian Self-Determination Act and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes.

H.R. 5152. An act to adjust the boundary of the Kennesaw Mountain National Battlefield Park to include the Wallis House and Harriston Hill, and for other purposes.

H.R. 5194. An act to designate Mt. Andrea Lawrence, and for other purposes.

H.R. 5494. An act to direct the Secretary of the Interior to transfer certain properties to the District of Columbia.

H.R. 5809. An act to amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, and for other purposes.

H.R. 5811. An act to amend the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act to allow the Ysleta del Sur Pueblo Tribe to determine blood quantum requirement for membership in that tribe.

H.R. 6130. An act to amend title XI of the Social Security Act to expand the permissive exclusion from participation in Federal health care programs to individuals and entities affiliated with sanctioned entities.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 294. Concurrent resolution commemorating the 75th anniversary of the Blue Ridge Parkway.

The message further announced that the House has passed the following bill, without amendment:

S. 2781. An act to change references in Federal law to mental retardation to references to an intellectual disability, and change references to a mentally retarded individual to references to an individual with an intellectual disability.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 1454) to provide for the issuance of a Multinational Species Conservation Funds Semipostal Stamp.

At 11:33 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 4505. An act to enable State homes to furnish nursing home care to parents any of whose children died while serving in the Armed Forces.

H.R. 6102. An act to amend the National Defense Authorization Act for Fiscal Year 2010 to extend the authority of the Secretary of the Navy to enter into multiyear contracts for F/A-18E, F/A-18F, and EA-18G aircraft.

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the PRESIDENT pro tempore.

At 3:19 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the amendment of the Senate to the bill (H.R. 5297) to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes.

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

S. 2781. An act to change references in Federal law to mental retardation to references to an intellectual disability, and change references to a mentally retarded

individual to references to an individual with an intellectual disability.

H.R. 1454. An act to provide for the issuance of a Multinational Species Conservation Funds Semipostal Stamp.

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the PRESIDENT pro tempore.

At 3:51 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 4667. An act to increase, effective as of December 1, 2010, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

H.R. 5682. An act to improve the operation of certain facilities and programs of the House of Representatives, and for other purposes.

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the PRESIDENT pro tempore.

At 4:23 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that that the House has passed the following bill, without amendment:

S. 1674. An act to provide for an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

The message also announced that the House agrees to the resolution (H. Res. 1653) returning to the Senate the amendment of the Senate to the bill (H.R. 5875) title, the bill (S. 951) title, the bill (S. 1023), the bill (S. 2799), the bill (S. 3162), and the bill (S. 3187), in the opinion of the House, each contravenes the first clause of the seventh section of the first article of the Constitution of the United States and is an infringement of the privileges of this House, and shall be respectfully returned to the Senate with a message communicating this resolution.

At 4:40 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

6190. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

At 5:09 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 5297. An act to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes.

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the PRESIDENT pro tempore.

At 5:54 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 3717. An act to amend the Securities and Exchange Act of 1934, the Investment Company Act of 1940, and the Investment Advisers Act of 1940 to provide for certain disclosures under section 552 of title 5, United States Code, (commonly referred to as the Freedom of Information Act), and for other purposes.

S. 3814. An act to extend the National Flood Insurance Program until September 30, 2011.

HOUSE BILLS AND CONCURRENT RESOLUTION REFERRED

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

H.R. 3470. An act to authorize funding for the creation and implementation of infant mortality pilot programs in standard metropolitan statistical areas with high rates of infant mortality, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4195. An act to authorize the Peace Corps Commemorative Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5152. An act to adjust the boundary of the Kennesaw Mountain National Battlefield Park to include the Wallis House and Harriston Hill, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5194. An act to designate Mt. Andrea Lawrence, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5809. An act to amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, and for other purposes; to the Committee on the Judiciary.

H.R. 5811. An act to amend the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act to allow the Ysleta del Sur Pueblo Tribe to determine blood quantum requirement for membership in that tribe; to the Committee on Indian Affairs.

H.R. 6130. An act to amend title XI of the Social Security Act to expand the permissive exclusion from participation in Federal health care programs to individuals and entities affiliated with sanctioned entities; to the Committee on Finance.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 294. Concurrent resolution commemorating the 75th Anniversary of the Blue Ridge Parkway; to the Committee on Energy and Natural Resources.

MOTION TO PROCEED TO CONSIDER JOINT RESOLUTION S.J. RES. 30

The hour of 10:30 a.m. having passed,

Pursuant to the order of Tuesday, September 21, 2010, as modified,

On motion by Mr. ISAKSON that the Senate proceed to consider the joint resolution (S.J. Res. 30) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the National Mediation Board relating to representation election procedures.

The question being on agreeing to the motion.

Pending debate,

By unanimous consent, on the request of Mr. HARKIN,

Ordered, That, at 12:20 p.m., there be 10 minutes, equally divided and controlled, for debate between Mr. ISAKSON and Mr. HARKIN; and that, at 12:30 p.m., the Senate vote on the question of agreeing to the pending motion to proceed.

The question being on agreeing to the motion to proceed to consider joint resolution S.J. Res. 30.

After debate,

On motion by Mr. ISAKSON,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the negative---
yeas... 43, nays... 56

[Rollcall Vote No. 239 Leg.]

YEAS --- 43

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lincoln, Lugar, McCain, McConnell, Nelson (NE), Pryor, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

NAYS --- 56

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan,

Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to.

MOTION TO PROCEED TO CONSIDER BILL S. 3628

Pursuant to the order of yesterday,

A motion to proceed to consider the motion to reconsider the vote disagreeing to the motion to bring to a close debate on the motion to proceed to consider bill S. 3628 was considered made and agreed to.

The question being on agreeing to the motion to reconsider.

The motion was agreed to.

Whereupon,

The PRESIDING OFFICER (Mrs. HAGAN in the chair) laid before the Senate the motion, made by Mr. REID on Thursday, July 22, 2010, that the Senate proceed to consider the bill (S. 3628) to amend the Federal Election Campaign Act of 1971 to prohibit foreign influence in Federal elections, to prohibit government contractors from making expenditures with respect to such elections, and to establish additional disclosure requirements with respect to spending in such elections, and for other purposes; and

The Senate resumed consideration of the motion to proceed.

The question being on agreeing to the motion.

OBJECTION TO CONSIDERATION OF BILL H.R. 4994

Mrs. MURRAY asked unanimous consent that the Committee on Finance be discharged from the further consideration of the bill (H.R. 4994) to amend the Internal Revenue Code of 1986 to reduce taxpayer burdens and enhance taxpayer protections, and for other purposes; that the Senate proceed to consider the bill; that an amendment (in the nature of a substitute, being the text of bill S. 3793) be proposed thereto, and agreed to; that the bill, as thus amended, be read the third time, and passed; that a motion to reconsider be made and laid on the table; and that an amendment to the title be proposed and agreed to.

Mr. THUNE objected.

MOTION TO PROCEED TO CONSIDER BILL S. 3628

The Senate resumed consideration of the motion to proceed to consider bill S. 3628.

The question being on agreeing to the motion.

Pending debate,

The PRESIDING OFFICER laid before the Senate the motion, presented by Mr. REID on Thursday, July 22, 2010, to bring to a close debate on the motion to proceed to consider bill S. 3628.

Pursuant to the order of Thursday, July 22, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The hour of 2:15 p.m. having passed,

Pursuant to the order of yesterday, as modified,

The question being taken.

It was determined in the negative---
yeas... 59, nays... 39

[Rollcall Vote No. 240 Leg.]

YEAS --- 59

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 39

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So, upon reconsideration, the motion was not agreed to; three-fifths of Senators duly chosen and sworn not having voted in the affirmative.

The question being on agreeing to the motion to proceed.

FEDERAL AVIATION ADMINISTRATION EXTENSION ACT

By unanimous consent, on the request of Mr. DORGAN,

The Senate proceeded to consider the bill (H.R. 4853) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

The question being on the passage of the bill.

On motion by Mr. DORGAN (for Mr. ROCKEFELLER) to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 4656, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The question being on passage of the bill, as amended.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

OBJECTION TO CONSIDERATION OF BILL S. 510

Mr. DURBIN asked unanimous consent that at a time to be determined by the majority leader, after consultation with the minority leader, the Senate proceed to consider the bill (S. 510) to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply; that there be a limitation of 2 hours, equally divided and controlled, for debate thereon between Mr. HARKIN and Mr. ENZI, or their designees; and that the following be the only amendments in order to be proposed to the reported amendment (in the nature of a substitute):

An amendment, intended to be proposed by Mr. HARKIN (for himself and Mr. ENZI), in the nature of a substitute;

An amendment, intended to be proposed by Mr. TESTER, relative to small farms and facilities;

An amendment, intended to be proposed by Mr. COBURN, relative to an offset for the cost of the bill;

An amendment, intended to be proposed by Mrs. FEINSTEIN, relative to BPA;

An amendment, intended to be proposed by Mr. LEAHY, relative to criminal penalties.

Mr. DURBIN further asked unanimous consent that a technical and conforming amendment be proposed by Mr. HARKIN (for himself and Mr. ENZI), and agreed to; and that a motion to reconsider be deemed made and laid on the table.

Mr. DURBIN further asked unanimous consent that there be 30 minutes, equally divided and controlled in the usual form, for debate on each amendment; that when an amendment is proposed, the amendment not be read; that no amendment be subject to division; that, upon conclusion of debate, the amendment (in the nature of a substitute), as may be amended, be agreed to; that the reported amendment (in the nature of a substitute), as amended, be agreed to; that the bill, as amended, be read the third time; and that the Senate then vote on passage of the bill.

Mr. COBURN objected.

EXPRESSING SUPPORT FOR DESIGNATION "WORLD VETERINARY YEAR"

By unanimous consent, on the request of Mr. DORGAN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 583) expressing support for designation of 2011 as "World Veterinary Year" to bring attention to and show appreciation for the veterinary profession on its 250th anniversary.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

On motion by Mr. DORGAN (for Mr. ENSIGN) to amend the resolving clause, in paragraph (3), by striking certain words and inserting another word (being amendment No. 4657).

The amendment was agreed to.

The question being on agreeing to the resolution, as amended.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXPRESSING THE SENSE OF THE SENATE REGARDING UNITED STATES ENGAGEMENT WITH ASEAN AND ITS MEMBER-STATES

On the request of Mr. DORGAN,

The PRESIDING OFFICER (Mr. WHITEHOUSE in the chair) laid before the Senate the resolution (S. Res. 640) expressing the sense of the Senate regarding United States engagement with ASEAN and its member-states, submitted today by Mr. KERRY (for himself and Mr. WEBB), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

OBSERVING THE 5TH ANNIVERSARY OF THE DATE ON WHICH HURRICANE RITA DEVASTATED THE COASTS OF LOUISIANA AND TEXAS

On the request of Mr. DORGAN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 641) observing the 5th anniversary of the date on which Hurricane Rita devastated the coasts of Louisiana and Texas, submitted today by Mr. LANDRIEU (for herself, Mr. VITTER, Mr. CORNYN, and Mrs. HUTCHISON), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CONGRATULATING THE NATIONAL INSTITUTE OF NURSING RESEARCH ON THE OCCASION OF ITS 25TH ANNIVERSARY

On the request of Mr. DORGAN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 642) congratulating the National Institute of Nursing Research on the occasion of its 25th anniversary, submitted today by Mr. INOUYE (for himself and Ms. COLLINS), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL NURSE-MANAGED HEALTH CLINIC WEEK"

On the request of Mr. DORGAN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 643) designating the week beginning October 3, 2010, as "National Nurse-Managed Health Clinic Week", submitted today by Mr. INOUYE (for himself and Mr. ALEXANDER), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

APPOINTMENT BY THE VICE PRESIDENT

PUBLIC SAFETY OFFICER MEDAL OF VALOR REVIEW BOARD

The PRESIDING OFFICER (Mr. WHITEHOUSE in the chair) announced that the Vice President, pursuant to Public Law 107-12, had appointed the following individuals as members of the Public Safety Officer Medal of Valor Review Board: Charles Massarone, of Kentucky, and Andy Nimmo, of Missouri.

APPOINTMENT BY THE VICE PRESIDENT

FEDERAL LAW ENFORCEMENT CONGRESSIONAL BADGE OF BRAVERY BOARD

The PRESIDING OFFICER announced that the Vice President, pursuant to Public Law 110-298, had appointed the following individual to serve as a member of the Federal Law Enforcement Congressional Badge of Bravery Board: Richard Gardner, of Nevada.

APPOINTMENT BY THE VICE PRESIDENT

STATE AND LOCAL LAW ENFORCEMENT CONGRESSIONAL BADGE OF BRAVERY BOARD

The PRESIDING OFFICER announced that the Vice President, pursuant to Public Law 110-298, had appointed the following individual to serve as a member of the State and Local Law Enforcement Congressional Badge of Bravery Board: Nick DiMarco, of Ohio.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DORGAN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that there then be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

ADJOURNMENT

By unanimous consent, on the request of Mr. DORGAN,

At 6:45 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

FRIDAY, SEPTEMBER 24, 2010

Mr. AL FRANKEN, from the State of Minnesota, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. FRANKEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, September 24, 2010.
To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable AL FRANKEN, a Senator from the State of Minnesota, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. FRANKEN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, Friday, September 24, 2010, she had presented to the President of the United States the following enrolled bills:

S. 1674. A bill to provide for an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 3717. A bill to amend the Securities Exchange Act of 1934, the Investment Company Act of 1940, and the Investment Advisers Act of 1940 to provide for certain disclosures under section 552 of title 5, United States Code, (commonly referred to as the Freedom of Information Act), and for other purposes.

S. 3814. A bill to extend the National Flood Insurance Program until September 30, 2011.

REPORT OF A COMMITTEE

The following report of committee was submitted:

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 573. A resolution urging the development of a comprehensive strategy to ensure stability in Somalia, and for other purposes.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Ms. LANDRIEU (for herself and Ms. SNOWE):

S. 3839. A bill to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes; considered and passed.

By Mr. CASEY (for himself and Mr. HARKIN):

S. 3840. A bill to permit employees to request, and to ensure employers consider requests for, flexible work terms and conditions, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. KAUFMAN (for himself, Mr. CRAPO, Mr. CARDIN, Mr. ALEXANDER, Mr. CASEY, Mrs. MURRAY, Mrs. LINCOLN, Ms. LANDRIEU, Mr. BURRIS, Mr. UDALL of Colorado, Mr. BINGAMAN, Mr. KERRY, Mrs. SHAHEEN, Mrs. FEINSTEIN, Mr. BENNET, Mr. FEINGOLD, Ms. CANTWELL, Mr. CORKER, Mr. REED, Mr. UDALL of New Mexico, Mr. PRYOR, Ms. STABENOW, Mr. WHITEHOUSE, Mr. INOUYE, and Mr. LEVIN):

S. Res. 644. A resolution designating the week beginning October 10, 2010, as "National Wildlife Refuge Week"; considered and agreed to.

By Mr. ENSIGN:

S. Res. 645. A resolution expressing the sense of the Senate regarding the Parliamentary elections to be held in Venezuela on September 26, 2010; to the Committee on Foreign Relations.

By Mr. HATCH (for himself, Mr. LEVIN, Mr. BENNETT, Mr. DURBIN, Mr. CRAPO, Mr. CASEY, and Mr. COCHRAN):

S. Res. 646. A resolution designating Thursday, November 18, 2010, as "Feed America Day"; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 730

At the request of Mr. ENSIGN, the name of the Senator from Nebraska [Mr. NELSON] was added as a cosponsor of S. 730, a bill to amend the Harmonized Tariff Schedule of the United States to modify the tariffs on certain footwear, and for other purposes.

S. 3398

At the request of Mr. BAUCUS, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 3398, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans.

S. 3708

At the request of Mr. SCHUMER, the names of the Senator from Ohio [Mr. BROWN] and the Senator from Illinois [Mr. DURBIN] were added as cosponsors of S. 3708, a bill to amend titles XVIII and XIX of the Social Security Act to clarify the application of EHR payment incentives in cases of multi-campus hospitals.

S. 3773

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 3773, a bill to permanently extend the 2001 and 2003 tax relief provisions and to provide permanent AMT relief and estate tax relief, and for other purposes.

S. 3834

At the request of Ms. KLOBUCHAR, the name of the Senator from Nebraska [Mr. NELSON] was added as a cosponsor of S. 3834, a bill to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to require the appointment of a member of the Science Advisory Board based on the recommendation of the Secretary of Agriculture.

SENATE CONCURRENT RESOLUTION 71

At the request of Mr. FEINGOLD, the names of the Senator from Oregon [Mr. MERKLEY] and the Senator from Missouri [Mrs. MCCASKILL] were added as cosponsors of Senate Concurrent Resolution 71, a concurrent resolution recognizing the United States national interest in helping to prevent and mitigate acts of genocide and other mass atrocities against civilians, and supporting and encouraging efforts to develop a whole of government approach to prevent and mitigate such acts.

SENATE RESOLUTION 642

At the request of Mr. INOUYE, the name of the Senator from Utah [Mr. BENNETT] was added as a cosponsor of Senate Resolution 642, a resolution congratulating the National Institute of Nursing Research on the occasion of its 25th anniversary.

SENATE RESOLUTION 643

At the request of Mr. INOUYE, the name of the Senator from Utah [Mr. BENNETT] was added as a cosponsor of Senate Resolution 643, a resolution designating the week beginning October 3, 2010, as "National Nurse-Managed Health Clinic Week".

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 11:08 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 846. An act to award a congressional gold medal to Muhammad Yunus, in recognition of his contributions to the fight against global poverty.

S. 1055. An act to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regional Combat Team, United States Army, in recognition of their dedicated service during World War II.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1745. An act to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health centers under section 330 of such Act.

H.R. 3199. An act to amend the Public Health Service Act to provide grants to State emergency medical service departments to provide for expedited training and licensing for veterans with prior medical training, and for other purposes.

H.R. 5307. An act to amend the Tariff Act of 1930 to include ultralight vehicles under the definition of aircraft for purposes of the aviation smuggling provisions under that Act.

H.R. 5710. An act to amend and reauthorize the controlled substance monitoring program under section 3990 of the Public Health Service Act.

H.R. 5756. An act to amend subtitle D of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 to provide grants and technical assistance to University Centers for Excellence in Developmental Disabilities Education, Research, and Service to improve services rendered to children and adults on the autism spectrum, and their families, and for other purposes.

H.R. 6156. An act to renew the authority of the Secretary of Health and Human Services to approve demonstration projects designed to test innovative strategies in State child welfare programs.

At 12:04 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2701. An act to authorize appropriations for fiscal year 2010 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

HOUSE BILLS REFERRED

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

H.R. 1745. An act to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health centers under section 330 of such Act; to the Committee on Health, Education, Labor, and Pensions.

H.R. 3199. An act to amend the Public Health Service Act to provide grants to State emergency medical service departments to provide for the expedited training and licensing of veterans with prior medical training, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5307. To amend the Tariff Act of 1930 to include ultralight vehicles under the definition of aircraft for purposes of the aviation smuggling provisions under that Act; to the Committee on Finance.

H.R. 5710. An act to amend and reauthorize the controlled substance monitoring program under section 399O of the Public Health Service Act; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5756. To amend subtitle D of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 to provide grants and technical assistance to University Centers for Excellence in Developmental Disabilities Education, Research, and Service to improve services rendered to children and adults on the autism spectrum, and their families, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 6156. An act to renew the authority of the Secretary of Health and Human Services to approve demonstration projects designed to test innovative strategies in State child welfare programs; to the Committee on Finance.

OBJECTION TO CONSIDERATION OF BILL S. 3816

Mr. REID asked unanimous consent that, at 3 p.m. on Monday, September 27, 2010, the Senate proceed to consider bill S. 3816.

Mr. MCCONNELL objected.

MOTION TO PROCEED TO CONSIDER BILL S. 3816

On motion by Mr. REID that the Senate proceed to consider the bill (S. 3816) to amend the Internal Revenue Code of 1986 to create American jobs and to prevent the offshoring of such jobs overseas.

The question being on agreeing to the motion.

Mr. REID presented a motion to bring to a close debate on the pending motion to proceed to consider bill S. 3816; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to consider bill S. 3816:

DICK DURBIN, CHUCK SCHUMER, TOM HARKIN, S. WHITEHOUSE, DEBBIE STABENOW, B.A. MIKULSKI, ROLAND W. BURRIS, BERNARD SANDERS, TOM UDALL, MARK BEGICH, DANIEL K. AKAKA, JEFFERY A. MERKLEY, BEN CARDIN, EDWARD E. KAUFMAN, CHRISTOPHER DODD. ARLEN SPECTER, SHERROD BROWN, AMY KLOBUCHAR, BYRON L. DORGAN, BARBARA BOXER.

By unanimous consent, on the request of Mr. REID,

Ordered, That the Senate vote on agreeing to the motion to bring to a close debate on the motion to proceed to consider the bill at 11:30 a.m. on Tuesday, September 28, 2010; and that the quorum under the rule be waived.

Mr. REID thereupon withdrew the motion to proceed.

PRE-ELECTION PRESIDENTIAL TRANSITION ACT

By unanimous consent, on the request of Mr. SHERROD BROWN,

The Senate proceeded to consider the bill (S. 3196) to amend the Presidential Transition Act of 1963 to provide that certain transition services shall be available to eligible candidates before the general election.

The question being on the passage of the bill.

On motion by Mr. SHERROD BROWN for Mr. KAUFMAN (for himself and Mr. VOINOVICH) to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 4658, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

PROVIDING FOR AN ADDITIONAL TEMPORARY EXTENSION OF CERTAIN SMALL BUSINESS PROGRAMS

On the request of Mr. SHERROD BROWN,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3839) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes, introduced on today by Ms. LANDRIEU (for herself and Ms. SNOWE), and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL WILDLIFE REFUGE WEEK"

On the request of Mr. SHERROD BROWN,

The ACTING PRESIDENT pro tempore laid before the Senate the resolution (S. Res. 644) designating the week beginning October 10, 2010, as "National Wildlife Refuge Week", submitted today by Mr. KAUFMAN (for himself, Mr. CRAPO, Mr. CARDIN, Mr. ALEXANDER, Mr. CASEY, Mrs. MURRAY, Mrs. LINCOLN, Ms. LANDRIEU, Mr. BURRIS, Mr. MARK UDALL, Mr. BINGAMAN, Mr. KERRY, Mrs. SHAHEEN, Mrs. FEINSTEIN, Mr. BENNET, Mr. FEINGOLD, Ms. CANTWELL, Mr. CORKER, Mr. REED, Mr. TOM UDALL, Mr. PRYOR, Ms. STABENOW, Mr. WHITEHOUSE, Mr. INOUYE, and Mr. LEVIN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

MOTION TO PROCEED TO CONSIDER BILL H.R. 3081

On motion by Mr. REID that the Senate proceed to consider the bill (H.R. 3081) making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2010, and for other purposes.

The question being on agreeing to the motion.

Mr. REID presented a motion to bring to a close debate on the pending motion to proceed; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to consider bill H.R. 3081:

JAY ROCKEFELLER, BYRON L. DORGAN, CARL LEVIN, DIANNE FEINSTEIN, JACK REED, MARK R. WARNER, PATRICK J. LEAHY, MICHAEL F. BENNET, BARBARA BOXER, BEN CARDIN, CHARLES SCHUMER, PATTY MURRAY, DEBBIE STABENOW, ROBERT P. CASEY, JR., CHRISTOPHER DODD, DANIEL K. AKAKA, HARRY REID.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

AIRPORT AND AIRWAY EXTENSION ACT OF 2010, PART III

On the request of Mr. REID,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 6190) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes, received from the House of Representatives for concurrence on yesterday, and remaining undisposed of; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, SEPTEMBER 27, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2 p.m. on Monday, September 27, 2010; that, on Monday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 3 p.m., with Senators permitted to speak for 10 minutes each therein; and that, following morning business, the Senate resume consideration of the motion to proceed to consider bill S. 3816.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 12:15 p.m.,

The Senate adjourned, under its order of today, until 2 p.m. on Monday, September 27, 2010.

MONDAY, SEPTEMBER 27, 2010

Mr. ROLAND W. BURRIS, from the State of Illinois, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. BURRIS led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, September 27, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ROLAND W. BURRIS, a Senator from the State of Illinois, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. BURRIS took the chair.

ORDER RELATIVE TO CONSIDERATION OF MOTION TO PROCEED TO CONSIDER BILL S. 3816 ON TODAY

By unanimous consent, on the request of Mr. REID,

Ordered, That the time from 4 p.m. until 11 p.m. be equally divided and controlled between the leaders, or their designees for debate on the motion to proceed to consider bill S. 3816; that each 30 minutes therein be controlled in alternating fashion; and that the majority control the first 30 minutes therein.

THE JOURNAL

Pursuant to the order of Friday, September 24, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Friday, September 24, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Friday, September 24, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 6, 2009, the Secretary of the Senate, on September 24, 2010, during the adjournment of the Senate, received a message from the House announcing that the Speaker has signed the following enrolled bills:

S. 1674. An act to provide for an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

S. 3717. An act to amend the Securities Exchange Act of 1934, the Investment Company Act of 1940, and the Investment Advisers Act of 1940 to provide for certain disclosures under section 552 of title 5, United States Code, (commonly referred to as the Freedom of Information Act), and for other purposes.

S. 3814. An act to extend the National Flood Insurance Program until September 30, 2011.

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the PRESIDENT pro tempore.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-7540. A communication from the Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Competitive and Noncompetitive Non-formula Federal Assistance Programs - Specific Administrative Provisions for the New Era Rural Technology Competitive Grants Program" (RIN0524-AA60), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7541. A communication from the Secretary, Office of the Chief Accountant, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Internal Control Over Financial Reporting in Exchange Act Periodic Reports of Non-Accelerated Filers" (5 U.S.C. Section 801), received in the Office of the President of the Senate on September 20, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7542. A communication from the Acting Deputy Director of National Marine Sanctuaries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Changes to the Florida Keys National Marine Sanctuary Regulations; Technical Corrections and Minor Substantive Changes" (RIN0648-AX34), received in the Office of the President of the Senate on September 20, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7543. A communication from the Acting Deputy Director of National Marine Sanctuaries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Gulf of the Farallones, Monterey Bay and Cordell Bank National Marine Sanctuaries Technical Corrections" (RIN0648-AY20), received in the Office of the President of the Senate on September 20, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7544. A communication from the Acting Deputy Director of National Marine Sanctuaries, National Oceanic and Atmospheric Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Gray's Reef National Marine Sanctuary Regulations on the Use of Spearfishing Gear; Correction" (RIN0648-AX37), received in the Office of the President of the Senate on September 20, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7545. A communication from the Deputy Chief Counsel for Regulations and Security Standards, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Revision of Enforcement Procedures" (RIN1652-AA62), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7546. A communication from the Chief of Recovery and Delisting Branch, Endangered Species Program, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Reclassification of the Oregon Chub From Endangered to Threatened" (RIN1018-AW42), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC-7547. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Ruling - Over the Counter Drugs" (Rev. Rul. 2010-23), received in the Office of the President of the Senate on September 20, 2010; to the Committee on Finance.

EC-7548. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Child Care and Development Fund Report to Congress for Fiscal Years 2006 and 2007"; to the Committee on Finance.

EC-7549. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's Annual Report on Disability-Related Air Travel Complaints; to the Committee on Health, Education, Labor, and Pensions.

EC-7550. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Cardiovascular Devices; Reclassification of Certain Percutaneous Transluminal Coronary Angioplasty (PTCA) Catheters" (Docket No. FDA-2000-P-0924), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7551. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Department's report entitled "Report to Congress on a Plan for The Proposed Head Start Program Designation Renewal System"; to the Committee on Health, Education, Labor, and Pensions.

EC-7552. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report to Congress by the Interagency Access to Health Care in Alaska Task Force; to the Committee on Health, Education, Labor, and Pensions.

EC-7553. A communication from the Chief Privacy Officer, Privacy Office, Department of Homeland Security, transmitting, pursuant to law, a report entitled "DHS Privacy Office 2010 Annual Report to Congress"; to the Committee on Homeland Security and Governmental Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-142. A joint resolution adopted by the Legislature of the State of California urging Congress to protect and preserve the ability of California wineries, as all American wineries, to ship wine directly to consumers without discrimination between in-state and out-of-state wine producers; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION NO. 34

Whereas, California is the fourth largest wine producing region in the world, after France, Italy, and Spain; and

Whereas, California has 2,972 bonded wineries; and

Whereas, California has 4,600 winegrape growers; and

Whereas, California has 531,000 acres of winegrapes; and

Whereas, California winegrowers ship over 193 million cases, representing some 467 million gallons of wine to the United States wine market; and

Whereas, the California wine industry creates more than 330,000 jobs, billions of dollars in economic impact, and preserves agricultural land and family farms; and

Whereas, the California wine industry generates higher taxes than most industries because, as a regulated industry, it pays excise taxes to the state and federal government on every gallon of wine; and

Whereas, the California wine industry has an annual impact of $61.5 billion on the state's economy and produces the number one finished agricultural product in the state; and

Whereas, the economic impact of the United States wine industry on the national economy is $121.8 billion annually; and

Whereas, California's wine industry attracts 20.7 million tourists annually to all regions of California and generates wine-related tourism expenditures of $2.1 billion; and

Whereas, currently 37 states and the District of Columbia allow direct shipping of wine from winegrowers to consumers; and

Whereas, the innovation and entrepreneurial spirit of small California wineries drives the entire industry to improve and progress; and

Whereas, in order to reach consumers in other states, many California wineries have turned to direct marketing and shipping of their wines; and

Whereas, since 1985 California has pioneered consumer access to wine through reciprocal and permit shipping to alleviate scarcity at the retail level of California wines; and

Whereas, over the past 10 years, consolidation trends within the wholesale tier have made it difficult for California wineries to achieve adequate distribution, and, as a result, have limited consumer choice; and

Whereas, California wineries have offered voluntarily to have their direct marketing and shipping permitted and regulated by other states to ensure that those states collect the same taxes that wines sold through the three-tier system must pay, that direct deliveries would be made only to adults, and that direct deliveries are not made in "dry" areas, as defined under the laws of each state; and

Whereas, the California wine industry has developed comprehensive model direct shipping legislation to address all of the concerns expressed by state alcohol regulators across the country; and

Whereas, California has enacted a law to open direct shipping of wine from other states to its own residents without limitation through a simple permit system to comply with the decision in Granholm v. Heald (2005) 544 U.S. 460; and

Whereas, States' rights to regulate wine and alcohol granted by the 21st Amendment to the United States Constitution have always been subject to constitutional limitation and judicial review; and

Whereas, court decisions over the last 40 years balance state authority to regulate alcohol with the framer's belief that the nation would only succeed if interstate commerce thrived; and

Whereas, the Commerce Clause has been applied judiciously by the courts to foster national economic goals while preserving nondiscriminatory state authority; and

Whereas, the landmark 2005 United States Supreme Court case, Granholm v. Heald, reaffirmed states' rights under the 21st Amendment to the United States Constitution to regulate wine as long as they do not discriminate between in-state producers and out-of-state producers, and correctly ruled that these rights do not supersede other provisions of the Constitution; and

Whereas, H.R. 5034 would severely limit consumer choice in California wine throughout the nation as direct-to-consumer laws are amended or repealed; and

Whereas, H.R. 5034 would imperil market access for California wineries that cannot secure effective wholesale distribution; and

Whereas, H.R. 5034 would stunt competition among the nation's 7,011 wine producers as markets are artificially constrained and access is limited; and

Whereas, H.R. 5034 would allow certain state alcohol laws to avoid judicial scrutiny through a presumption of validity; and

Whereas, H.R. 5034 would reverse decades of long-established jurisprudence that has balanced interstate commerce concerns with state regulatory authority and fostered a dramatic growth in wine production, sales, and tax revenue; and

Whereas, H.R. 5034 would insulate and sanction discriminatory state laws by reversing evidentiary rules for Commerce Clause legal challenges and increasing the burden of proof of plaintiffs; and

Whereas, H.R. 5034 would frustrate legitimate challenges to superficially neutral, but nonetheless discriminatory, state laws like the landmark Massachusetts production cap case, Family Winemakers of California v. Jenkins (2010) 592 F.3d 1; and

Whereas, H.R. 5034 would be an unprecedented shift in the relationship between federal and state authority over wine; Now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California hereby respectfully urges Congress to protect and preserve the ability of California wineries, as well as all American wineries, to ship wine directly to consumers without discrimination between in-state and out-of-state wine producers; and be it further

Resolved, That the Legislature of the State of California urges the defeat of H.R. 5034; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, to the President pro tempore of the United States Senate, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

POM-143. A resolution from the Legislature of Rockland County, New York relative to the Safe Drinking Water Act and hydraulic fracturing; to the Committee on Environment and Public Works.

POM-144. A resolution from the Legislature of Rockland County, New York urging Congress to pass the Veteran Employment Assistance Act of 2010; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 349. A bill to establish the Susquehanna Gateway National Heritage Area in the State of Pennsylvania, and for other purposes (Rept. No. 111-303).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 607. A bill to amend the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of

National Forest System land that are subject to ski area permits, and for other purposes (Rept. No. 111-304).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment:

S. 745. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Magna Water District water reuse and groundwater recharge project, and for other purposes (Rept. No. 111-305).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1117. A bill to authorize the Secretary of the Interior to provide assistance in implementing cultural heritage, conservation, and recreational activities in the Connecticut River watershed of the States of New Hampshire and Vermont (Rept. No. 111-306).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 1320. A bill to provide assistance to owners of manufactured homes constructed before January 1, 1976, to purchase Energy Star-qualified manufactured homes (Rept. No. 111-307).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1596. A bill to authorize the Secretary of the Interior to acquire the Gold Hill Ranch in Coloma, California (Rept. No. 111-308).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with amendments:

S. 1651. A bill to modify a land grant patent issued by the Secretary of the Interior (Rept. No. 111-309).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 1689. A bill to designate certain land as components of the National Wilderness Preservation System and the National Landscape Conservation System in the State of New Mexico, and for other purposes (Rept. No. 111-310).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 1750. A bill to authorize the Secretary of the Interior to conduct a special resource study of the General of the Army George Catlett Marshall National Historic Site at Dodona Manor in Leesburg, Virginia, and for other purposes (Rept. No. 111-311).

S. 2052. A bill to amend the Energy Policy Act of 2005 to require the Secretary of Energy to carry out a research and development and demonstration program to reduce manufacturing and construction costs relating to nuclear reactors, and for other purposes (Rept. No. 111-312).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 2798. A bill to reduce the risk of catastrophic wildfire through the facilitation of insect and disease infestation treatment of National Forest System and adjacent land, and for other purposes (Rept. No. 111-313).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with amendments:

S. 2812. A bill to amend the Energy Policy Act of 2005 to require the Secretary of Energy to carry out programs to develop and demonstrate 2 small modular nuclear reactor designs, and for other purposes (Rept. No. 111-314).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 2900. A bill to establish a research, development, and technology demonstration program to improve the efficiency of gas turbines used in combined cycle and simple cycle power generation systems (Rept. No. 111-315).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 3075. A bill to withdraw certain Federal land and interests in that land from location, entry, and patent under the mining laws and disposition under the mineral and geothermal leasing laws (Rept. No. 111-316).

S. 3303. A bill to establish the Chimney Rock National Monument in the State of Colorado (Rept. No. 111-317).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment:

S. 3313. A bill to withdraw certain land located in Clark County, Nevada from location, entry, and patent under the mining laws and disposition under all laws pertaining to mineral and geothermal leasing or mineral materials, and for other purposes (Rept. No. 111-318).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with amendments and an amendment to the title:

S. 3396. A bill to amend the Energy Policy and Conservation Act to establish within the Department of Energy a Supply Star program to identify and promote practices, companies, and products that use highly efficient supply chains in a manner that conserves energy, water, and other resources (Rept. No. 111-319).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 3404. A bill to amend the Reclamation Projects Authorization and Adjustment Act of 1992 to require the Secretary of the Interior, acting through the Bureau of Reclamation, to take actions to improve environmental conditions in the vicinity of the Leadville Mine Drainage Tunnel in Lake County, Colorado, and for other purposes (Rept. No. 111-320).

S. 3452. A bill to designate the Valles Caldera National Preserve as a unit of the National Park System, and for other purposes (Rept. No. 111-321).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

H.R. 685. To require the Secretary of the Interior to conduct a special resource study regarding the proposed United States Civil Rights Trail, and for other purposes (Rept. No. 111-322).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

H.R. 1612. To amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service (Rept. No. 111-323).

H.R. 2430. A bill to direct the Secretary of the Interior to continue stocking fish in certain lakes in the North Cascades National Park, Ross Lake National Recreation Area, and Lake Chelan National Recreation Area (Rept. No. 111-324).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment:

H.R. 2442. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program, and for other purposes (Rept. No. 111-325).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

H.R. 2522. A bill to raise the ceiling on the Federal share of the cost of the Calleguas Municipal Water District Recycling Project, and for other purposes (Rept. No. 111-326).

H.R. 3388. A bill to modify the boundary of Petersburg National Battlefield in the Commonwealth of Virginia, and for other purposes (Rept. No. 111-327).

H.R. 4252. A bill to direct the Secretary of the Interior to conduct a study of water resources in the Rialto-Colton Basin in the State of California, and for other purposes (Rept. No. 111-328).

H.R. 4349. A bill to further allocate and expand the availability of hydroelectric power generated at Hoover Dam, and for other purposes (Rept. No. 111-329).

H.R. 4395. A bill to revise the boundaries of the Gettysburg National Military Park to

include the Gettysburg Train Station, and for other purposes (Rept. No. 111-330).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

H.R. 5026. To amend the Federal Power Act to protect the bulk-power system and electric infrastructure critical to the defense of the United States against cybersecurity and other threats and vulnerabilities (Rept. No. 111-331).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute and an amendment to the title:

S. 3460. A bill to require the Secretary of Energy to provide funds to States for rebates, loans, and other incentives to eligible individuals or entities for the purchase and installation of solar energy systems for properties located in the United States, and for other purposes (Rept. No. 111-332).

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

S. 3243. To require U.S. Customs and Border Protection to administer polygraph examinations to all applicants for law enforcement positions with U.S. Customs and Border Protection, to require U.S. Customs and Border Protection to initiate all periodic background reinvestigations of certain law enforcement personnel, and for other purposes.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. KYL (for himself, Mr. MERKLEY, and Mr. BURR):

S. 3841. A bill to amend title 18, United States Code, to prohibit the creation, sale, distribution, advertising, marketing, and exchange of animal crush videos that depict obscene acts of animal cruelty, and for other purposes; to the Committee on the Judiciary.

By Mr. LEAHY (for himself, Mr. FRANKEN, and Ms. KLOBUCHAR):

S. 3842. A bill to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHUMER (for himself, Mrs. GILLIBRAND, Mr. FEINGOLD, and Mrs. BOXER):

S. 3843. A bill to require disclosure of the physical location of business agents engaging in customer service communications, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LUGAR:

S. 3844. A bill to provide for the approval of the Agreement Between the Government of the United States of America and the Government of Australia Concerning Peaceful Uses of Nuclear Energy; to the Committee on Foreign Relations.

By Mr. CASEY:

S. 3845. A bill to establish the National Competition for Community Renewal to encourage communities to adopt innovative strategies and design principles, to programs related to poverty prevention, recovery and response, and for other purposes; to the Committee on Finance.

By Ms. COLLINS (for herself and Mr. AKAKA):

S. 3846. A bill to establish a temporary prohibition on termination coverage under the TRICARE program for age of dependents under the age of 26 years; to the Committee on Armed Services.

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

S. 3847. A bill to implement certain defense trade cooperation treaties, and for other purposes; considered and passed.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Ms. LANDRIEU (for herself, Mr. INHOFE, Mrs. LINCOLN, Mr. GRASSLEY, Mrs. MURRAY, Mr. DEMINT, Mr. KERRY, Ms. COLLINS, Mr. NELSON of Nebraska, Mr. ENZI, Mr. CARDIN, Mr. VOINOVICH, Mr. FRANKEN, Mr. THUNE, Mr. CONRAD, Mr. COBURN, Mr. MERKLEY, Mr. BROWNBACK, Mr. JOHNSON, Mr. BENNETT, Mr. ROCKEFELLER, Mr. ALEXANDER, Mrs. HUTCHISON, Mr. LEMIEUX, Mrs. GILLIBRAND, Mr. LUGAR, Ms. KLOBUCHAR, Mr. LAUTENBERG, Mr. WYDEN, Mr. INOUYE, and Mr. CORNYN):

S. Res. 647. A resolution expressing support for the goals of National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging Americans to secure safety, permanency, and well-being for all children; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRAPO (for himself, Mrs. LINCOLN, Mrs. SHAHEEN, and Mr. DORGAN):

S. Res. 648. A resolution designating the week beginning on Monday, November 8, 2010, as "National Veterans History Project Week"; to the Committee on the Judiciary.

By Mr. CONRAD (for himself, Mr. ENZI, and Mr. CARDIN):

S. Res. 649. A resolution supporting the goals and ideals of "National Save for Retirement Week", including raising public awareness of the various tax-preferred retirement vehicles and increasing personal financial literacy; considered and agreed to.

By Mr. REED (for himself, Ms. COLLINS, Mr. CARDIN, Mr. WHITEHOUSE, Mr. MENENDEZ, Mr. DODD, Mrs. BOXER, and Mr. JOHANNS):

S. Res. 650. A resolution designating the week of October 24 through October 30, 2010, as "National Childhood Lead Poisoning Prevention Week"; considered and agreed to.

By Mr. REID (for Mrs. LINCOLN (for herself, Mr. COCHRAN, Mrs. FEINSTEIN, Mr. PRYOR, Ms. LANDRIEU, Mrs. BOXER, Mr. VITTER, Mrs. MCCASKILL, Mr. BOND, Mr. WICKER, and Mr. CORNYN)):

S. Res. 651. A resolution recognizing the 20th anniversary of the designation of the month of September of 1991 as "National Rice Month"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 435

At the request of Mr. CASEY, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 435, a bill to provide for evidence-based and promising practices related to juvenile delinquency and criminal street gang activity prevention and intervention to help build individual, family, and community strength and resiliency to ensure that youth lead productive, safe, healthy, gang-free, and law-abiding lives.

S. 446

At the request of Mr. SPECTER, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 446, a bill to permit the televising of Supreme Court proceedings.

S. 455

At the request of Mr. ROBERTS, the names of the Senator from Massachusetts [Mr. BROWN], the Senator from Hawaii [Mr. INOUYE], the Senator from Louisiana [Ms. LANDRIEU], the Senator from Texas [Mr. CORNYN], the Senator from Idaho [Mr. CRAPO], the Senator from Florida [Mr. LEMIEUX], the Senator from Michigan [Ms. STABENOW], the Senator from Tennessee [Mr. ALEXANDER], the Senator from Iowa

[Mr. GRASSLEY], the Senator from Vermont [Mr. LEAHY], the Senator from Oklahoma [Mr. COBURN], the Senator from Hawaii [Mr. AKAKA], the Senator from Virginia [Mr. WARNER], the Senator from Mississippi [Mr. WICKER], the Senator from Pennsylvania [Mr. SPECTER], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Michigan [Mr. LEVIN], the Senator from Colorado [Mr. UDALL], the Senator from Minnesota [Ms. KLOBUCHAR], the Senator from Ohio [Mr. BROWN], the Senator from New York [Mr. SCHUMER] and the Senator from California [Mrs. BOXER] were added as cosponsors of S. 455, a bill to require the Secretary of the Treasury to mint coins in recognition of 5 United States Army Five-Star Generals, George Marshall, Douglas MacArthur, Dwight Eisenhower, Henry "Hap" Arnold, and Omar Bradley, alumni of the United States Army Command and General Staff College, Fort Leavenworth, Kansas, to coincide with the celebration of the 132nd Anniversary of the founding of the United States Army Command and General Staff College.

S. 1311

At the request of Mr. WICKER, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of S. 1311, a bill to amend the Federal Water Pollution Control Act to expand and strengthen cooperative efforts to monitor, restore, and protect the resource productivity, water quality, and marine ecosystems of the Gulf of Mexico.

S. 1327

At the request of Mr. JOHNSON, the name of the Senator from Arkansas [Mrs. LINCOLN] was added as a cosponsor of S. 1327, a bill to reauthorize the public and Indian housing drug elimination program of the Department of Housing and Urban Development, and for other purposes.

S. 1350

At the request of Mr. PRYOR, the name of the Senator from Nevada [Mr. REID] was added as a cosponsor of S. 1350, a bill to encourage increased production of natural gas and liquified petroleum gas vehicles and to provide tax incentives for natural gas and liquefied petroleum gas vehicle infrastructure, and for other purposes.

S. 1445

At the request of Mr. LAUTENBERG, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 1445, a bill to amend the Public Health Service Act to improve the health of children and reduce the occurrence of sudden unexpected infant death and to enhance public health activities related to stillbirth.

S. 1553

At the request of Mr. GRASSLEY, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 2129

At the request of Ms. COLLINS, the name of the Senator from Texas [Mrs. HUTCHISON] was added as a cosponsor of S. 2129, a bill to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia to provide for the establishment of a National Women's History Museum.

S. 2888

At the request of Mr. CARDIN, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 2888, a bill to amend section 205 of title 18, United States Code, to exempt qualifying law school students participating in legal clinics from the application of the general conflict of interest rules under such section.

S. 2896

At the request of Mr. FRANKEN, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 2896, a bill to recruit, support, and prepare principals to improve student academic achievement at high-need schools.

S. 2920

At the request of Mr. LAUTENBERG, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 2920, a bill to amend chapter 1 of title 23, United States Code, to condition the receipt of certain highway funding by States on the enactment and enforcement by States of certain laws to prevent repeat intoxicated driving.

S. 3036

At the request of Mr. BAYH, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 3036, a bill to establish the Office of the National Alzheimer's Project.

S. 3039

At the request of Mr. UDALL of New Mexico, the names of the Senator from Connecticut [Mr. DODD] and the Senator from Minnesota [Mr. FRANKEN] were added as cosponsors of S. 3039, a bill to prevent drunk driving injuries and fatalities, and for other purposes.

S. 3371

At the request of Mrs. MCCASKILL, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 3371, a bill to amend title 10, United States Code, to improve access to mental health care counselors under the TRICARE program, and for other purposes.

S. 3398

At the request of Mr. BAUCUS, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 3398, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans.

S. 3424

At the request of Mr. DURBIN, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 3424, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 3572

At the request of Mrs. LINCOLN, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 3572, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first law enforcement agency, the United States Marshals Service.

S. 3668

At the request of Mr. HARKIN, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 3668, a bill to require the Secretary of Health and Human Services to establish a demonstration program to award grants to, and enter into contracts with, medical-legal partnerships to assist patients and their families to navigate health-related programs and activities.

S. 3701

At the request of Mr. GRASSLEY, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 3701, a bill to amend the Food Security Act of 1985 to restore integrity to and strengthen payment limitation rules for commodity payments and benefits.

S. 3703

At the request of Mrs. MURRAY, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 3703, a bill to expand the research, prevention, and awareness activities of the Centers for Disease Control and Prevention and the National Institutes of Health with respect to pulmonary fibrosis, and for other purposes.

S. 3708

At the request of Mr. SCHUMER, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 3708, a bill to amend titles XVIII and XIX of the Social Security Act to clarify the application of EHR payment incentives in cases of multi-campus hospitals.

S. 3709

At the request of Mr. WHITEHOUSE, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 3709, a bill to amend the Public Health Services Act and the Social Security Act to extend health information technology assistance eligibility to behavioral health, mental health, and substance abuse professionals and facilities, and for other purposes.

S. 3735

At the request of Mrs. LINCOLN, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 3735,

a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve the use of certain registered pesticides.

S. 3751

At the request of Mr. HATCH, the names of the Senator from Ohio [Mr. BROWN], the Senator from California [Mrs. FEINSTEIN] and the Senator from Illinois [Mr. BURRIS] were added as cosponsors of S. 3751, a bill to amend the Stem Cell Therapeutic and Research Act of 2005.

S. 3755

At the request of Mr. ROCKEFELLER, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 3755, a bill to ensure fairness in admiralty and maritime law and for other purposes.

S. 3775

At the request of Mr. TESTER, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 3775, a bill to improve prostate cancer screening and treatment, particularly in medically underserved communities, and for other purposes.

S. 3786

At the request of Mr. KERRY, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 3786, a bill to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury to issue prospective guidance clarifying the employment status of individuals for purposes of employment taxes and to prevent retroactive assessments with respect to such clarifications.

S. 3802

At the request of Mr. BEGICH, his name was added as a cosponsor of S. 3802, a bill to designate a mountain and icefield in the State of Alaska as the "Mount Stevens" and "Ted Stevens Icefield", respectively.

S. 3804

At the request of Mr. LEAHY, the name of the Senator from Tennessee [Mr. ALEXANDER] was added as a cosponsor of S. 3804, a bill to combat online infringement, and for other purposes.

S. 3813

At the request of Mr. BINGAMAN, the names of the Senator from New York [Mrs. GILLIBRAND], the Senator from Missouri [Mrs. MCCASKILL] and the Senator from Montana [Mr. TESTER] were added as cosponsors of S. 3813, a bill to amend the Public Utility Regulatory Policies Act of 1978 to establish a Federal renewable electricity standard, and for other purposes.

S. 3816

At the request of Mr. DURBIN, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 3816, a bill to amend the Internal Revenue Code of 1986 to create American jobs and to prevent the offshoring of such jobs overseas.

SENATE CONCURRENT RESOLUTION 63

At the request of Mr. JOHNSON, the name of the Senator from Louisiana [Mr. VITTER] was added as a cosponsor of Senate Concurrent Resolution 63, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

SENATE CONCURRENT RESOLUTION 71

At the request of Mr. FEINGOLD, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of Senate Concurrent Resolution 71, a concurrent resolution recognizing the United States national interest in helping to prevent and mitigate acts of genocide and other mass atrocities against civilians, and supporting and encouraging efforts to develop a whole of government approach to prevent and mitigate such acts.

SENATE RESOLUTION 278

At the request of Mrs. GILLIBRAND, the name of the Senator from Kansas [Mr. ROBERTS] was added as a cosponsor of Senate Resolution 278, a resolution honoring the Hudson River School painters for their contributions to the United States Senate.

SENATE RESOLUTION 631

At the request of Mrs. LINCOLN, the names of the Senator from Michigan [Ms. STABENOW], the Senator from Washington [Mrs. MURRAY] and the Senator from North Dakota [Mr. DORGAN] were added as cosponsors of Senate Resolution 631, a resolution designating the week beginning on November 8, 2010, as National School Psychology Week.

SENATE RESOLUTION 646

At the request of Mr. HATCH, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of Senate Resolution 646, a resolution designating Thursday, November 18, 2010, as "Feed America Day".

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 2:03 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the amendment of the Senate to the bill (H.R. 1517) to allow certain U.S. Customs and Border protection employees who serve under an overseas limited appointment for at least 2 years, and whose service is rated fully successful or higher throughout that time, to be converted to a permanent appointment in the competitive service.

MOTION TO PROCEED TO CONSIDER BILL S. 3816

Pursuant to the order of Friday, September 24, 2010, as modified,

The ACTING PRESIDENT pro tempore laid before the Senate the motion, made by Mr. REID on Friday, September 24, 2010, that the Senate proceed to consider the bill (S. 3816) to amend the Internal Revenue Code of 1986 to create American jobs and to prevent the offshoring of such jobs overseas; and

The Senate resumed consideration of the motion to proceed.

The question being on agreeing to the motion.

Pending debate,

REDUCING OVER-CLASSIFICATION ACT

By unanimous consent, on the request of Mr. DURBIN,

The Senate proceeded to consider the bill (H.R. 553) to require the Secretary of Homeland Security to develop a strategy to prevent the over-classification of homeland security and other information and to promote the sharing of unclassified homeland security and other information, and for other purposes.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. DURBIN (for Mr. LIEBERMAN) to insert, in lieu of the language proposed by the pending reported amendment (in the nature of a substitute), other words (being amendment No. 4661, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The reported amendment (in the nature of a substitute), as amended, was agreed to.

The question being on the passage of the bill, as amended.

The bill, as amended, was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

MOTION TO PROCEED TO CONSIDER BILL S. 3816

The Senate resumed consideration of the motion to proceed to consider bill S. 3816.

The question being on agreeing to the motion to proceed.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL S. 3816

Mrs. BOXER asked unanimous consent that the Senate proceed to consider bill S. 3816; that the bill be read the third time, and passed; and that a motion to reconsider be deemed made and laid on the table.

Mr. ROBERTS objected.

MOTION TO PROCEED TO CONSIDER BILL S. 3816

The Senate resumed consideration of the motion to proceed to consider bill S. 3816.

The question being on agreeing to the motion to proceed.

Pending debate,

Mr. CARDIN raised a question as to the presence of a quorum.

Whereupon,

The PRESIDING OFFICER (Mr. MERKLEY in the chair) directed the roll to be called to ascertain the presence of a quorum.

Pending the ascertainment of a quorum,

When

Thirteen Senators answered to their names, as follows:

[Quorum No. 5 Leg.]

Akaka, Alexander, Bond, Cardin, Collins, Kohl, McCain, McConnell, Merkley, Reid, Roberts, Vitter, Webb.

The PRESIDING OFFICER announced that a quorum was not present.

On motion by Mr. REID to instruct the Sergeant at Arms to request the presence of absent Senators.

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to instruct.

The question being taken.

It was determined in the affirmative--- yeas... 48, nays... 25

[Rollcall Vote No. 241 Leg.]

YEAS --- 48

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (MA), Brown (OH), Burris, Cantwell, Cardin, Casey, Durbin, Ensign, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Harkin, Inouye, Johnson, Kaufman, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Merkley, Nelson (NE), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 25

Alexander, Barrasso, Bennett, Bond, Brownback, Burr, Coburn, Cochran, Collins, Corker, Grassley, Gregg, Inhofe, Johanns, LeMieux, Lugar, McCain, McConnell, Roberts, Sessions, Shelby, Snowe, Vitter, Voinovich, Wicker.

So the motion was agreed to; and, as indicated by the foregoing rollcall, a quorum being present.

The question being on agreeing to the motion to proceed to consider bill S. 3816.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL S. 3072

Mr. BOND asked unanimous consent that the Committee on Environment and Public Works be discharged from further consideration of the bill (S. 3072) to suspend, during the 2-year period beginning on the date of enactment of this Act, any Environmental Protection Agency action under the Clean Air Act with respect to carbon dioxide or methane pursuant to certain proceedings, other than with respect to motor vehicle emissions, and for other purposes; that the Senate proceed to consider the bill; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. DURBIN objected.

MOTION TO PROCEED TO CONSIDER BILL S. 3816

The Senate resumed consideration of the motion to proceed to consider bill S. 3816.

The question being on agreeing to the motion.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL H.R. 3617

Mr. BARRASSO asked unanimous consent that the Senate proceed to consider the bill (H.R. 3617) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs; that all after the enacting clause be stricken and the text of the bill (S. 35) to provide a permanent deduction for State and local general sales taxes, be inserted in lieu thereof (being an amendment in the nature of a substitute); that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. BAUCUS objected.

MOTION TO PROCEED TO CONSIDER BILL S. 3816

The Senate resumed consideration of the motion to proceed to consider bill S. 3816.

The question being on agreeing to the motion.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL H.R. 4949

Mr. BAUCUS asked unanimous consent that the Committee on Finance be discharged from further consideration of the bill (H.R. 4949) to establish within the Office of the Secretary of Defense an office responsible for implementing all recommendations and requirements regarding military medical facilities in the National Capital Region, and for other purposes; that the Senate proceed to consider the bill; that all after the enacting clause be stricken and the text of the bill (S. 3793) to extend expiring provisions and for other purposes, be inserted in lieu thereof (being an amendment in the nature of a substitute); that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. BARRASSO objected.

MOTION TO PROCEED TO CONSIDER BILL S. 3816

The Senate resumed consideration of the motion to proceed to consider bill S. 3816.

The question being on agreeing to the motion.

Pending debate,

PLAIN WRITING ACT

By unanimous consent, on the request of Mr. CASEY,

The Senate proceeded to consider the bill (H.R. 946) to enhance citizen access to Government information and services by establishing that Government documents issued to the public must be written clearly, and for other purposes.

The question being on the passage of the bill.

On motion by Mr. CASEY for Mr. AKAKA (for himself and Mr. VOINOVICH) to amend the pending bill on various pages and lines, by striking certain words and inserting other words (being amendment No. 4663).

The amendment was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

INDIAN VETERANS HOUSING OPPORTUNITY ACT

By unanimous consent, on the request of Mr. CASEY,

The Senate proceeded to consider the bill (H.R. 3553) to exclude from consideration as income under the Native American Housing Assistance and Self-Determination Act of 1996 amounts received by a family from the Department of Veterans Affairs for service-related disabilities of a member of the family.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

KINGMAN AND HERITAGE ISLANDS ACT

By unanimous consent, on the request of Mr. CASEY,

The Senate proceeded to consider the bill (H.R. 2092) to amend the National Children's Island Act of 1995 to expand allowable uses for Kingman and Heritage Islands by the District of Columbia, and for other purposes.

The question being on agreeing to the reported amendments to the bill.

The reported amendments were agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HOUSE AMENDMENTS TO BILL S. 1510

On the request of Mr. CASEY,

The PRESIDING OFFICER (Mr. BEGICH in the chair) laid before the Senate the amendments received from the House of Representatives for concurrence to the bill (S. 1510) to transfer statutory entitlements to pay and hours of work authorized by the District of Columbia Code for current members of the United States Secret Service Uniformed Division from the District of Columbia Code to the United States Code.

On motion by Mr. CASEY,

Resolved, That the Senate concur in the amendment of the House of Representatives to the bill, with an amendment (Numbered 4664, in the nature of a substitute).

Resolved further, That the Senate concur in the amendment of the House of Representatives to the title of the bill.

HOUSE AMENDMENTS TO BILL S. 2868

On the request of Mr. CASEY,

The PRESIDING OFFICER laid before the Senate the amendments received from the House of Representatives for concurrence to the bill (S. 2868) to provide increased access to the General Services Administration's Schedules Program by the American Red Cross and State and local governments.

On motion by Mr. CASEY,

Resolved, That the Senate concur in the amendment (in the nature of a substitute) of the House of Representatives to the bill.

Resolved further, That the Senate concur in the amendment of the House of Representatives to title of bill.

INTERSTATE RECOGNITION OF NOTARIZATIONS ACT

By unanimous consent, on the request of Mr. CASEY,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the bill (H.R. 3808) to require any Federal or State court to recognize any notarization made by a notary public licensed by a State other than the State where the court is located when such notarization occurs in or affects interstate commerce.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

INTELLIGENCE AUTHORIZATION ACT

On the request of Mr. CASEY,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 2701) to authorize appropriations for fiscal year 2010 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, received from the House of Representatives for concurrence on today, and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

On motion by Mr. CASEY for Mrs. FEINSTEIN (for herself and Mr. BOND) to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 4665, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

The PAYGO letter of the Chairman of the Committee on Finance was read by the legislative clerk.

The question being on passage of the bill, as amended.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

REQUIRING ACCREDITATION OF ENGLISH LANGUAGE TRAINING PROGRAMS

By unanimous consent, on the request of Mr. CASEY,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the bill (S. 1338) to require the accreditation of English language training programs, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

MOUNT STEVENS AND TED STEVENS ICEFIELD DESIGNATION ACT

By unanimous consent, on the request of Mr. CASEY,

Ordered, That the Committee on Energy and Natural Resources be discharged from the further consideration of the bill (S. 3802) to designate a mountain and icefield in the State of Alaska as the "Mount Stevens" and "Ted Stevens Icefield", respectively.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

On motion by Mr. CASEY (for Ms. MURKOWSKI) to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 4666, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

SECURITY COOPERATION ACT

On the request of Mr. CASEY,

The PRESIDING OFFICER laid before the Senate the bill (S. 3847) to implement certain defense trade cooperation treaties, and for other purposes, introduced on today by Mr. KERRY (for himself and Mr. LUGAR), and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

COMBAT METHAMPHETAMINE ENHANCEMENT ACT

On the request of Mr. CASEY,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 2923) to enhance the ability to combat methamphetamine, received from the House of Representatives for concurrence on Thursday, September 23, 2010, and remaining undisposed of; which

was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL WORK AND FAMILY MONTH"

By unanimous consent, on the request of Mr. CASEY,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 618) designating October 2010 as "National Work and Family Month".

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

SUPPORTING THE GOALS AND IDEALS OF "NATIONAL SAVE FOR RETIREMENT WEEK"

On the request of Mr. CASEY,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 649) supporting the goals and ideals of "National Save for Retirement Week", including raising public awareness of the various tax-preferred retirement vehicles and increasing personal financial literacy, submitted today by Mr. CONRAD (for himself, Mr. ENZI, and Mr. CARDIN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL CHILDHOOD LEAD POISONING PREVENTION WEEK"

On the request of Mr. CASEY,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 650) designating the week of October 24 through October 30, 2010, as "National Childhood Lead Poisoning Prevention Week, submitted today by Mr. REED (for himself, Ms. COLLINS, Mr. CARDIN, Mr. WHITEHOUSE, Mr. MENENDEZ, Mr. DODD, Mrs. BOXER, and Mr. JOHANNS), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE 20TH ANNIVERSARY OF THE DESIGNATION OF THE MONTH OF SEPTEMBER OF 1991 AS "NATIONAL RICE MONTH"

On the request of Mr. CASEY,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 651) recognizing the 20th anniversary of the designation of the month of September of 1991 as "National Rice Month, submitted today by Mrs. LINCOLN (for herself, Mr. COCHRAN, Mrs. FEINSTEIN, Mr. PRYOR, Ms. LANDRIEU, Mrs. BOXER, Mr. VITTER, Mrs. MCCASKILL, Mr. BOND, Mr. WICKER, and Mr. CORNYN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. CASEY,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 11:10 a.m., with Senators permitted to speak for 10 minutes each therein; that, at 11:10 a.m., there be 20 minutes, equally divided and controlled, for debate between the leaders, or their designees, relative to the motion to bring to a close debate on the motion to proceed to consider bill S. 3816; and that, at 11:30 a.m., the Senate vote on the question of agreeing to the said motion to bring to a close debate, as pursuant to the order of Friday, September 24, 2010.

ADJOURNMENT

By unanimous consent, on the request of Mr. CASEY,

At 10:01 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

TUESDAY, SEPTEMBER 28, 2010

Mrs. JEANNE SHAHEEN, from the State of New Hampshire, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mrs. SHAHEEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, September 28, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mrs. SHAHEEN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, Tuesday, September 28, 2010, she

had presented to the President of the United States the following enrolled bills:

S. 846. A bill to award a congressional gold medal to Dr. Muhammad Yunus, in recognition of his contributions to the fight against global poverty.

S. 1055. A bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-7554. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Regulation of Off-Exchange Retail Foreign Exchange Transactions and Intermediaries" ((17 CFR Parts 1, 3, 4, 5, 10, 140, 145, 147, 160, and 166)(RIN3038-AC61)), received in the Office of the President of the Senate on September 23, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7555. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acephate, Cacodylic acid, Dicamba, Dicloran, et al.; Tolerance Actions" (FRL No. 8842-1), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7556. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within the Department of the Navy and was assigned case number 09-03; to the Committee on Appropriations.

EC-7557. A communication from the Chairman of the Military Leadership Diversity Commission, transmitting, pursuant to law a report relative to the Commission's comprehensive evaluation and assessment of policies that provide opportunities for the promotion and advancement of minority members of the Armed Forces; to the Committee on Armed Services.

EC-7558. A joint communication from the Under Secretary of Defense (Comptroller) and the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to a multiyear procurement that is being sought for F/A-18E/F and EA-18G aircraft in fiscal year 2010 through fiscal year 2013; to the Committee on Armed Services.

EC-7559. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Acquisition Regulation: Sustainable Acquisition" (RIN1991-AB95), received in the Office of the President of the Senate on September 24, 2010; to the Committee on Energy and Natural Resources.

EC-7560. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Outer Continental Shelf Air Regulations Consistency Update for California" (FRL No. 9192-8), received in the Office of the President of the Senate on September 24, 2010; to the Committee on Environment and Public Works.

EC-7561. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Significant New Use Rules on Certain Chemical Substances" (FRL No. 8839-7), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC-7562. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Final Authorization of State Hazardous Waste Management Program Revisions" (FRL No. 9203-3), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC-7563. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans Alabama: Volatile Organic Compounds" (FRL No. 9203-9), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC-7564. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Hazardous Waste Management System; Identification and Listing of Hazardous Waste Amendment" (FRL No. 9201-2), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Environment and Public Works.

EC-7565. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Application of Sections 7702 and 7702A to Life Insurance Contracts that Mature After Age 100" (Rev. Rul. 2010-28), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Finance.

EC-7566. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Exclusions From Gross Income of Foreign Corporations" (TD 9502), received in the Office of the President of the Senate on September 21, 2010; to the Committee on Finance.

EC-7567. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010-0137 - 2010-0142); to the Committee on Foreign Relations.

EC-7568. A communication from the Executive Analyst (Political), Department of Health and Human Services, transmitting, pursuant to law, a report relative to (2) vacancies in the Department of Health and Human Services in the positions of Assistant Secretary for Public Affairs and Administrator of the Centers for Medicare and Medicaid Services, received in the Office of the President of the Senate on September 24, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7569. A communication from the Human Resources Specialist, United States Tax Court, transmitting, pursuant to law, the United States Tax Courts' annual category rating report for the years of 2008 and 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-7570. A communication from the Management and Program Analyst, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "U.S. Citizenship and Immigration Service Fee Schedule" (RIN1615-AB80), received in the Office of the President of the Senate on September 22, 2010; to the Committee on the Judiciary.

EC-7571. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Wyoming Advisory Committee; to the Committee on the Judiciary.

EC-7572. A communication from the Director of Regulations Policy and

Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Specially Adapted Housing and Special Home Adaption" (RIN2900-AN21), received in the Office of the President of the Senate on September 27, 2010; to the Committee on Veterans' Affairs.

EC-7573. A communication from the Director of Regulation Policy and Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Presumptions of Service Connection for Persian Gulf Service" (RIN2900-AN24), received in the Office of the President of the Senate on September 27, 2010; to the Committee on Veterans' Affairs.

EC-7574. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XY87), received in the Office of the President of the Senate on September 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7575. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XZ01), received in the Office of the President of the Senate on September 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7576. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Yellowfin Sole in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XY99), received in the Office of the President of the Senate on September 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7577. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Skate Complex Fishery; Reduction of Skate Wing Fishery Possession Limit" (RIN0648-XY46), received in the Office of the President of the Senate on September 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7578. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Modification of the Common Pool Day-at-Sea Accounting and Possession Prohibition for Witch Flounder" (RIN0648-XY20), received in the Office of the President of the Senate on September 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7579. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Inseason Action to Close the Commercial Porbeagle Shark Fishery" (RIN0648-XY56), received in the Office of the President of the Senate on September 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7580. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Scup Fishery; Adjustment to the 2010 Winter II Quota" (RIN0648-XY61), received in the Office of the President of the Senate on September 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7581. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands" (RIN0648-XY84), received in the Office of the President of the Senate on September 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7582. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Modifications of the West Coast Commercial and Recreational Salmon Fisheries; Inseason Actions No. 9, No. 10, and No. 11" (RIN0648-XY08), received in the Office of the President of the Senate on September 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7583. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Economic Exclusive Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska" (RIN0648-XY78), received in the Office of the President of the Senate on September 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7584. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch for Vessels Participating in the Rockfish Entry Level Fishery in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XY70), received in the Office of the President of the Senate on September 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7585. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish for Vessels Participating in the Rockfish Entry Level Fishery in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XY72), received in the Office of the President of the Senate on September 24, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7586. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pelagic Shelf Rockfish for Vessels Participating in the Rockfish Entry Level Fishery in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XY71), received in the Office of the President of the Senate on September 24, 2010; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 1816. A bill to amend the Federal Water Pollution Control Act to improve and reauthorize the Chesapeake Bay Program (Rept. No. 111-333).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, without amendment:

S. 679. A bill to establish a research, development, demonstration, and commercial application program to promote research of appropriate technologies for heavy duty plug-

in hybrid vehicles, and for other purposes (Rept. No. 111-334).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 2843. A bill to provide for a program of research, development, demonstration, and commercial application in vehicle technologies at the Department of Energy (Rept. No. 111-335).

S. 3495. A bill to promote the deployment of plug-in electric drive vehicles, and for other purposes (Rept. No. 111-336).

By Mr. KERRY, from the Committee on Foreign Relations, without amendment:

S. 3184. A bill to provide United States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes (Rept. No. 111-337).

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

H.R. 1345. A bill to amend title 5, United States Code, to eliminate the discriminatory treatment of the District of Columbia under the provisions of law commonly referred to as the "Hatch Act".

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 2847. A bill to regulate the volume of audio on commercials.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. BROWN of Massachusetts (for himself, Ms. SNOWE, Mr. BENNETT, Mr. CORKER, Ms. COLLINS, Mr. VOINOVICH, Mr. ALEXANDER, and Mr. CHAMBLISS):

S. 11. A bill to restore the application of the 340B drug discount program to orphan drugs with respect to children's hospitals; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself and Mr. GRASSLEY):

S. 3848. A bill to amend part D of title IV of the Social Security Act to improve the enforcement, collection, and administration of child support payments, and for other purposes; to the Committee on Finance.

By Mr. KERRY (for himself, Mr. DURBIN, Mr. CASEY, Mr. BROWN of Ohio, Mr. BINGAMAN, Mr. BURRIS, Mr. HARKIN, Mr. LEAHY, Mr. MENENDEZ, Mr. REED, Mr. DODD, Mrs. BOXER, Mr. SCHUMER, and Mr. LAUTENBERG):

S. 3849. A bill to extend the Emergency Contingency Fund for State Temporary Assistance for Needy Families Program, and for other purposes; to the Committee on Finance.

By Mr. REID (for Mrs. LINCOLN):

S. 3850. A bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act; to the Committee on Environment and Public Works.

By Mr. DORGAN:

S. 3851. A bill to clarify the relationship of the policies of sports leagues or associations and provisions of State or local law regarding the use of performance-enhancing drugs in interstate competition; to the Committee on Commerce, Science, and Transportation.

By Mrs. HAGAN (for herself and Mr. MENENDEZ):

S. 3852. A bill to authorize grants to promote media literacy and youth empowerment programs, to authorize research on the role and impact of depictions of girls and women in the media, to provide for the establishment of a National Task Force on Girls and Women in the Media, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARPER (for himself, Mr. WARNER, Mr. AKAKA, Ms. COLLINS, Mr. VOINOVICH, and Mr. LIEBERMAN):

S. 3853. A bill to modernize and refine the requirements of the Government Performance and Results Act of 1993, to require quarterly performance reviews of Federal policy and management priorities, to establish Chief Operating Officers, Performance Improvement Officers, and the Performance Improvement Council, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEAHY (for himself, Mr. WHITEHOUSE, and Mr. KAUFMAN):

S. 3854. A bill to expand the definition of scheme or artifice to defraud with respect to mail and wire fraud; to the Committee on the Judiciary.

By Ms. CANTWELL (for herself, Mr. NELSON of Nebraska, Mrs. MURRAY, and Mr. SANDERS):

S. 3855. A bill to amend the Internal Revenue Code of 1986 to repeal the limitation on the issuance of new clean renewable energy bonds and to terminate eligibility of governmental bodies to issue such bonds, and for other purposes; to the Committee on Finance.

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

S. 3856. A bill to amend title 49, United States Code, to provide for enhanced safety and environmental protection in pipeline transportation, to provide for enhanced reliability in the transportation of the Nation's energy products by pipeline, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DODD (for himself, Mrs. SHAHEEN, and Mr. COCHRAN):

S. 3857. A bill to amend the National and Community Service Act of 1990 to improve the educational awards provided for national service; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEAHY (for himself, Mrs. GILLIBRAND, and Mr. SCHUMER):

S. 3858. A bill to improve the H-2A agricultural worker program for use by dairy workers, sheepherders, and goat herders, and for other purposes; to the Committee on the Judiciary.

By Mr. INOUYE:

S. 3859. A bill to express the sense of the Senate concerning the establishment of Doctor of Nursing Practice and Doctor of Pharmacy dual degree programs; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. McCASKILL (for herself, Mr. BROWN of Massachusetts, Mr. LIEBERMAN, Ms. COLLINS, and Mr. BURR):

S. 3860. A bill to require reports on the management of Arlington National Cemetery; to the Committee on Veterans' Affairs.

By Mrs. BOXER (for herself, Ms. KLOBUCHAR, Mr. LAUTENBERG, and Mr. NELSON of Florida):

S. 3861. A bill to direct the Administrator of the Environmental Protection Agency to investigate and address cancer and disease clusters, including in infants and children; to the Committee on Environment and Public Works.

By Mr. WHITEHOUSE:

S. 3862. A bill to amend the Oil Pollution Act of 1990 to facilitate the ability of persons affected by oil spills to seek judicial redress; to the Committee on Environment and Public Works.

By Mr. ROCKEFELLER:

S. 3863. A bill to designate certain Federal land within the Monongahela National Forest as a component of the National Wilderness Preservation System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BAUCUS (for himself and Mr. TESTER):

S. 3864. A bill to remove a portion of the distinct population segment of the Rocky Mountain gray wolf from the list of threatened species or the list of endangered species published under the Endangered Species Act of 1973, and for other purposes; to the Committee on Environment and Public Works.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mrs. MURRAY:

S. Res. 652. A resolution honoring Mr. Alfred Lind for his dedicated service to the United States of America during World War II as a member of the Armed Forces and a prisoner of war, and for his tireless efforts on behalf of other members of the Armed Forces touched by war; considered and agreed to.

By Mr. BUNNING (for himself, Mr. UDALL of New Mexico, Mr. ALEXANDER, Mr. BINGAMAN, Mrs. MURRAY, Mr. MCCONNELL, Mr. GRASSLEY, Ms. CANTWELL, Mr. REID, Mr. UDALL of Colorado, Mr. CORKER, Mr. VOINOVICH, and Mr. SCHUMER):

S. Res. 653. A resolution designating October 30, 2010, as a national day of remembrance for nuclear weapons program workers; considered and agreed to.

By Mr. BURR (for himself, Mr. WEBB, Mr. BURRIS, and Mrs. MURRAY):

S. Res. 654. A resolution designating December 18, 2010, as "Gold Star Wives Day"; considered and agreed to.

By Mr. FEINGOLD (for himself and Mr. DURBIN):

S. Res. 655. A resolution designating November 2010 as "Stomach Cancer Awareness Month" and supporting efforts to educate the public about stomach cancer; considered and agreed to.

By Mr. KAUFMAN (for himself, Mr. REID, Mr. BAUCUS, Mr. ROCKEFELLER, and Mr. AKAKA):

S. Res. 656. A resolution expressing support for the inaugural USA Science & Engineering Festival; considered and agreed to.

By Mr. REID (for himself, Mr. ENSIGN, and Mrs. FEINSTEIN):

S. Res. 657. A resolution celebrating the 75th anniversary of the dedication of the Hoover Dam; considered and agreed to.

By Mr. DODD (for himself, Mr. GRASSLEY, Mr. BROWN of Ohio, Mr. CORNYN, Mr. LEVIN, Mr. LIEBERMAN, Mr. PRYOR, Mr. ROCKEFELLER, and Mrs. MURRAY):

S. Res. 658. A resolution designating the week beginning October 17, 2010, as "National Character Counts Week"; considered and agreed to.

By Mr. DODD (for himself, Mr. ENSIGN, Mr. AKAKA, Mr. BAUCUS, Mr. BEGICH, Mr. COCHRAN, Mr. SPECTER, Mr. WHITEHOUSE, Ms. SNOWE, Mr. SANDERS, Mr. NELSON of Nebraska, Mr. LAUTENBERG, Mr. CARPER, Mrs. GILLIBRAND, Mrs. MURRAY, Mr. BURR, and Mrs. BOXER):

S. Res. 659. A resolution supporting "Lights on Afterschool", a national celebration of afterschool programs; considered and agreed to.

By Mr. KAUFMAN (for himself and Mr. LUGAR):

S. Res. 660. A resolution expressing support for a public diplomacy program promoting advancements in science, technology, engineering, and mathematics made by or in partnership with the people of the United States; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 661. A resolution to authorize representation by the Senate Legal Counsel in the case of McCarthy v. Byrd, et al; considered and agreed to.

By Mr. UDALL of Colorado:

S. Res. 662. A resolution to amend the Standing Rules of the Senate to reform the filibuster rules to improve the daily process of the Senate; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 455

At the request of Mr. ROBERTS, the names of the Senator from Tennessee [Mr. CORKER], the Senator from Kentucky [Mr. BUNNING], the Senator from Wisconsin [Mr. KOHL], the Senator from New Hampshire [Mrs. SHAHEEN] and the Senator from Wyoming [Mr. ENZI] were added as cosponsors of S. 455, a bill to require the Secretary of the Treasury to mint coins in recognition of 5 United States Army Five-Star Generals, George Marshall, Douglas MacArthur, Dwight Eisenhower, Henry "Hap" Arnold, and Omar Bradley, alumni of the United States Army Command and General Staff College, Fort Leavenworth, Kansas, to coincide with the celebration of the 132nd Anniversary of the founding of the United States Army Command and General Staff College.

S. 658

At the request of Mr. TESTER, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 658, a bill to amend title 38, United States Code, to improve health care for veterans who live in rural areas, and for other purposes.

S. 799

At the request of Mr. DURBIN, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 799, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 1553

At the request of Mr. GRASSLEY, the name of the Senator from New Mexico [Mr. UDALL] was added as a cosponsor of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1619

At the request of Mr. DODD, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 1619, a bill to establish the Office of Sustainable Housing and Communities, to establish the Interagency Council on Sustainable Communities, to establish a comprehensive planning grant program, to establish a sustainability challenge grant program, and for other purposes.

S. 1787

At the request of Mr. BINGAMAN, the name of the Senator from New Mexico [Mr. UDALL] was added as a cosponsor of S. 1787, a bill to reauthorize the Federal Land Transaction Facilitation Act, and for other purposes.

S. 2844

At the request of Mr. GRASSLEY, his name was added as a cosponsor of S. 2844, a bill to amend title 18, United States Code, to improve the terrorist hoax statute.

S. 3036

At the request of Mr. BAYH, the name of the Senator from Delaware [Mr. KAUFMAN] was added as a cosponsor of S. 3036, a bill to establish the Office of the National Alzheimer's Project.

S. 3184

At the request of Mrs. BOXER, the names of the Senator from Ohio [Mr. BROWN] and the Senator from Missouri [Mr. BOND] were added as cosponsors of S. 3184, a bill to provide United States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes.

S. 3398

At the request of Mr. BAUCUS, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 3398, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans.

S. 3434

At the request of Mr. BINGAMAN, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 3434, a bill to provide for the establishment of a Home Star Retrofit Rebate Program, and for other purposes.

S. 3447

At the request of Mr. AKAKA, the names of the Senator from South Dakota [Mr. JOHNSON], the Senator from Connecticut [Mr. DODD] and the Senator from New York [Mr. SCHUMER] were added as cosponsors of S. 3447, a bill to amend title 38, United

States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes.

S. 3501

At the request of Mr. HATCH, the names of the Senator from Texas [Mrs. HUTCHISON] and the Senator from Wyoming [Mr. ENZI] were added as cosponsors of S. 3501, a bill to protect American job creation by striking the job-killing Federal employer mandate.

S. 3502

At the request of Mr. HATCH, the name of the Senator from Wyoming [Mr. ENZI] was added as a cosponsor of S. 3502, a bill to restore Americans' individual liberty by striking the Federal mandate to purchase insurance.

S. 3517

At the request of Mr. AKAKA, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 3517, a bill to amend title 38, United States Code, to improve the processing of claims for disability compensation filed with the Department of Veterans Affairs, and for other purposes.

S. 3543

At the request of Mrs. HAGAN, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 3543, a bill to amend title XVIII of the Social Security Act to expand access to medication therapy management services under the Medicare prescription drug program.

S. 3568

At the request of Mr. NELSON of Florida, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 3568, a bill to amend the Trade Act of 1974 to create a Citrus Disease Research and Development Trust Fund to support research on diseases impacting the citrus industry, and for other purposes.

S. 3666

At the request of Mr. CARDIN, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 3666, a bill to authorize certain Department of State personnel, who are responsible for examining and processing United States passport applications, to be able to access certain Federal, State, and other databases, for the purpose of verifying the identity of a passport applicant, to reduce the incidence of fraud, to require the authentication of identification documents submitted by passport applicants, and for other purposes.

S. 3694

At the request of Ms. CANTWELL, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 3694, a bill to prohibit the conducting of invasive research on great apes, and for other purposes.

S. 3709

At the request of Mr. WHITEHOUSE, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 3709, a bill to amend the Public Health Services Act and the Social Security Act to extend health information technology assistance eligibility to behavioral health, mental health, and substance abuse professionals and facilities, and for other purposes.

S. 3723

At the request of Mr. MCCONNELL, his name was added as a cosponsor of S. 3723, a bill to prohibit taxpayer funding of insurance plans or health care programs that cover abortion.

S. 3725

At the request of Mr. WYDEN, the names of the Senator from Vermont [Mr. LEAHY], the Senator from Vermont [Mr. SANDERS] and the Senator from Ohio [Mr. BROWN] were added as cosponsors of S. 3725, a bill to prevent the importation of merchandise into the United States in a manner that evades antidumping and countervailing duty orders, and for other purposes.

S. 3741

At the request of Mrs. HAGAN, the name of the Senator from Alabama [Mr. SESSIONS] was added as a cosponsor of S. 3741, a bill to provide U.S. Customs and Border Protection with authority to more aggressively enforce trade laws relating to textile or apparel articles, and for other purposes.

S. 3751

At the request of Mr. HATCH, the name of the Senator from Kansas [Mr. BROWNBACK] was added as a cosponsor of S. 3751, a bill to amend the Stem Cell Therapeutic and Research Act of 2005.

S. 3756

At the request of Mr. REID, his name was added as a cosponsor of S. 3756, a bill to amend the Communications Act of 1934 to provide public safety providers an additional 10 megahertz of spectrum to support a national, interoperable wireless broadband network and authorize the Federal Communications Commission to hold incentive auctions to provide funding to support such a network, and for other purposes.

S. 3759

At the request of Mr. BINGAMAN, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 3759, a bill to amend the Energy Policy Act of 2005 to authorize the Secretary of Energy to issue conditional commitments for loan guarantees under certain circumstances.

S. 3786

At the request of Mr. KERRY, the names of the Senator from Wisconsin [Mr. FEINGOLD], the Senator from Montana [Mr. TESTER] and the Senator from Iowa [Mr. HARKIN] were added as cosponsors of S. 3786, a bill to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury to issue prospective guidance clarifying the employment status of individuals for purposes of employment taxes and to prevent retroactive assessments with respect to such clarifications.

S. 3789

At the request of Mrs. FEINSTEIN, the name of the Senator from Oklahoma [Mr. COBURN] was added as a cosponsor of S. 3789, a bill to limit access to social security account numbers.

S. 3790

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 3790, a bill to amend title 5, United States Code, to provide that persons having seriously delinquent tax debts shall be ineligible for Federal employment.

S. 3794

At the request of Mr. LEAHY, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 3794, a bill to amend chapter 5 of title 40, United States Code, to include organizations whose membership comprises substantially veterans as recipient organizations for the donation of Federal surplus personal property through State agencies.

S. 3813

At the request of Mr. BINGAMAN, the names of the Senator from Connecticut [Mr. LIEBERMAN] and the Senator from Connecticut [Mr. DODD] were added as cosponsors of S. 3813, a bill to amend the Public Utility Regulatory Policies Act of 1978 to establish a Federal renewable electricity standard, and for other purposes.

S. 3815

At the request of Mr. REID, the name of the Senator from Utah [Mr. HATCH] was withdrawn as a cosponsor of S. 3815, a bill to amend the Internal Revenue Code of 1986 to reduce oil consumption and improve energy security, and for other purposes.

S. 3841

At the request of Mr. KYL, the names of the Senator from California [Mrs. FEINSTEIN], the Senator from Maine [Ms. COLLINS], the Senator from Georgia [Mr. ISAKSON] and the Senator from Louisiana [Mr. VITTER] were added as cosponsors of S. 3841, a bill to amend title 18, United States Code, to prohibit the creation, sale, distribution, advertising, marketing, and exchange of animal crush videos that depict obscene acts of animal cruelty, and for other purposes.

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 3841, supra.

SENATE CONCURRENT RESOLUTION 39

At the request of Mr. MENENDEZ, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of Senate Concurrent Resolution 39, a concurrent resolution expressing the sense of the Congress that stable and affordable housing is an essential component of an

effective strategy for the prevention, treatment, and care of human immunodeficiency virus, and that the United States should make a commitment to providing adequate funding for the development of housing as a response to the acquired immunodeficiency syndrome pandemic.

SENATE CONCURRENT RESOLUTION 71

At the request of Mr. FEINGOLD, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of Senate Concurrent Resolution 71, a concurrent resolution recognizing the United States national interest in helping to prevent and mitigate acts of genocide and other mass atrocities against civilians, and supporting and encouraging efforts to develop a whole of government approach to prevent and mitigate such acts.

SENATE CONCURRENT RESOLUTION 72

At the request of Mr. BROWNBACK, the name of the Senator from Rhode Island [Mr. REED] was added as a cosponsor of Senate Concurrent Resolution 72, a concurrent resolution recognizing the 45th anniversary of the White House Fellows Program.

SENATE RESOLUTION 644

At the request of Mr. KAUFMAN, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of Senate Resolution 644, a resolution designating the week beginning October 10, 2010, as "National Wildlife Refuge Week".

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. BURRIS,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on September 28, 2010, at 10 a.m.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works be authorized to meet during the session of the Senate on September 28, 2010, at 10 a.m. in room 406 of the Dirksen Senate Office Building.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on September 28, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Do Private Long-Term Disability Policies Provide the Protection They Promise?"

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs be authorized to meet during the session of the Senate on September 28, 2010, at 10 a.m. in room 628 of the Dirksen Senate Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on September 28, 2010, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Restoring Key Tools to Combat Fraud and Corruption After the Supreme Court's Skilling Decision."

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on September 28, 2010, at 2:30 p.m.

SUBCOMMITTEE ON CONSUMER PROTECTION, PRODUCT SAFETY, AND INSURANCE

The Subcommittee on Consumer Protection, Product Safety, and Insurance of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on September 28, 2010, at 10:30 a.m., in room 253 of the Russell Senate Office Building.

SUBCOMMITTEE ON SURFACE TRANSPORTATION AND MERCHANT MARINE INFRASTRUCTURE, SAFETY, AND SECURITY

The Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on September 28, 2010, at 3 p.m., in room 253 of the Russell Senate Office Building.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 12:12 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 846. An act to award a congressional gold medal to Dr. Muhammad Yunus, in recognition of his contributions to the fight against global poverty.

S. 1055. An act to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

H.R. 1517. An act to allow certain U.S. Customs and Border Protection employees who serve under an overseas limited appointment for at least 2 years, and whose service is rated fully successful or higher throughout that time, to be converted to a permanent appointment in the competitive service.

H.R. 6190. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the PRESIDENT pro tempore.

At 3:18 p.m., a message from the House of Representatives, delivered by Mrs. Cole, announced that the House has agreed to the amendments of the Senate to the bill (H.R. 714) to authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park, and for other purposes.

At 3:54 p.m., a message from the House of Representatives, delivered by Mrs. Cole, announced that the House has passed the following bill, without amendment:

S. 3847. An act to implement certain defense trade cooperation treaties, and for other purposes.

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

H.R. 6200. An act to amend part A of title XI of the Social Security Act to provide for a 1-year extension of the authorizations for the Work Incentives Planning and Assistance program and the Protection and Advocacy for Beneficiaries of Social Security program.

At 6:51 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 714. An act to authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park, and for other purposes.

H.R. 2923. An act to enhance the ability to combat methamphetamine.

H.R. 3553. An act to exclude from consideration as income under the Native American Housing Assistance and Self-Determination Act of 1996 amounts received by a family from the Department of Veterans Affairs for service-related disabilities of a member of the family.

H.R. 3808. An act to require any Federal or State court to recognize any notarization made by a notary public licensed by a State other than the State where the court is located when such notarization occurs in or affects interstate commerce.

S. 2868. An act to provide increased access to the Federal supply schedules of the General Services Administration to the American Red Cross, other qualified organizations, and State and local governments.

JOINT RESOLUTION DISCHARGED BY PETITION

Pursuant to 5 U.S.C. 802(c), the following joint resolution was discharged by petition from the Committee on Health, Education,

Labor, and Pensions, and placed on the Calendar:

S.J. Res. 39. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule relating to the status as a grandfathered health plan under the Patient Protection and Affordable Care Act.

MOTION TO PROCEED TO CONSIDER BILL S. 3816

Pursuant to the order of yesterday, as modified,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) laid before the Senate the motion, made by Mr. REID on Friday, September 24, 2010, that the Senate proceed to consider the bill (S. 3816) to amend the Internal Revenue Code of 1986 to create American jobs and to prevent the offshoring of such jobs overseas; and

The Senate resumed consideration of the motion to proceed.

The question being on agreeing to the motion.

After debate,

The hour of 11:30 a.m. having arrived,

Pursuant to the order of yesterday,

The PRESIDING OFFICER laid before the Senate the motion, presented by Mr. REID on Friday, September 24, 2010, to bring to a close debate on the motion to proceed to consider bill S. 3816.

Pursuant to the order of Friday, September 24, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the negative---
yeas... 53, nays... 45

[Rollcall Vote No. 242 Leg.]

YEAS --- 53

Akaka, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Udall (CO), Udall (NM), Webb, Whitehouse, Wyden.

NAYS --- 45

Alexander, Barrasso, Baucus, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lieberman, Lugar, McCain, McConnell, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Tester, Thune, Vitter, Voinovich, Warner, Wicker.

So the motion was not agreed to; three-fifths of Senators duly chosen and sworn not having voted in the affirmative.

MOTION TO BRING TO A CLOSE DEBATE ON MOTION TO PROCEED TO CONSIDER BILL H.R. 3081

The PRESIDING OFFICER laid before the Senate the motion, presented by Mr. REID on Friday, September 24, 2010, to bring to a close debate on the motion to proceed to consider the bill (H.R. 3081) making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2010, and for other purposes.

Pursuant to the order of Friday, September 24, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the affirmative---
yeas... 83, nays... 15

[Rollcall Vote No. 243 Leg.]

YEAS --- 83

Akaka, Baucus, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Brownback, Bunning, Burr, Burris, Cantwell, Cardin, Carper, Casey, Cochran, Collins, Conrad, Corker, Dodd, Dorgan, Durbin, Ensign, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Graham, Grassley, Gregg, Hagan, Harkin, Hatch, Hutchison, Inouye, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lugar, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Roberts, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Whitehouse, Wicker, Wyden.

NAYS --- 15

Alexander, Barrasso, Chambliss, Coburn, Cornyn, Crapo, DeMint, Enzi, Inhofe, Isakson, McCain, Risch, Sessions, Shelby, Thune.

So the motion was agreed to; three-fifths of Senators duly chosen and sworn having voted in the affirmative.

Subsequently,

By unanimous consent, on the request of Mr. ALEXANDER,

Ordered, That, on rollcall Vote No. 243, his vote be changed from "nay" to "yea", thus changing the result to yeas 84, nays 14.

MOTION TO PROCEED TO CONSIDER BILL H.R. 3081

The question being on agreeing to the motion to proceed to consider bill H.R. 3081.

Pending debate,

STEM CELL THERAPEUTIC AND RESEARCH REAUTHORIZATION ACT

By unanimous consent, on the request of Mr. FRANKEN,

The Senate proceeded to consider the bill (S. 3751) to amend the Stem Cell Therapeutic and Research Act of 2005.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

The reported amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

MOTION TO PROCEED TO CONSIDER BILL H.R. 3081

The Senate resumed consideration of the motion to proceed to consider bill H.R. 3081.

The question being on agreeing to the motion.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL S. 3849

Mr. DURBIN asked unanimous consent that the Committee on Finance be discharged from further consideration of the bill (S. 3849) to extend the Emergency Contingency Fund for State Temporary Assistance for Needy Families Program, and for other purposes; that the Senate proceed to consider the bill; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. ENZI objected.

MOTION TO PROCEED TO CONSIDER BILL H.R. 3081

The Senate resumed consideration of the motion to proceed to consider bill H.R. 3081.

The question being on agreeing to the motion.

OBJECTION TO CONSIDERATION OF BILL S. 3671

Mr. ROCKEFELLER asked unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of the bill (S. 3671) to improve compliance with mine and occupational safety and health law, empower workers to raise safety concerns,

prevent future mine and other workplace tragedies, establish rights of families of victims of workplace accidents, and for other purposes; that the Senate proceed to consider the bill; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. ENZI objected.

MOTION TO PROCEED TO CONSIDER BILL H.R. 3081

The Senate resumed consideration of the motion to proceed to consider bill H.R. 3081.

The question being on agreeing to the motion to proceed.

Pending debate,

ORDER FOR CONSIDERATION OF JOINT RESOLUTION S.J. RES. 39 ON TOMORROW

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, at 10 a.m. on tomorrow, the minority leader, or his designee, be recognized to move to proceed to consider the joint resolution (S.J. Res. 39) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule relating to status as a grandfathered health plan under the Patient Protection and Affordable Care Act; that there be 2 hours, equally divided and controlled, for debate between the leaders, or their designees; that, upon conclusion of debate, the Senate vote on the question of agreeing to the motion to proceed; that, if said motion is agreed to, there be one hour, equally divided and controlled, for debate between the leaders, or their designees, on the joint resolution; that, upon conclusion of debate, the joint resolution be read the third time; and that the Senate then vote on passage of the joint resolution.

Ordered further, That, if the motion to proceed is not agreed to, no further motion to proceed to the joint resolution be in order for the remainder of the Congress; that no amendment or motion be in order to the joint resolution; and that all other provisions of the statute governing consideration of the joint resolution remain in effect.

PROVIDING FOR AN EXTENSION OF THE LEGISLATIVE AUTHORITY TO ESTABLISH A VIETNAM VETERANS MEMORIAL VISITOR CENTER

By unanimous consent, on the request of Mr. DURBIN,

The Senate proceeded to consider the bill (H.R. 3689) to provide for an extension of the legislative authority of the Vietnam Veterans Memorial Fund, Inc. to establish a Vietnam Veterans Memorial visitor center, and for other purposes.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

PREVENTION OF INTERSTATE COMMERCE IN ANIMAL CRUSH VIDEOS ACT

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the bill (H.R. 5566) to amend title 18, United States Code, to prohibit interstate commerce in animal crush videos, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

On motion by Mr. DURBIN (for Mr. KYL) to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 4668, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ANTI-BORDER CORRUPTION ACT

By unanimous consent, on the request of Mr. DURBIN,

The Senate proceeded to consider the bill (S. 3243) to require U.S. Customs and Border Protection to administer polygraph examinations to all applicants for law enforcement positions with U.S. Customs and Border Protection, to require U.S. Customs and Border Protection to complete all periodic background reinvestigations of certain law enforcement personnel, and for other purposes.

The question being on agreeing to the reported amendment.

The reported amendment was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The title was amended, as reported by the Committee, so as to read: "A bill to require U.S. Customs and Border Protection to administer polygraph examinations to all applicants for law enforcement positions with U.S. Customs and Border Protection, to require U.S. Customs and Border Protection to initiate all periodic background reinvestigations of certain law enforcement personnel, and for other purposes."

SOCIAL SECURITY NUMBER PROTECTION ACT

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on Finance be discharged from the further consideration of the bill (S. 3789) to limit access to social security account numbers.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CLARIFYING CERTAIN GRANTS EXTENSION AUTHORITY OF THE SECRETARY OF THE INTERIOR

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on Energy and Natural Resources be discharged from the further consideration of the bill (H.R. 3940) to amend Public Law 96-597 to clarify the authority of the Secretary of the Interior to extend grants and other assistance to facilitate political status public education programs for the peoples of the non-self-governing territories of the United States.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

On motion by Mr. DURBIN (for Mr. BINGAMAN) to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 4669, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The title was amended, on motion by Mr. DURBIN (for Mr. BINGAMAN), so as to read: "A bill to clarify the availability of existing funds for political status education in the Territory of Guam, and for other purposes."

5-STAR GENERALS COMMEMORATIVE COIN ACT

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on Banking, Housing, and Urban Affairs be discharged

from the further consideration of the bill (H.R. 1177) to require the Secretary of the Treasury to mint coins in recognition of 5 United States Army 5-Star Generals, George Marshall, Douglas MacArthur, Dwight Eisenhower, Henry "Hap" Arnold, and Omar Bradley, alumni of the United States Army Command and General Staff College, Fort Leavenworth, Kansas, to coincide with the celebration of the 132nd Anniversary of the founding of the United States Army Command and General Staff College.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

VETERANS' INSURANCE AND HEALTH CARE IMPROVEMENTS ACT

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on Veterans' Affairs be discharged from the further consideration of the bill (H.R. 3219) to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs relating to insurance and health care, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

On motion by Mr. DURBIN (for Mr. AKAKA) to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 4671, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The title was amended, on motion by Mr. DURBIN (for Mr. AKAKA), so as to read: "An act to amend title 38, United States Code, and the Servicemembers Civil Relief Act to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes."

RECOGNIZING THE 60TH ANNIVERSARY OF THE FULBRIGHT PROGRAM IN THAILAND

By unanimous consent, on the request of Mr. DURBIN,

The Senate proceeded to consider the resolution (S. Res. 469) recognizing the 60th Anniversary of the Fulbright Program in Thailand.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "FEED AMERICA DAY"

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 646) designating Thursday, November 18, 2010, as "Feed America Day".

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HONORING MR. ALFRED LIND FOR HIS DEDICATED SERVICE TO THE UNITED STATES OF AMERICA DURING WORLD WAR II

On the request of Mr. DURBIN,

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) laid before the Senate the resolution (S. Res. 652) honoring Mr. Alfred Lind for his dedicated service to the United States of America during World War II as a member of the Armed Forces and a prisoner of war, and for his tireless efforts on behalf of other members of the Armed Forces touched by war, submitted today by Mrs. MURRAY, and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING A NATIONAL DAY OF REMEMBRANCE FOR NUCLEAR WEAPONS PROGRAM WORKERS

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 653) designating October 30, 2010, as a national day of remembrance for nuclear weapons program workers, submitted today by Mr. BUNNING (for himself, Mr. TOM UDALL, Mr. ALEXANDER, Mr. BINGAMAN, Mrs. MURRAY, Mr. MCCONNELL, Mr. GRASSLEY, Ms. CANTWELL, Mr. REID, Mr. MARK UDALL, Mr. CORKER, Mr. VOINOVICH, and Mr. SCHUMER), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "GOLD STAR WIVES DAY"

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 654) designating December 18, 2010, as "Gold Star Wives Day", submitted today by Mr. BURR (for himself, Mr. WEBB, Mr. BURRIS, and Mrs. MURRAY), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "STOMACH CANCER AWARENESS MONTH" AND SUPPORTING EFFORTS TO EDUCATE THE PUBLIC ABOUT STOMACH CANCER

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 655) designating November 2010 as "Stomach Cancer Awareness Month" and supporting efforts to educate the public about stomach cancer, submitted today by Mr. FEINGOLD (for himself and Mr. DURBIN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXPRESSING SUPPORT FOR THE INAUGURAL USA SCIENCE & ENGINEERING FESTIVAL

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 656) expressing support for the inaugural USA Science & Engineering Festival, submitted today by Mr. KAUFMAN (for himself, Mr. REID, Mr.

BAUCUS, Mr. ROCKEFELLER, and Mr. AKAKA), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CELEBRATING THE 75TH ANNIVERSARY OF THE DEDICATION OF THE HOOVER DAM

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 657) celebrating the 75th anniversary of the dedication of the Hoover Dam, submitted today by Mr. REID (for himself, Mr. ENSIGN, and Mrs. FEINSTEIN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL CHARACTER COUNTS WEEK"

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 658) designating the week beginning October 17, 2010, as "National Character Counts Week", submitted today by Mr. DODD (for himself, Mr. GRASSLEY, Mr. SHERROD BROWN, Mr. CORNYN, Mr. LEVIN, Mr. LIEBERMAN, Mr. PRYOR, Mr. ROCKEFELLER, and Mrs. MURRAY), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

SUPPORTING "LIGHTS ON AFTERSCHOOL", A NATIONAL CELEBRATION OF AFTERSCHOOL PROGRAMS

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 659) supporting "Lights on Afterschool", a national celebration of afterschool programs, submitted today by Mr. DODD (for himself, Mr. ENSIGN, Mr. AKAKA, Mr. BAUCUS, Mr. BEGICH, Mr. COCHRAN, Mr. SPECTER, Mr. WHITEHOUSE, Ms. SNOWE, Mr. SANDERS, Mr. BEN NELSON, Mr. LAUTENBERG, Mr. CARPER, Mrs. GILLIBRAND, Mrs. MURRAY, Mr. BURR, and Mrs. BOXER), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXPRESSING SUPPORT FOR A PUBLIC DIPLOMACY PROGRAM IN PARTNERSHIP WITH THE PEOPLE OF THE UNITED STATES

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 660) expressing support for a public diplomacy program promoting advancements in science, technology, engineering, and mathematics made by or in partnership with the people of the United States, submitted today by Mr. KAUFMAN (for himself and Mr. LUGAR), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORIZING REPRESENTATION BY THE SENATE LEGAL COUNSEL

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 661) to authorize representation by the Senate Legal Counsel in the case of McCarthy v. Byrd, et al, submitted today by Mr. REID (for himself and Mr. MCCONNELL), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 10 a.m.; that time therein be equally divided and controlled for debate between the two leaders, or their designees; that, following morning business, the Senate proceed to consider the motion to proceed to consider joint resolution S.J. Res. 39, as pursuant to the order of today; and that, upon disposition of the joint resolution, the Senate resume consideration of the motion to proceed to consider bill H.R. 3081.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 2:15 p.m.

Ordered further, That time during morning business, recess, and adjournment count against time for debate pursuant to rule XXII of the Standing Rules of the Senate.

ADJOURNMENT

By unanimous consent, on the request of Mr. DURBIN,

At 8:14 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

WEDNESDAY, SEPTEMBER 29, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, September 29, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. TOM UDALL took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

OBJECTION TO CONSIDERATION OF BILL H.R. 388

Mr. REID asked unanimous consent that the Senate proceed to consider the bill (H.R. 388) to assist in the conservation of cranes by supporting and providing, through projects of persons and organizations with expertise in crane conservation, financial resources for the conservation programs of countries the activities of which directly or indirectly affect cranes and the ecosystems of cranes; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. COBURN objected.

OBJECTION TO CONSIDERATION OF BILL S. 859

Mr. REID asked unanimous consent that the Senate proceed to consider the bill (S. 859) to amend the provisions of law relating to the John H. Prescott Marine Mammal Rescue Assistance Grant Program, and for other purposes; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. COBURN objected.

OBJECTION TO CONSIDERATION OF BILL S. 529

Mr. REID asked unanimous consent that the Senate proceed to consider the bill (S. 529) to assist in the conservation of rare felids and rare canids by supporting and providing financial resources for the conservation programs of countries within the range of rare felid and rare canid populations and projects of persons with demonstrated expertise in the conservation of rare felid and rare canid populations; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. COBURN objected.

OBJECTION TO CONSIDERATION OF BILL S. 850

Mr. REID asked unanimous consent that the Senate proceed to consider the bill (S. 850) to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks; that the reported amendment (in the nature of a substitute) be agreed to; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. COBURN objected.

OBJECTION TO CONSIDERATION OF BILL S. 850

Mr. REID asked unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from further consideration of the bill (S. 1748) to establish a program of research, recovery, and other activities to provide for the recovery of the southern sea otter; that the Senate proceed to consider the bill; that an amendment (in the nature of a substitute) be agreed to; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. COBURN objected.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, Wednesday, September 29, 2010, she had presented to the President of the United States the following enrolled bills:

S. 2868. An Act to provide increased access to the Federal supply schedules of the General Services Administration to the American Red Cross, other qualified organizations, and State and local governments.

S. 3839. A bill to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

S. 3847. A bill to implement certain defense trade cooperation treaties, and for other purposes.

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by Mr. Williams, one of his secretaries:

REPORT ON ISSUANCE OF EXECUTIVE ORDER TAKING STEPS IN RELATION TO THE NATIONAL EMERGENCY WITH RESPECT TO IRAN DECLARED IN EXECUTIVE ORDER 12957 -- PM 67

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

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (IEEPA), I hereby report that I have issued an Executive Order (the "order") that takes additional steps with respect to the national emergency declared in Executive Order 12957 of March 15, 1995.

In Executive Order 12957, the President found that the actions and policies of the Government of Iran threaten the national security, foreign policy, and economy of the United States. To deal with that threat, the President in Executive Order 12957 declared a national emergency and imposed prohibitions on certain transactions with respect to the development of Iranian petroleum resources. To further respond to that threat, Executive Order 12959 of May 6, 1995, imposed comprehensive trade and financial sanctions on Iran. Finally, Executive Order 13059 of August 19, 1997, consolidated and clarified the previous orders.

I have determined that the actions and policies of the Government of Iran on or after its presidential election of June 12, 2009, including its violent response to peaceful demonstrations and its commission of serious human rights abuses, warrant the imposition of additional sanctions.

The prohibitions contained in the new order implement section 105(a) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195) (CISADA) concerning, inter alia, the imposition of sanctions pursuant to IEEPA with respect to each person on the list referred to in section 105(b). I applaud the efforts of the Congress to demonstrate the strong and sustained commitment of the United States to advancing the universal rights of all Iranians, and to sanction those who have abused their rights. The order, however, goes beyond the scope of section 105 of CISADA by imposing sanctions pursuant to IEEPA on persons who meet a broader set of criteria than those specified in section 105(b).

The order blocks the property and interests in property of persons listed in the Annex to the order, who I have determined meet the first of the three criteria set forth below. The order also provides criteria for designations of persons determined by the Secretary of the Treasury, in consultation with or at the recommendation of the Secretary of State:

To be an official of the Government of Iran or a person acting on behalf of the Government of Iran (including members of paramilitary organizations) who is responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human

rights abuses against persons in Iran or Iranian citizens or residents, or the family members of the foregoing, on or after June 12, 2009, regardless of whether such abuses occurred in Iran;

To have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, the activities described in section 1(a)(ii)(A) of the order or any person whose property and interests in property are blocked pursuant to the order; or

To be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the order. I have delegated to the Secretary of the Treasury the authority, in consultation with the Secretary of State, to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA and the relevant provisions of CISADA, as may be necessary to carry out the blocking-related purposes of the order and to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA, as may be necessary to carry out section 104 of CISADA. I have delegated to the Secretary of State the functions and authorities related to visa sanctions conferred upon the President by the relevant provisions of CISADA. I have also delegated to the Secretary of State, in consultation with the Secretary of the Treasury, the function of submitting to the appropriate congressional committees referred to in section 105(b) of CISADA the initial and updated lists of persons who are subject to visa sanctions and whose property and interests in property are blocked pursuant to the order. All executive agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the order.

The order, a copy of which is enclosed, became effective at 12:01 a.m. eastern daylight time on September 29, 2010.

BARACK OBAMA.

THE WHITE HOUSE, *September 28, 2010.*

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-7587. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Veterinary Accreditation Program; Currently Accredited Veterinarians Performing Accredited Duties and Electing to Participate" (Docket No. APHIS-2006-0093), received in the Office of the President of the Senate on September 28, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7588. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fluoxastrobin; Pesticide Tolerances" (FRL No. 8845-7), received in the Office of the President of the Senate on September 28, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7589. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Spinosad; Pesticide Tolerances" (FRL No. 8844-1), received in the Office of the President of the Senate on September 28, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7590. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Jeffrey L. Fowler, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services

EC-7591. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the Combined Annual Report of the National Security Education Program for Fiscal Years 2008-09; to the Committee on Armed Services.

EC-7592. A communication from the Chairman, Defense Nuclear Facilities Safety Board, transmitting, pursuant to law, the Board's Quarterly Report to Congress on the Status of Significant Unresolved Issues with the Department of Energy's Design and Construction Projects; to the Committee on Armed Services.

EC-7593. A communication from the Chairman, Defense Nuclear Facilities Safety Board, transmitting, pursuant to law, the Board's first periodic Report to Congress on Infrastructure Needs in the Department of Energy's Aging Defense Nuclear Facilities; to the Committee on Armed Services.

EC-7594. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Motor Carrier Fuel Surcharge" ((RIN0750-AG30)(DFARS Case 2008-D040)), received in the Office of the President of the Senate on September 27, 2010; to the Committee on Armed Services.

EC-7595. A communication from the Chairman, Securities and Exchange Commission, transmitting, pursuant to law, the 2009 Annual Report of the Securities Investor Protection Corporation (SIPC); to the Committee on Banking, Housing, and Urban Affairs.

EC-7596. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Final Rule Amending the Iranian Transactions Regulations" (31 CFR Part 560), received in the Office of the President of the Senate on September 25, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7597. A communication from the Secretary, Office of the Chief Accountant, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Commission Guidance Regarding Auditing, Attestation, and Related Professional Practice Standards Related to Brokers and Dealers" (17 CFR Part 241), received in the Office of the President of the Senate on September 28, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7598. A communication from the Administrator of the Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, a report relative to the Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2003 (SAFETEA) and the DestiNY USA Project; to the Committee on Commerce, Science, and Transportation.

EC-7599. A communication from the Secretary of Transportation, transmitting, pursuant to law, the 2010 Intelligent Transportation System (ITS) Program Advisory Committee Report; to the Committee on Commerce, Science, and Transportation.

EC-7600. A communication from the Secretary of Transportation, transmitting a legislative proposal entitled "Strengthening Pipeline Safety and Enforcement Act of 2010"; to the Committee on Commerce, Science, and Transportation.

EC-7601. A communication from the Assistant Director of Program Support, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Technical Amendments 2010" (RIN1029-AC62), received in the Office of the President of the Senate on September 27, 2010; to the Committee on Energy and Natural Resources.

EC-7602. A communication from the Director of the Bureau of Ocean Energy, Management, Regulation, and Enforcement, Department of the Interior, transmitting, pursuant to law, a report entitled "Report to Congress: The Bureau of Ocean Energy Management, Regulation, and Enforcement, Royalty in Kind Program" for fiscal year

2009; to the Committee on Energy and Natural Resources.

EC-7603. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Supplemental Determination for Renewable Fuels Produced Under the Final RFS2 Program from Canola Oil" (FRL No. 9207-1), received in the Office of the President of the Senate on September 25, 2010; to the Committee on Environment and Public Works.

EC-7604. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Priorities List, Final Rule No. 50" (FRL No. 9207-3), received in the Office of the President of the Senate on September 25, 2010; to the Committee on Environment and Public Works.

EC-7605. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Priorities List, Final Rule - Newtown Creek" (FRL No. 9207-2), received in the Office of the President of the Senate on September 25, 2010; to the Committee on Environment and Public Works.

EC-7606. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Implementation Plans of Wisconsin: Nitrogen Oxides Reasonably Available Control Technology" (FRL No. 9205-8), received in the Office of the President of the Senate on September 25, 2010; to the Committee on Environment and Public Works.

EC-7607. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; State of Nevada; Redesignation of Las Vegas Valley to Attainment for the Carbon Monoxide Standard" (FRL No. 9204-9), received in the Office of the President of the Senate on September 25, 2010; to the Committee on Environment and Public Works.

EC-7608. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District" (FRL No. 9207-7), received in the Office of the President of the Senate on September 28, 2010; to the Committee on Environment and Public Works.

EC-7609. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of Volatile Organic Compound Emissions from Industrial Solvent Cleaning Operations" (FRL No. 9208-2), received in the Office of the President of the Senate on September 28, 2010; to the Committee on Environment and Public Works.

EC-7610. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Direct Final Rule" (FRL No. 9208-7), received in the Office of the President of the Senate on September 28, 2010; to the Committee on Environment and Public Works.

EC-7611. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Extension of Replacement Period for Livestock Sold on Account of Drought in Specified Counties" (Notice No. 2010-64), received in the Office of the President of the Senate on September 27, 2010; to the Committee on Finance.

EC-7612. A communication from the Secretary of Labor, transmitting, pursuant to law, the 2010 report (covering trade in calendar year 2009) relative to the impact of the Andean Trade Preference Act on U.S. trade and employment; to the Committee on Finance.

EC-7613. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the employment of an adequate number of Americans during 2009 by the United Nations; to the Committee on Foreign Relations.

EC-7614. A communication from the Railroad Retirement Board, transmitting, pursuant to law, the Board's 2010 report for the fiscal year ended September 30, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC-7615. A communication from the Director of the Office of Standards, Regulations, and Variances, Mine Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Maintenance of Incombustible Content of Rock Dust in Underground Coal Mines" (RIN1219-AB76), received in the Office of the President of the Senate on September 29, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7616. A communication from the Deputy Director of Operations, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Parts 4022 and 4044), received in the Office of the President of the Senate on September 24, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7617. A communication from the Director, Office of Personnel Management, transmitting a legislative proposal entitled "Federal Hiring Modernization Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7618. A communication from the Secretary of Veterans Affairs, transmitting a legislative proposal relative to authorization of appropriations for major facility construction projects for fiscal year 2011 and major facility leases for fiscal year 2011; to the Committee on Veterans' Affairs.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-145. A resolution adopted by the Senate of the Legislature of the State of Alabama relative to claiming sovereignty under the Tenth Amendment to the Constitution of the United States over certain powers; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION NO. 27

Whereas, the Tenth Amendment to the Constitution of the United States reads as follows: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people"; and

Whereas, the Tenth Amendment defines the total scope of federal power as being that specifically granted by the Constitution of the United States and no more; and

Whereas, Federalism is the constitutional division of powers between the national and state governments and is widely regarded as one of America's most valuable contributions to political science; and

Whereas, James Madison, "the Father of the Constitution," said, "The powers delegated to the federal government are few

and defined. Those which are to remain in the state governments are numerous and indefinite. The former will be exercised principally on external objects, [such] as war, peace, negotiation, and foreign commerce. The powers reserved to the several states will extend to all the objects which, in the ordinary course of affairs, concern the lives, liberties, and properties of the people."; and

Whereas, Thomas Jefferson emphasized that the states are not "subordinate" to the national government, but rather the two are "coordinate departments of one simple and integral whole. The one is the domestic, the other the foreign branch of the same government."; and

Whereas, Alexander Hamilton expressed his hope that "the people will always take care to preserve the constitutional equilibrium between the general and the state governments." He believed that "this balance between the national and state governments forms a double security to the people. If one [government] encroaches on their rights, they will find a powerful protection in the other. Indeed, they will both be prevented from overpassing their constitutional limits by [the] certain rivalship which will ever subsist between them."; and

Whereas, the scope of power defined by the Tenth Amendment means that the federal government was created by the states specifically to be an agent of the states; and

Whereas, today, in 2009, the states are demonstrably treated as agents of the federal government; and

Whereas, many federal laws are directly in violation of the Tenth Amendment to the Constitution of the United States; and

Whereas, the Tenth Amendment assures that we, the people of the United States of America and each sovereign state in the Union of States, now have, and have always had, rights the federal government may not usurp; and

Whereas, Article IV, Section 4, United States Constitution, says in part, "The United States shall guarantee to every State in this Union a Republican Form of Government", and the Ninth Amendment states that "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people"; and

Whereas, the United States Supreme Court has ruled in New York v. United States, 112 S. Ct. 2408 (1992), that Congress may not simply commandeer the legislative and regulatory processes of the states; and

Whereas, a number of proposals from previous administrations and some now pending from the present administration and from Congress may further violate the Constitution of the United States: Now therefore, be it

Resolved by the Legislature of Alabama, both Houses thereof concurring, That the State of Alabama hereby claims sovereignty under the Tenth Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the federal government by the Constitution of the United States; be it further

Resolved, That this resolution serves as notice and demand to the federal government, as our agent, to cease and desist, effective immediately, mandates that are beyond the scope of these constitutionally delegated powers; be it further

Resolved, That all compulsory federal legislation that directs states to comply under threat of civil or criminal penalties or sanctions or requires states to pass legislation or lose federal funding be prohibited or repealed; be it further

Resolved, That a copy of this resolution be forwarded to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the Speaker of the House and the President of the Senate of each state's legislature, and the entire delegation of the Alabama members of the U.S. Congress.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

Report to accompany S. 3243, To require U.S. Customs and Border Protection to administer polygraph examinations to all applicants for law enforcement positions with U.S. Customs and Border Protection, to require U.S. Customs and Border Protection to initiate all periodic background reinvestigations of certain law enforcement personnel, and for other purposes (Rept. No. 111-338).

Report to accompany H.R. 1345, A bill to amend title 5, United States Code, to eliminate the discriminatory treatment of the District of Columbia under the provisions of law commonly referred to as the "Hatch Act" (Rept. No. 111-339).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation:

Report to accompany S. 2847, A bill to regulate the volume of audio on commercials (Rept. No. 111-340).

By Ms. LANDRIEU, from the Committee on Small Business and Entrepreneurship, without amendment:

S. 2862. A bill to amend the Small Business Act to improve the Office of International Trade, and for other purposes (Rept. No. 111-341).

By Ms. LANDRIEU, from the Committee on Small Business and Entrepreneurship, with an amendment:

S. 2869. A bill to increase loan limits for small business concerns, to provide for low interest refinancing for small business concerns, and for other purposes (Rept. No. 111-342).

By Ms. LANDRIEU, from the Committee on Small Business and Entrepreneurship, with an amendment in the nature of a substitute:

S. 2989. A bill to improve the Small Business Act, and for other purposes (Rept. No. 111-343).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 4543. A bill to designate the facility of the United States Postal Service located at 4285 Payne Avenue in San Jose, California, as the "Anthony J. Cortese Post Office Building".

H.R. 5341. A bill to designate the facility of the United States Postal Service located at 100 Orndorf Drive in Brighton, Michigan, as the "Joyce Rogers Post Office Building".

H.R. 5390. A bill to designate the facility of the United States Postal Service located at 13301 Smith Road in Cleveland, Ohio, as the "David John Donafee Post Office Building".

H.R. 5450. A bill to designate the facility of the United States Postal Service located at 3894 Crenshaw Boulevard in Los Angeles, California, as the "Tom Bradley Post Office Building".

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

S. 3794. A bill to amend chapter 5 of title 40, United States Code, to include organizations whose membership comprises substantially veterans as recipient organizations for the donation of Federal surplus personal property through State agencies.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. ISAKSON (for himself and Mr. CHAMBLISS):

S. 12. A bill to require the Secretary of the Army to operate the Buford Dam/Lake Sidney Lanier Project, and for other purposes; to the Committee on Environment and Public Works.

By Mr. ISAKSON (for himself and Mr. CHAMBLISS):

S. 13. A bill to require the Secretary of the Army to calculate the aggregate withdrawals of non-Federal entities, and for other purposes; to the Committee on Environment and Public Works.

By Mr. JOHANNS (for himself, Mr. BROWNBACK, Mr. MCCAIN, Mr. THUNE, Mr. BURR, Mr. COBURN, Mr.

BENNETT, Mr. ISAKSON, Mr. ENZI, Mr. HATCH, Mr. WICKER, Mr. DEMINT, Mr. ENSIGN, Mr. ROBERTS, Mr. CRAPO, Mr. RISCH, Mr. GRAHAM, Mr. VITTER, and Mr. KYL):

S. 14. A bill to ensure that women seeking an abortion are fully informed regarding the pain experienced by their unborn child; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWNBACK:

S. 15. A bill to amend the Internal Revenue Code of 1986 to provide a carbon sequestration investment tax credit, and for other purposes; to the Committee on Finance.

By Mr. VOINOVICH:

S. 16. A bill to amend the Immigration and Nationality Act to remove the temporary suspension of waiver authority for participation in the Visa Waiver Program and for other purposes; to the Committee on the Judiciary.

By Mr. GRAHAM:

S. 17. A bill to provide for an exchange of land between the Department of Homeland Security and the South Carolina State Ports Authority; to the Committee on Energy and Natural Resources.

By Mr. BROWN of Massachusetts:

S. 18. A bill to prohibit aliens who engage in certain activities with respect to Iran from being admitted into the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. GRAHAM (for himself and Mr. CHAMBLISS):

S. 19. A bill to amend the Energy Independence and Security Act of 2007 to promote energy security through the production of petroleum from oil sands, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GRAHAM:

S. 20. A bill to amend the Public Utility Regulatory Policies Act of 1978 to establish a Federal clean energy standard; to the Committee on Energy and Natural Resources.

By Mr. BROWN of Ohio (for himself and Ms. STABENOW):

S. 3865. A bill to facilitate nationwide availability of volunteer income tax assistance for low-income and underserved populations, and for other purposes; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. BROWN of Massachusetts):

S. 3866. A bill to standardize training programs of the Transportation Security Administration, to establish an Office of Behavior Analysis in the Transportation Security Administration, to enhance partnerships between the Transportation Security Administration and State and local law enforcement agencies, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LEVIN:

S. 3867. A bill to modify the naturalization requirements related to physical presence in the United States for alien translators granted special immigrant status, and for other purposes; to the Committee on the Judiciary.

By Mr. CASEY (for himself, Mr. KAUFMAN, Mrs. MURRAY, and Mrs. SHAHEEN):

S. 3868. A bill to require a minimum number of transition assistance advisors in each State in connection with the Yellow Ribbon Reintegration Program; to the Committee on Armed Services.

By Mr. CASEY (for himself, Mrs. MURRAY, Mr. BURRIS, and Mr. KAUFMAN):

S. 3869. A bill to require reports by the Comptroller General on Department of Defense military spouse employment programs, and for other purposes; to the Committee on Armed Services.

By Mr. JOHNSON:

S. 3870. A bill to amend the Federal Crop Insurance Act to permit certain livestock owners to plant a secondary crop for the use of the producer as emergency feed; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LEAHY:

S. 3871. A bill to amend chapter 13 of title 28, United States Code, to authorize the designation and assignment of retired justices of the Supreme Court to particular cases in which an active justice is recused; to the Committee on the Judiciary.

By Mr. UDALL of New Mexico:

S. 3872. A bill to improve billing disclosures to cellular telephone consumers; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHAR (for herself and Mrs. BOXER):

S. 3873. A bill to provide for the establishment of a task force to address the environmental health and safety risks posed to children; to the Committee on Environment and Public Works.

By Mrs. BOXER (for herself, Mrs. FEINSTEIN, Ms. KLOBUCHAR, Mr. CARDIN, Mrs. GILLIBRAND, and Mr. SANDERS):

S. 3874. A bill to amend the Safe Drinking Act to reduce lead in drinking water; to the Committee on Environment and Public Works.

By Mrs. LINCOLN (for herself, Mrs. HUTCHISON, Mr. GRASSLEY, and Mr. WYDEN):

S. 3875. A bill to amend title 38, United States Code, to recognize the service in the reserve components of certain persons by honoring them with status as veterans under law; to the Committee on Veterans' Affairs.

By Mr. WYDEN (for himself and Mr. HATCH):

S. 3876. A bill to amend the Internal Revenue Code of 1986 to extend and modify the alternative fuel vehicle refueling property credit; to the Committee on Finance.

By Mr. CASEY (for himself and Mr. HARKIN):

S. 3877. A bill to amend the Port-to-Portal Act of 1947 to suspend the statute of limitations for certain rights of action under the Fair Labor Standards Act during investigations by the Secretary of Labor; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LAUTENBERG (for himself, Mr. FRANKEN, Mr. SANDERS, Mr. KERRY, Mr. BROWN of Ohio, Mr. MENENDEZ, and Mr. WHITEHOUSE):

S. 3878. A bill to amend title V of the Social Security Act to eliminate the abstinence-only education program; to the Committee on Finance.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 3879. A bill to establish the Sacramento River National Recreation Area in the State of California; to the Committee on Energy and Natural Resources.

By Mr. CASEY:

S. 3880. A bill to increase Federal Pell Grants for the children of fallen public safety officers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARDIN (for himself and Mr. MCCAIN):

S. 3881. A bill to require the Secretary of State to identify individuals responsible for the detention, abuse, or death of Sergei Magnitsky or for the conspiracy to defraud the Russian Federation of taxes on corporate profits through fraudulent transactions and lawsuits against Hermitage, and to impose a visa ban and certain financial measures with respect to such individuals, until the Russian Federation has thoroughly investigated the death of Sergei Magnitsky and brought the Russian criminal justice system into compliance with international legal standards, and for other purposes; to the Committee on the Judiciary.

By Mr. BEGICH (for himself, Mrs. GILLIBRAND, Ms. LANDRIEU, and Mr. LIEBERMAN):

S. 3882. A bill to amend the Elementary and Secondary Education Act of 1965 to invest in innovation for education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BEGICH (for himself, Mr. CARPER, Mrs. GILLIBRAND, and Mr. LIEBERMAN):

S. 3883. A bill to amend part B of title II of the Elementary and Secondary Education Act of 1965 to promote effective STEM teaching and learning; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PRYOR (for himself and Mr. ALEXANDER):

S. 3884. A bill to require the use of electronic on-board recording devices in motor carriers to improve compliance with hours of service regulations; to the Committee on Commerce, Science, and Transportation.

By Mr. LIEBERMAN:

S. 3885. A bill to provide incentives for States and local educational agencies to implement comprehensive reforms and innovative strategies that are designed to lead to significant improvement in outcomes for all students and significant reductions in achievement gaps among subgroups of students, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BURRIS:

S. 3886. A bill to authorize the establishment of a memorial in the District of Columbia to honor and commemorate the accomplishments of Mr. Benjamin Banneker; to the Committee on Energy and Natural Resources.

By Mr. BENNET:

S. 3887. A bill to provide for a continuation and expansion of the Wounded Warrior Careers Demonstration program, and for other purposes; to the Committee on Armed Services.

By Mr. FRANKEN (for himself and Mr. LEMIEUX):

S. 3888. A bill to make improvements to the Fair Debt Collection Practices Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BAUCUS (for himself, Mr. BENNET, and Mr. TESTER):

S. 3889. A bill to extend the deadline for the submittal of claims for retroactive stop-loss special pay compensation for members and former members of the Armed Forces; to the Committee on Armed Services.

By Mr. LAUTENBERG:

S. 3890. A bill to amend section 310 of the Supplemental Appropriations Act, 2009, to extend the period of time during which claims for retroactive stop-loss special pay may be submitted, and for other purposes; to the Committee on Armed Services.

By Mr. BURRIS:

S. 3891. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize the Secretary of Education to make grants for recruiting, training, and retaining individuals, with a preference for individuals from underrepresented groups, as teachers at public elementary and secondary schools, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER (for himself and Mr. CORNYN):

S. 3892. A bill to amend the Internal Revenue Code of 1986 to provide tax benefits to individuals who have been wrongfully incarcerated; to the Committee on Finance.

By Mr. DORGAN (for himself and Mr. BROWN of Ohio):

S. 3893. A bill to establish the Emergency Trade Deficit Commission, and for other purposes; to the Committee on Finance.

By Mr. FEINGOLD:

S. 3894. A bill to allow the FCC to review petitions relating to the secondary transmission of broadcast programming in orphan counties; to the Committee on Commerce, Science, and Transportation.

By Mr. DODD (for himself and Mr. BURR):

S. 3895. A bill to protect students from inappropriate seclusion and physical restraint, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GOODWIN:

S. 3896. A bill to protect children against hazards associated with swallowing button cell batteries by requiring the Consumer Product Safety Commission to promulgate a consumer product safety standard to require child-proof closures on remote controls and other consumer electronic products that use such batteries, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DODD (for himself and Ms. LANDRIEU):

S. 3897. A bill to extend the final report deadline and otherwise reauthorize the National Commission on Children and Disasters; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER:

S. 3898. A bill to amend the Electronic Fund Transfer Act to treat municipalities and school districts as consumers for certain purposes under that Act; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. BOXER:

S. 3899. A bill to provide enhanced Federal enforcement and assistance in preventing and prosecuting crimes of violence against children; to the Committee on the Judiciary.

By Mr. COBURN (for himself, Mr. LEMIEUX, Mr. INHOFE, and Mr. DEMINT):

S. 3900. A bill to reduce waste, fraud, and abuse under the Medicare, Medicaid, and CHIP programs, and for other purposes; to the Committee on Finance.

By Mr. HATCH:

S. 3901. A bill to promote enforcement of immigration laws and for other purposes; to the Committee on the Judiciary.

By Mr. TESTER (for himself and Mr. BENNET):

S. 3902. A bill to deem references to Operation Iraqi Freedom in provisions of Federal law providing benefits for service in the Armed Forces to include references to Operation New Dawn; to the Committee on Veterans' Affairs.

By Mr. UDALL of New Mexico (for himself and Mr. BINGAMAN):

S. 3903. A bill to authorize leases of up to 99 years for lands held in trust for Ohkay Owingeh Pueblo; to the Committee on Indian Affairs.

By Mr. BROWNBACK:

S. 3904. A bill to further continued economic viability in the communities on the High Plains by promoting sustainable groundwater management of the Ogallala Aquifer; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BENNET (for himself and Mrs. MURRAY):

S. 3905. A bill to improve the Transition Assistance Program of the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mr. ALEXANDER (for himself and Mr. DODD):

S. 3906. A bill to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DODD (for himself and Mr. BROWN of Ohio):

S. 3907. A bill to amend the Public Health Service Act to increase access to health care for individuals with disabilities and increase awareness of the need for health care facilities and examination rooms to be accessible for individuals with disabilities, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. McCAIN:

S. 3908. A bill to ensure that private property, public safety, and human life are protected from flood hazards that directly result from post-fire watershed conditions that are created by wildfires on Federal land; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 3909. A bill to restore accountability and congressional oversight to the defense contracting process; to the Committee on Armed Services.

By Mr. CHAMBLISS (for himself and Mr. ISAKSON):

S. 3910. A bill to require the Secretary of the Army to update each water control manual of the Corps of Engineers regarding the Apalachicola-Chattahoochee-Flint River system to include reallocation of storage to meet current and future municipal and industrial water supply needs, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CHAMBLISS (for himself and Mr. ISAKSON):

S. 3911. A bill to require the Secretary of the Army to operate the Buford Dam/Lake Sidney Lanier Project and the Allatoona Dam and Reservoir Project, and for other

purposes; to the Committee on Environment and Public Works.

By Mr. CHAMBLISS:

S. 3912. A bill to amend the Immigration and Nationality Act to provide for the temporary employment of foreign agricultural workers, and for other purposes; to the Committee on the Judiciary.

By Mr. ROCKEFELLER:

S. 3913. A bill to amend title 10, United States Code, to enhance the roles and responsibilities of the Chief of the National Guard Bureau; to the Committee on Armed Services.

By Mrs. MURRAY (for herself, Ms. CANTWELL, Mr. BURRIS, Mr. REED, Mr. SANDERS, Mrs. HAGAN, Mr. SCHUMER, Mr. CONRAD, Mrs. GILLIBRAND, Mr. BEGICH, Mr. LEVIN, Mr. WEBB, and Mr. BENNET):

S. 3914. A bill to amend title VIII of the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to complete payments under such title to local educational agencies eligible for such payments within 3 fiscal years; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. LINCOLN:

S. 3915. A bill to amend title XVIII of the Social Security Act to improve the recruitment and retention of physicians under the Medicare program; to the Committee on Finance.

By Mrs. HUTCHISON (for herself and Mr. CORNYN):

S. 3916. A bill to require the Consumer Product Safety Commission to study and report on the impact on consumers of permitting an increase in the amount of ethanol blended with gasoline for use in gasoline-powered engines used in vehicles operated in interstate commerce, on public streets and roads, or offroad, appliances such as lawn mowers and other nonvehicular devices, and marine engines, and to require the National Highway Traffic Safety Administration to study and report on any safety or reliability impact of such an increase on motor vehicle engines and fuel systems; to the Committee on Commerce, Science, and Transportation.

By Mr. HATCH:

S. 3917. A bill to direct the Secretary of the Interior to convey certain Federal features of the electric distribution system to the South Utah Valley Electric Service District, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 3918. A bill to authorize the United States participation in, and appropriations for, the United States contribution to the ninth replenishment of the resources of the Asian Development Fund and the United States subscription to the fifth general capital increase of the Asian Development Bank; to the Committee on Foreign Relations.

By Mr. HATCH (for himself, Mr. RISCH, Mr. CRAPO, Mr. ENZI, and Mr. BARRASSO):

S. 3919. A bill to remove the gray wolf from the list of threatened species or the list of endangered species published under the Endangered Species Act of 1973, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BROWN of Massachusetts (for himself and Mr. WARNER):

S. 3920. A bill to address national security threats and vulnerabilities that could undermine economic recovery and financial markets; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SANDERS:

S. 3921. A bill to ensure that rules for the approval of pharmaceutical and biological products do not require violations of medical ethics in the testing of products in humans and vertebrate animals; to the Committee on Health, Education, Labor, and Pensions.

By Mr. AKAKA (for himself, Mr. CARPER, and Mr. VOINOVICH):

S. 3922. A bill to underscore the importance of international nuclear safety cooperation for operating power reactors, encouraging the efforts of the Convention on Nuclear Safety, supporting progress in improving nuclear safety, and enhancing the public availability of nuclear safety information; to the Committee on Foreign Relations.

By Mr. SANDERS (for himself, Mr. HARKIN, Mr. WHITEHOUSE, Mr. LEAHY, and Mr. MERKLEY):

S. 3923. A bill to amend the Public Utility Regulatory Policies Act of 1978 to clarify the authority of States to adopt renewable energy incentives; to the Committee on Energy and Natural Resources.

By Mr. CORNYN:

S. 3924. A bill to promote transparency and accountability concerning the implementation of the Patient Protection and Affordable Care Act; to the Committee on Finance.

By Mr. BINGAMAN (for himself and Ms. KLOBUCHAR):

S. 3925. A bill to amend the Energy Policy and Conservation Act to improve the energy efficiency of, and standards applicable to, certain appliances and equipment, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BENNET:

S. 3926. A bill to amend the National Trails System Act to provide for the study of the Pike National Historic Trail; to the Committee on Energy and Natural Resources.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. 3927. A bill to establish the Sacramento-San Joaquin Delta National Heritage Area; to the Committee on Energy and Natural Resources.

By Mr. INOUYE:

S. 3928. A bill to strengthen Federal consumer product safety programs and activities with respect to commercially-marketed seafood by directing the Secretary of Commerce to coordinate with the Federal Trade Commission and other appropriate Federal agencies to strengthen and coordinate those programs and activities; to the Committee on Commerce, Science, and Transportation.

By Mr. TESTER (for himself, Mr. BARRASSO, Mr. RISCH, and Mr. BAUCUS):

S. 3929. A bill to revise the Forest Service Recreation Residence Program as it applies to units of the National Forest System derived from the public domain by implementing a simple, equitable, and predictable procedure for determining cabin user fees, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. AKAKA (for himself and Mr. INOUYE):

S. 3930. A bill to provide for the expansion of Hakalau Forest National Wildlife Refuge, Hawaii County, Hawaii; to the Committee on Environment and Public Works.

By Mr. ROCKEFELLER:

S. 3931. A bill to amend title 10, United States Code, to enhance the roles and responsibilities of the Chief of the National Guard Bureau; to the Committee on Armed Services.

By Mr. MENENDEZ (for himself and Mr. LEAHY):

S. 3932. A bill to provide comprehensive immigration reform, and for other purposes; to the Committee on the Judiciary.

By Mr. BUNNING:

S. 3933. A bill to protect electricity reliability by prohibiting the use of funds for carrying out certain policies and procedures that adversely affect domestic coal mining operations, and for other purposes; to the Committee on Environment and Public Works.

By Mr. WICKER (for himself and Mr. VITTER):

S. 3934. A bill to provide tax relief for persons affected by the discharge of oil in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon; to the Committee on Finance.

By Mr. BINGAMAN (for himself and Ms. SNOWE):

S. 3935. A bill to amend the Internal Revenue Code of 1986 to improve and extend certain energy-related tax provisions, and for other purposes; to the Committee on Finance.

By Mr. BENNET:

S. 3936. A bill to establish a competitive grant program in the Department of Energy

to provide grants to States and units of local government to carry out clean energy and carbon reduction measures, to close big oil company tax loopholes to pay for the competitive grant program and reduce the deficit, and for other purposes; to the Committee on Finance.

By Mrs. GILLIBRAND:

S. 3937. A bill to revitalize suburban communities, and for other purposes; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent and Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Ms. KLOBUCHAR (for herself, Mr. LEAHY, Mr. CRAPO, Mr. SPECTER, Mr. KOHL, Mr. WHITEHOUSE, Ms. LANDRIEU, Mrs. GILLIBRAND, Mr. FRANKEN, Mr. BROWN of Ohio, Mr. DURBIN, Mr. HATCH, Mr. LAUTENBERG, Mr. FEINGOLD, and Mrs. BOXER):

S. Res. 663. A resolution supporting the goals and ideals of National Domestic Violence Awareness Month and expressing the sense of the Senate that Congress should continue to raise awareness of domestic violence in the United States and its devastating effects on families and communities, and support programs designed to end domestic violence; to the Committee on the Judiciary.

By Mr. SANDERS (for himself, Ms. STABENOW, Mr. BROWN of Ohio, Mr. HARKIN, Mr. WHITEHOUSE, Mr. INOUYE, Mr. FEINGOLD, Mrs. BOXER, Mr. AKAKA, Mrs. GILLIBRAND, Ms. MIKULSKI, and Mr. LAUTENBERG):

S. Res. 664. A resolution expressing the sense of the Senate in opposition to privatizing Social Security, raising the retirement age, or other similar cuts to benefits under title II of the Social Security Act; to the Committee on Finance.

By Mr. GRASSLEY:

S. Res. 665. A resolution to require a witness before a committee hearing to file a disclosure form indentifying substantial financial interests or compensation from an organization or company directly related to the subject of a hearing; to the Committee on Rules and Administration.

By Mr. ROCKEFELLER:

S. Res. 666. A resolution designating October 15, 2010, as "National Alternative Fuel Vehicle Day"; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself, Mrs. BOXER, Mr. GREGG, and Ms. SNOWE):

S. Res. 667. A resolution recognizing the 40th anniversary of the Coastal States Organization; considered and agreed to.

By Mr. CASEY (for himself, Mr. ROBERTS, Mr. AKAKA, Mr. SANDERS, and Mr. BROWN of Ohio):

S. Res. 668. A resolution expressing support for the designation of October 20, 2010, as the "National Day on Writing"; considered and agreed to.

By Mr. REID (for himself, Mr. AKAKA, Mr. ENSIGN, Mr. MENENDEZ, and Ms. CANTWELL):

S. Res. 669. A resolution recognizing Filipino American History Month in October 2010; considered and agreed to.

By Mr. CRAPO (for himself, Mrs. SHAHEEN, Mrs. LINCOLN, Mr. DORGAN, Mr. JOHANNS, Mr. RISCH, and Mr. LUGAR):

S. Res. 670. A resolution designating the week beginning on Monday, November 8, 2010, as "National Veterans History Project Week"; considered and agreed to.

By Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, Mr. SCHUMER, Ms. MURKOWSKI, Mr. BENNETT, Mr. WHITEHOUSE, and Mr. CRAPO):

S. Res. 671. A resolution supporting the goals and ideals of Red Ribbon Week, 2010; considered and agreed to.

By Mr. ROCKEFELLER (for himself and Mrs. HUTCHISON):

S. Res. 672. A resolution designating October 9, 2010, as "National Chess Day" to enhance awareness and encourage students and adults to engage in a game known to enhance critical thinking and problem-solving skills; considered and agreed to.

By Mr. LEAHY:

S. Res. 673. A resolution expressing the sense of the Senate that it values the active participation of the Republic of Macedonia as the state partner of the Vermont National Guard over the past 15 years; to the Committee on Foreign Relations.

By Mr. BROWNBACK (for himself, Mr. BURRIS, and Mr. ROBERTS):

S. Con. Res. 73. A concurrent resolution honoring the life of Dr. Ronald W. Walters and commending his life as an example to future generations of the people of the United States; to the Committee on the Judiciary.

By Mr. CASEY (for himself and Mr. SPECTER):

S. Con. Res. 74. A concurrent resolution honoring the 28th Infantry Division for serving and protecting the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 296

At the request of Mr. CHAMBLISS, the name of the Senator from South Carolina [Mr. DEMINT] was added as a cosponsor of S. 296, a bill to promote freedom, fairness, and economic opportunity by repealing the income tax and other taxes, abolishing the Internal Revenue Service, and enacting a national sales tax to be administered primarily by the States.

S. 433

At the request of Mr. UDALL of New Mexico, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 433, a bill to amend the Public Utility Regulatory Policies Act of 1978 to establish a renewable electricity standard, and for other purposes.

S. 833

At the request of Mr. SCHUMER, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 833, a bill to amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV.

S. 1153

At the request of Mr. SCHUMER, the names of the Senator from Rhode Island [Mr. REED] and the Senator from Maine [Ms. COLLINS] were added as cosponsors of S. 1153, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage for employees' spouses and dependent children to coverage provided to other eligible designated beneficiaries of employees.

S. 1215

At the request of Mr. CASEY, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 1215, a bill to amend the Safe Drinking Water Act to repeal a certain exemption for hydraulic fracturing, and for other purposes.

S. 1275

At the request of Mr. WARNER, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 1275, a bill to establish a National Foundation on Physical Fitness and Sports to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports.

S. 1445

At the request of Mr. LAUTENBERG, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 1445, a bill to amend the Public Health Service Act to improve the health of children and reduce the occurrence of sudden unexpected infant death and to enhance public health activities related to stillbirth.

S. 1511

At the request of Mr. CARDIN, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 1511, a bill to amend titles XVIII and XIX of the Social Security Act to improve awareness and access to colorectal cancer screening tests under the Medicare and Medicaid programs, and for other purposes.

S. 1597

At the request of Mr. MENENDEZ, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 1597, a bill to

amend title 31, United States Code, to provide for the licensing by the Secretary of the Treasury of Internet poker and other games that are predominantly of skill, to provide for consumer protections on the Internet, to enforce the tax code, and for other purposes.

S. 1695

At the request of Mr. BURRIS, the names of the Senator from Connecticut [Mr. LIEBERMAN] and the Senator from Kansas [Mr. ROBERTS] were added as cosponsors of S. 1695, a bill to authorize the award of a Congressional gold medal to the Montford Point Marines of World War II.

S. 2919

At the request of Mr. UDALL of Colorado, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 2919, a bill to amend the Federal Credit Union Act to advance the ability of credit unions to promote small business growth and economic development opportunities, and for other purposes.

S. 3036

At the request of Mr. BAYH, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 3036, a bill to establish the Office of the National Alzheimer's Project.

S. 3067

At the request of Mr. BURR, the name of the Senator from Georgia [Mr. ISAKSON] was added as a cosponsor of S. 3067, a bill to amend the Internal Revenue Code of 1986 to increase the exclusion for employer-provided dependent care assistance.

S. 3184

At the request of Mrs. BOXER, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 3184, a bill to provide United States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes.

S. 3234

At the request of Mrs. MURRAY, the name of the Senator from West Virginia [Mr. ROCKEFELLER] was added as a cosponsor of S. 3234, a bill to improve employment, training, and placement services furnished to veterans, especially those serving in Operation Iraqi Freedom and Operation Enduring Freedom, and for other purposes.

S. 3293

At the request of Mr. HARKIN, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 3293, a bill to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

S. 3398

At the request of Mr. BAUCUS, the names of the Senator from Indiana [Mr. BAYH], the Senator from North Carolina [Mr. BURR], the Senator from Nebraska [Mr. JOHANNS] and the Senator from North Dakota [Mr. CONRAD] were added as cosponsors of S. 3398, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans.

S. 3401

At the request of Mr. BURR, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 3401, a bill to provide for the use of unobligated discretionary stimulus dollars to address AIDS Drug Assistance Program waiting lists and other cost containment measures impacting State ADAP programs.

S. 3424

At the request of Mr. DURBIN, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 3424, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 3447

At the request of Mr. AKAKA, the names of the Senator from Delaware [Mr. KAUFMAN], the Senator from West Virginia [Mr. ROCKEFELLER], the Senator from Louisiana [Ms. LANDRIEU], the Senator from New York [Mrs. GILLIBRAND], the Senator from California [Mrs. BOXER], the Senator from Alaska [Ms. MURKOWSKI] and the Senator from Arkansas [Mrs. LINCOLN] were added as cosponsors of S. 3447, a bill to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes.

S. 3474

At the request of Mr. FEINGOLD, the names of the Senator from Massachusetts [Mr. BROWN], the Senator from New York [Mrs. GILLIBRAND] and the Senator from Florida [Mr. LEMIEUX] were added as cosponsors of S. 3474, a bill to provide an optional fast-track procedure the President may use when submitting rescission requests, and for other purposes.

S. 3517

At the request of Mr. AKAKA, the name of the Senator from West Virginia [Mr. ROCKEFELLER] was added as a cosponsor of S. 3517, a bill to amend title 38, United States Code, to improve the processing of claims for disability compensation filed with the Department of Veterans Affairs, and for other purposes.

S. 3572

At the request of Mrs. LINCOLN, the names of the Senator from Rhode Island [Mr. REED], the Senator from Montana [Mr. TESTER], the Senator from Minnesota [Mr. FRANKEN], the Senator from Tennessee [Mr. CORKER], the Senator from Utah [Mr. HATCH], the Senator from Nebraska [Mr. NELSON] and the Senator from West Virginia [Mr. ROCKEFELLER] were added as cosponsors of S. 3572, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first law enforcement agency, the United States Marshals Service.

S. 3633

At the request of Mr. CARPER, the name of the Senator from Delaware [Mr. KAUFMAN] was added as a cosponsor of S. 3633, a bill to amend the Solid Waste Disposal Act to improve a provision relating to Federal procurement of recycled materials to reduce greenhouse gas emissions.

S. 3694

At the request of Ms. CANTWELL, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 3694, a bill to prohibit the conducting of invasive research on great apes, and for other purposes.

S. 3709

At the request of Mr. WHITEHOUSE, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 3709, a bill to amend the Public Health Services Act and the Social Security Act to extend health information technology assistance eligibility to behavioral health, mental health, and substance abuse professionals and facilities, and for other purposes.

S. 3723

At the request of Mr. COBURN, the name of the Senator from Tennessee [Mr. CORKER] was added as a cosponsor of S. 3723, a bill to prohibit taxpayer funding of insurance plans or health care programs that cover abortion.

S. 3737

At the request of Mr. ENZI, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 3737, a bill to amend the Public Health Service Act and title XVIII of the Social Security Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly.

S. 3748

At the request of Mr. WYDEN, the names of the Senator from Oregon [Mr. MERKLEY] and the Senator from West Virginia [Mr. GOODWIN] were added as cosponsors of S. 3748, a bill to amend title 10, United States Code, to provide for the retention of members of the reserve components on active duty for a period of 45 days following an extended deployment in contingency operations of homeland defense missions to support their reintegration into civilian life, and for other purposes.

S. 3756

At the request of Mr. ROCKEFELLER, the names of the Senator from New York [Mrs. GILLIBRAND], the Senator from Illinois [Mr.

BURRIS], the Senator from Iowa [Mr. HARKIN] and the Senator from New Jersey [Mr. LAUTENBERG] were added as cosponsors of S. 3756, a bill to amend the Communications Act of 1934 to provide public safety providers an additional 10 megahertz of spectrum to support a national, interoperable wireless broadband network and authorize the Federal Communications Commission to hold incentive auctions to provide funding to support such a network, and for other purposes.

S. 3779

At the request of Mr. THUNE, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of S. 3779, a bill to provide for comprehensive budget reform in order to increase transparency and reduce the deficit.

S. 3786

At the request of Mr. KERRY, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 3786, a bill to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury to issue prospective guidance clarifying the employment status of individuals for purposes of employment taxes and to prevent retroactive assessments with respect to such clarifications.

S. 3801

At the request of Mr. AKAKA, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 3801, a bill to amend title 38, United States Code, to increase the maximum age for children eligible for medical care under the CHAMPVA program, and for other purposes.

S. 3804

At the request of Mr. LEAHY, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 3804, a bill to combat online infringement, and for other purposes.

S. 3813

At the request of Mr. BINGAMAN, the names of the Senator from Hawaii [Mr. AKAKA], the Senator from Maryland [Ms. MIKULSKI], the Senator from New York [Mr. SCHUMER] and the Senator from Oregon [Mr. WYDEN] were added as cosponsors of S. 3813, a bill to amend the Public Utility Regulatory Policies Act of 1978 to establish a Federal renewable electricity standard, and for other purposes.

S. 3817

At the request of Mr. DODD, the names of the Senator from Tennessee [Mr. ALEXANDER] and the Senator from Idaho [Mr. CRAPO] were added as cosponsors of S. 3817, a bill to amend the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and the Abandoned Infants Assistance Act of 1988 to reauthorize the Acts, and for other purposes.

S. 3845

At the request of Mr. CASEY, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 3845, a bill to establish the National Competition for Community Renewal to encourage communities to adopt innovative strategies and design principles, to programs related to poverty prevention, recovery and response, and for other purposes.

S. 3849

At the request of Mr. WYDEN, his name was added as a cosponsor of S. 3849, a bill to extend the Emergency Contingency Fund for State Temporary Assistance for Needy Families Program, and for other purposes.

S. 3858

At the request of Mr. LEAHY, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 3858, a bill to improve the H-2A agricultural worker program for use by dairy workers, sheepherders, and goat herders, and for other purposes.

S. 3860

At the request of Mr. BROWN of Massachusetts, the names of the Senator from Oklahoma [Mr. INHOFE], the Senator from Utah [Mr. BENNETT] and the Senator from Missouri [Mr. BOND] were added as cosponsors of S. 3860, a bill to require reports on the management of Arlington National Cemetery.

SENATE CONCURRENT RESOLUTION 63

At the request of Mr. JOHNSON, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of Senate Concurrent Resolution 63, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

At the request of Mr. GRASSLEY, his name was added as a cosponsor of Senate Concurrent Resolution 63, supra.

At the request of Mr. COCHRAN, his name was added as a cosponsor of Senate Concurrent Resolution 63, supra.

SENATE CONCURRENT RESOLUTION 71

At the request of Mr. FEINGOLD, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of Senate Concurrent Resolution 71, a concurrent resolution recognizing the United States national interest in helping to prevent and mitigate acts of genocide and other mass atrocities against civilians, and supporting and encouraging efforts to develop a whole of government approach to prevent and mitigate such acts.

SENATE RESOLUTION 631

At the request of Mrs. LINCOLN, the names of the Senator from Louisiana [Ms. LANDRIEU], the Senator from Mississippi [Mr. WICKER] and the Senator from California [Mrs. FEINSTEIN] were added as cosponsors of Senate Resolution 631, a resolution designating the week beginning on November 8, 2010, as National School Psychology Week.

SENATE RESOLUTION 647

At the request of Mr. INHOFE, the names of the Senator from Nebraska [Mr. JOHANNS] and the Senator from Mississippi [Mr. WICKER] were added as cosponsors of Senate Resolution 647, a resolution expressing the support for the goals of National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging Americans to secure safety, permanency, and well-being for all children.

SENATE RESOLUTION 654

At the request of Mr. BURR, the names of the Senator from Colorado [Mr. BENNET], the Senator from California [Mrs. BOXER] and the Senator from Connecticut [Mr. LIEBERMAN] were added as cosponsors of Senate Resolution 654, a resolution designating December 18, 2010, as "Gold Star Wives Day".

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. HARKIN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 29, 2010, at 2:30 p.m., to conduct a hearing entitled "A Comparison of International Housing Finance Systems."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on September 29, 2010, at 10 a.m., to conduct a hearing entitled "The Al-Megrahi Release: One Year Later."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on September 29, 2010, at 2:15 p.m.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on September 29, 2010, at 10 a.m.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on September 29, 2010, at 2 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Judicial Nominations."

COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration be authorized to meet during the session of the Senate on September 29, 2010, at 10 a.m.

SUBCOMMITTEE ON CRIME AND DRUGS

The Committee on the Judiciary, Subcommittee on Crime and Drugs, be authorized to meet during the session of the Senate on September 29, 2010, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Crimes Against America's Homeless: Is the Violence Growing?"

SUBCOMMITTEE ON ENERGY

The Subcommittee on Energy be authorized to meet during the session of the Senate on September 29, 2010, at 10 a.m. in room SD-366 of the Dirksen Senate Office Building.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

The Committee on the Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on September 29, 2010, at 2:30 p.m., to conduct a hearing entitled "Improving Financial Accountability at the Department of Defense."

SUBCOMMITTEE ON NATIONAL PARKS AND THE SUBCOMMITTEE ON PUBLIC LANDS AND FOREST

The Subcommittee on National Parks, and the Subcommittee on Public Lands and Forest be authorized to meet during the session of the Senate to conduct a hearing on September 29, 2010, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 9:33 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 3839. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purpose.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 3619) to authorize appropriations for the Coast Guard for fiscal year 2010, and for other purposes, with amendments, in which it requests the concurrence of the Senate.

At 10:23 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3427. An act to amend title 23, United States Code, to protect States that have in effect laws or orders with respect to pay to play reform, and for other purposes.

H.R. 3787. An act to amend title 38, United States Code, to recognize the service in the reserve components of certain persons by honoring them with status as veterans under law.

H.R. 4168. An act to amend the Internal Revenue Code of 1986 to expand the definition of cellulosic biofuel to include algae-based biofuel for purposes of the cellulosic biofuel producer credit and the special allowance for cellulosic biofuel plant property.

H.R. 4337. An act to amend the Internal Revenue Code of 1986 to modify certain rules applicable to regulated investment companies, and for other purposes.

H.R. 4387. An act to designate the Federal building located at 100 North Palafox Street in Pensacola, Florida, as the "Winston E. Arnow Federal Building".

H.R. 4714. An act to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2011 through 2014, and for other purposes.

H.R. 5360. An act to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

H.R. 5458. An act to amend the Truth in Lending Act and the Higher Education Act of 1965 to require additional disclosures and protections for students and cosigners with respect to student loans, and for other purposes.

H.R. 5591. An act to designate the airport traffic control tower located at Spokane International Airport in Spokane, Washington, as the "Ray Daves Airport Traffic Control Tower".

H.R. 6008. An act to ensure telephonic notice of certain incidents involving hazardous liquid and gas pipeline facilities, and for other purposes.

H.R. 6058. An act to ensure that the housing assistance programs of the Department of Housing and Urban Development and the Department of Veterans Affairs are available to veterans and members of the Armed Forces who have service-connected injuries and to survivors and dependents of veterans and members of the Armed Forces.

H.R. 6132. An act to amend title 38, United States Code, to establish a transition program for new veterans, to improve the disability claim system, and for other purposes.

H.R. 6191. An act to amend the Small Business Jobs Act of 2010 to include certain construction and land development loans in the definition of small business lending.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 319. Concurrent resolution recognizing the anniversary of the tragic shootings that occurred at Fort Hood, Texas, on November 5, 2009.

At 11:23 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5630. An act to amend title 38, United States Code, to provide for qualifications for vocational rehabilitation counselors and vocational rehabilitation employment coordinators employed by the Department of Veterans Affairs.

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

S. 3304. An act to increase the access of persons with disabilities to modern communications, and for other purposes.

S. 3828. An act to make technical corrections in the Twenty-First Century Communications and Video Accessibility Act of 2010 and the amendments made by that Act.

At 1:15 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 3839. An act to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

S. 3847. An act to implement certain defense trade cooperation treaties, and for other purposes.

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the PRESIDENT pro tempore.

At 2:19 p.m., a message from the House of Representatives, delivered by Mrs. Cole, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 903. An act to amend the Public Health Service Act to enhance the roles of dentists and allied dental personnel in the Nation's disaster response framework, and for other purposes.

H.R. 1362. An act to amend the Public Health Service Act to provide for the establishment of permanent national surveillance systems for multiple sclerosis,

Parkinson's disease, and other neurological diseases and disorders.

H.R. 1995. An act to direct the Secretary of Health and Human Services to prepare a report on the research and other public health activities of the Department of Health and Human Services with respect to diabetes among minority populations.

H.R. 3960. An act to clarify the existing authority of, and as necessary provide express authorization for, public authorities to offer discounts in transportation tolls to captive tollpayers, and for other purposes.

H.R. 4113. An act to amend title 28, United States Code, to clarify the jurisdiction of the Federal courts, and for other purposes.

H.R. 5717. An act to authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct a facility and to enter into agreements relating to education programs at the National Zoological Park facility in Front Royal, Virginia, and for other purposes.

H.R. 5932. An act to establish the Organized Retail Theft Investigation and Prosecution Unit in the Department of Justice, and for other purposes.

H.R. 5986. An act to require the submission of a report to the Congress on parasitic disease among poor Americans.

H.R. 6012. An act to direct the Secretary of Health and Human Services to review utilization of diabetes screening benefits and make recommendations on outreach programs with respect to such benefits, and for other purposes.

H.R. 6016. An act to provide for a GAO investigation and audit of the operations of the fund created by BP to compensate persons affected by the Gulf oil spill.

H.R. 6198. An act to amend title 11 of the United States Code to make technical corrections; and for related purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 321. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 553) to require the Secretary of Homeland Security to develop a strategy to prevent the over-classification of homeland security and other information and to promote the sharing of unclassified homeland security and other information, and for other purposes.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 3980) to provide for identifying and eliminating redundant reporting requirements and developing meaningful performance metrics for homeland security preparedness grants, and for other purposes.

At 6:23 p.m., a message from the House of Representatives, delivered by Mrs. Cole, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 847. An act to amend the Public Health Service Act to extend and improve protections and services to individuals directly impacted by the terrorist attack in New York City on September 11, 2001, and for other purposes.

H.R. 3685. An act to require the Secretary of Veterans Affairs to include on the main page of the Internet a website of the Department of Veterans Affairs a hyperlink to the VetSuccess Internet website and to publicize such Internet website.

H.R. 5993. An act to amend title 38, United States Code, to ensure that beneficiaries of Servicemembers' Group Life Insurance receive financial counseling and disclosure information regarding life insurance payments, and for other purposes.

At 9:48 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has agreed to the Senate amendment to the bill (H.R. 3219) to amend title 38, United States Code, to make certain improvements to the laws administered by the Secretary of Veterans Affairs relating to insurance and health care, and for other purposes.

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

S. 1132. An act to amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, and for other purposes.

The message further announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2378. An act to amend title VII of the Tariff Act of 1930 to clarify that countervailing duties may be imposed to address subsidies relating to a fundamentally undervalued currency of any foreign country.

H.R. 3421. An act to exclude from consumer credit reports medical debt that has been in collection and has been fully paid or settled, and for other purposes.

H.R. 4072. An act to require that certain Federal job training and career education programs give priority to programs that provide an industry-recognized and nationally portable credential.

H.R. 6160. An act to develop a rare earth materials program, to amend the National Materials and Minerals Policy, Research and Development Act of 1980, and for other purposes.

H.R. 6162. An act to provide research and development authority for alternative coinage materials to the Secretary of the Treasury, increase congressional oversight over coin production, and ensure the continuity of certain numismatic items.

H.R. 6166. An act to authorize the production of palladium bullion coins to provide affordable opportunities for investments in precious metals, and for other purposes.

The message also announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 3397. An act to amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, and for other purposes.

At 9:57 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 3304. An act to increase the access of persons with disabilities to modern communications, and for other purposes.

S. 3828. An act to make technical corrections in the Twenty-First Century Communications and Video Accessibility Act of 2010 and the amendments made by that Act.

H.R. 553. An act to require the Secretary of Homeland Security to develop a strategy to prevent the over-classification of homeland security and other information and to promote the sharing of unclassified homeland security and other information, and for other purposes.

H.R. 1177. An act to require the Secretary of the Treasury to mint coins in recognition of five United States Army 5-Star Generals, George Marshall, Douglas MacArthur, Dwight Eisenhower, Henry "Hap" Arnold, and Omar Bradley, alumni of the United States Army Command and the General Staff College, Fort Leavenworth, Kansas, to coincide with the celebration of the 132nd Anniversary of the founding of the United States Army Command and General Staff College.

H.R. 3689. An act to provide for an extension of the legislative authority of the Vietnam Veterans Memorial Fund, Inc. to establish a Vietnam Veterans Memorial visitor center, and for other purposes.

H.R. 3980. An act to provide for identifying and eliminating redundant reporting requirements and developing meaningful performance metrics for homeland security preparedness grants, and for other purposes.

ENROLLED BILLS SIGNED

The PRESIDENT pro tempore reported that he had signed the following enrolled bills, which were previously signed by the Speaker of the House:

H.R. 714. An act to authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park, and for other purposes.

H.R. 2923. An act to enhance the ability to combat methamphetamine.

H.R. 3553. An act to exclude from consideration as income under the Native American Housing Assistance and Self-Determination Act of 1996 amounts received by a family from the Department of Veterans Affairs for service-related disabilities of a member of the family.

H.R. 3808. An act to require any Federal or State court to recognize any notarization made by a notary public licensed by a State other than the State where the court is located when such notarization occurs in or affects interstate commerce.

S. 2868. An act to provide increased access to the Federal supply schedules of the General Services Administration to the American Red Cross, other qualified organizations, and State and local governments.

HOUSE BILLS REFERRED

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

H.R. 903. An act to amend the Public Health Service Act to enhance the roles of dentists and allied dental personnel in the Nation's disaster response framework, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 1362. An act to amend the Public Health Service Act to provide for the establishment of permanent national surveillance systems for multiple sclerosis, Parkinson's disease, and other neurological diseases and disorders; to the Committee on Health, Education, Labor, and Pensions.

H.R. 1995. To direct the Secretary of Health and Human Services to prepare a report on the research and other public health activities of the Department of Health and Human Services with respect to diabetes among minority populations; to the Committee on Health, Education, Labor, and Pensions.

H.R. 2378. To amend title VII of the Tariff Act of 1930 to clarify that countervailing duties may be imposed to address subsidies relating to a fundamentally undervalued currency of any foreign country; to the Committee on Finance.

H.R. 3421. An act to exclude from consumer credit reports medical debt that has been in collection and has been fully paid or settled, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 3427. An act to amend title 23, United States Code, to protect States that have in effect laws or orders with respect to pay to play reform, and for other purposes; to the Committee on Environment and Public Works.

H.R. 3685. An act to require the Secretary of Veterans Affairs to include on the main page of the Internet website of the Department of Veterans Affairs a hyperlink to the VetSuccess Internet website and to publicize such Internet website; to the Committee on Veterans' Affairs.

H.R. 3787. To amend title 38, United States Code, to recognize the service in the reserve components of certain persons by honoring them with status as veterans under law; to the Committee on Veterans' Affairs.

H.R. 3960. To clarify the existing authority of, and as necessary provide express authorization for, public authorities to offer discounts in transportation tolls to captive tollpayers, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 4072. To require that certain Federal job training and career education programs give priority to programs that provide an industry-recognized and nationally portable credential; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4113. An act to amend title 28, United States Code, to clarify the jurisdiction of the Federal courts, and for other purposes; to the Committee on the Judiciary.

H.R. 4347. An act to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes; to the Committee on Indian Affairs.

H.R. 4387. An act to designate the Federal building located at 100 North Palafox Street in Pensacola, Florida, as the "Winston E. Arnow Federal Building"; to the Committee on Environment and Public Works.

H.R. 4714. An act to amend title 49, United States Code, to authorize appropriations for the National Transportation Safety Board for fiscal years 2011 through 2014, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 5360. To amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 5458. An act to amend the Truth in Lending Act and the Higher Education Act of 1965 to require additional disclosures and protections for students and cosigners with respect to student loans, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5494. To direct the Secretary of the Interior to transfer certain properties to the District of Columbia; to the Committee on Energy and Natural Resources.

H.R. 5591. To designate the airport traffic control tower located at Spokane International Airport in Spokane, Washington, as the "Ray Daves Airport Traffic Control Tower"; to the Committee on Commerce, Science, and Transportation.

H.R. 5630. An act to amend title 38, United States Code, to provide for qualifications for vocational rehabilitation counselors and vocational rehabilitation employment coordinators employed by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

H.R. 5717. An act to authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct a facility and to enter into agreements relating to education programs at the National Zoological Park facility in Front Royal, Virginia, and for other purposes; to the Committee on Rules and Administration.

H.R. 5932. An act to establish the Organized Retail Theft Investigation and Prosecution Unit in the Department of Justice, and for other purposes; to the Committee on the Judiciary.

H.R. 5986. An act to require the submission of a report to the Congress on parasitic disease among poor Americans; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5993. An act to amend title 38, United States Code, to ensure that beneficiaries of Servicemembers' Group Life Insurance receive financial counseling and disclosure information regarding life insurance payments, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 6008. To ensure telephonic notice of certain incidents involving hazardous liquid and gas pipeline facilities, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 6012. To direct the Secretary of Health and Human Services to review utilization of diabetes screening benefits and make recommendations on outreach programs with respect to such benefits, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 6016. An act to provide for a GAO investigation and audit of the operations of the fund created by BP to compensate persons affected by the Gulf oil spill; to the Committee on Commerce, Science, and Transportation.

H.R. 6058. An act to ensure that the housing assistance programs of the Department of Housing and Urban Development and the Department of Veterans Affairs are available to veterans and members of the Armed Forces who have service-connected injuries and to survivors and dependents of veterans and members of the Armed Forces; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 6132. An act to amend title 38, United States Code, to establish a transition program for new veterans, to improve the disability claim system, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 6160. An act to develop a rare earth materials program, to amend the National Materials and Minerals Policy, Research and Development Act of 1980, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 6162. An act to provide research and development authority for alternative coinage materials to the Secretary of the Treasury, increase congressional oversight over coin production, and ensure the continuity of certain numismatic items; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 6166. An act to authorize the production of palladium bullion coins to provide affordable opportunities for investments in precious metals, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 6191. An act to amend the Small Business Jobs Act of 2010 to include certain construction and land development loans in the definition of small business lending; to the Committee on Small Business and Entrepreneurship.

H.R. 6198. An act to amend title 11 of the United States Code to make technical corrections; and for related purposes; to the Committee on the Judiciary.

HOUSE BILL PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2476. An act to amend the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System land that are subject to ski area permits, and for other purposes.

MOTION TO PROCEED TO CONSIDER JOINT RESOLUTION S.J. RES. 39

Pursuant to the order of yesterday, as modified,

On motion by Mr. ENZI that the Senate proceed to consider the joint resolution (S.J. Res. 39) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule relating to status as a grandfathered health plan under the Patient Protection and Affordable Care Act.

The question being on agreeing to the motion.

After debate,

On motion by Mr. ENZI,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the negative---
yeas... 40, nays... 59

[Rollcall Vote No. 244 Leg.]

YEAS --- 40

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

NAYS --- 59

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to.

RECESS

Pursuant to the order of yesterday, as modified,

At 12:51 p.m.,

The PRESIDING OFFICER (Mr. BURRIS in the chair) declared the Senate recessed until 2:15 p.m.

AT 2:15 P.M.

The ACTING PRESIDENT pro tempore called the Senate to order.

MOTION TO PROCEED TO CONSIDER BILL H.R. 3081

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its unfinished business, viz, the motion, made by Mr. REID on Friday, September 24, 2010, that the Senate proceed to consider the bill (H.R. 3081) making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2010, and for other purposes; and

The Senate resumed consideration of the motion to proceed.

The question being on agreeing to the motion.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL S. 3706

Ms. STABENOW asked unanimous consent that the Committee on Finance be discharged from the further consideration of the bill (S. 3706) to extend unemployment insurance benefits and cut taxes for businesses to create hiring incentives, and for other purposes; that the Senate proceed to consider the bill; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. LEMIEUX objected.

MOTION TO PROCEED TO CONSIDER BILL H.R. 3081

The Senate resumed consideration of the motion to proceed to consider bill H.R. 3081.

The question being on agreeing to the motion.

Pending debate,

By unanimous consent, on the request of Mr. REID,

Ordered, That time for debate pursuant to rule XXII of the Standing Rules of the Senate be concluded; that the motion to proceed to consider the bill be agreed to; that the Senate then proceed to consider the bill; and that the following be the only amendments in order to be proposed:

An amendment (in the nature of a substitute), intended to be proposed by Mr. INOUYE;

An amendment to the title, intended to be proposed by Mr. INOUYE;

An amendment, intended to be proposed by Mr. DEMINT, relative to extending the length of the continuing resolution; and

An amendment, intended to be proposed by Mr. THUNE, relative to reducing spending level.

Ordered further, That when the amendment (in the nature of a substitute) is proposed, it not be read, and it not be subject to division; and that the amendment to be proposed by Mr. THUNE not be subject to division.

Ordered further, That there be a limitation of 2 hours, equally divided and controlled, for debate between Mr. INOUYE and Mr. COCHRAN, or their designees, on the bill; and that there be 30 minutes, equally divided and controlled in the usual form, for debate on each amendment.

Ordered further, That, upon conclusion of debate, the Senate vote in relation to the amendments to the amendment (in the nature of a substitute) in the order proposed; that each amendment receive a minimum of 60 yea votes to be agreed to; that, if the Senate agrees to an amendment with a minimum of 60 yea votes, a motion to reconsider be deemed made and laid on the table; that, if the Senate fails to agree to an amendment with a minimum of 60 yea votes, the amendment be withdrawn; that, upon disposition of the amendments, the amendment (in the nature of a substitute), as may be amended, be agreed to; that the bill, as amended, be read the third time; that the Senate vote on passage of the bill; and that, upon passage, an amendment to the title be proposed and agreed to.

Ordered further, That no point of order under the Budget Act be in order to be raised against the amendment (in the nature of a

substitute) or to the bill; that there be 2 minutes, equally divided and controlled in the usual form, for debate between votes in "stacked" sequence; and that each vote following the first be 10 minutes in duration.

The question being on agreeing to the motion to proceed.

Pursuant to the foregoing order,

The motion was agreed to.

Whereupon,

DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT

The PRESIDING OFFICER (Mr. FRANKEN in the chair) laid before the Senate the bill (H.R. 3081) making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2010, and for other purposes; and

The Senate proceeded to consider the bill.

The question being on passage of the bill.

Pending debate,

Pursuant to the order of today,

On motion by Mr. INOUYE to strike all after the enacting clause, and insert in lieu thereof other words (being amendment No. 4674, in the nature of a substitute).

Pending debate,

Pursuant to the order of today,

On motion by Mr. THUNE to amend the pending amendment (in the nature of a substitute) by striking section 101, and inserting in lieu thereof other words (being amendment No. 4676).

Pending debate,

The pending amendment was laid aside, by unanimous consent.

The question being on agreeing to amendment No. 4674 (in the nature of a substitute) to the bill.

Pursuant to the order of today,

On motion by Mr. DEMINT to amend the pending amendment (in the nature of a substitute) in section 106(3) by striking "December 3, 2010" and inserting in lieu thereof "February 4, 2011" (being amendment No. 4677).

Pending debate,

Mr. LEMIEUX asked unanimous consent that the pending amendments be laid aside; that it be in order for him to propose an amendment; that the amendment be considered and agreed to; and that a motion to reconsider be made and laid on the table.

Mr. INOUYE objected.

The question being on agreeing to amendment No. 4677 to amendment No. 4674 (in the nature of a substitute) to the bill.

Pending debate,

ORDER FOR CONSIDERATION OF CONCURRENT RESOLUTION H. CON. RES. 321

By unanimous consent, on the request of Mr. REID,

Ordered, That, upon disposition of bill H.R. 3081, as may be amended, the Senate proceed to consider concurrent resolution H. Con. Res. 321; and that the Senate then vote on the question of agreeing to the concurrent resolution.

DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT

The Senate resumed consideration of bill H.R. 3081.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 4676 to amendment No. 4674 (in the nature of a substitute) to the bill.

On motion by Mr. GREGG,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

Pursuant to the order of today,

The question being taken.

It was determined in the negative---

yeas... 48, nays... 51

[Rollcall Vote No. 245 Leg.]

YEAS --- 48

Alexander, Barrasso, Bayh, Bennet, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Klobuchar, Kyl, LeMieux, Lincoln, Lugar, McCain, McCaskill, McConnell, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Udall (CO), Vitter, Voinovich, Webb, Wicker.

NAYS --- 51

Akaka, Baucus, Begich, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (NM), Warner, Whitehouse, Wyden.

So the amendment was not agreed to.

Pursuant to the order of today,

The amendment, not having received 60 yea votes, was withdrawn.

Pursuant to the order of today,

The question recurring on agreeing to amendment No. 4677 to amendment No. 4674 (in the nature of a substitute) to the bill.

After debate,

On motion by Mr. DEMINT,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

The question being taken.

It was determined in the negative---

yeas... 39, nays... 60

[Rollcall Vote No. 246 Leg.]

YEAS --- 39

Alexander, Barrasso, Bayh, Bennet, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McCaskill, McConnell, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Udall (CO), Vitter, Wicker.

NAYS --- 60

Akaka, Baucus, Begich, Bennett, Bingaman, Bond, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Cochran, Collins, Conrad, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

So the amendment was not agreed to.

Pursuant to the order of today,

The amendment, not having received 60 yea votes, was withdrawn.

The question being on agreeing to amendment No. 4674 (in the nature of a substitute) to the bill.

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time.

The question being on passage of the bill, as amended.

On motion by Mr. KYL,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of passage of the bill, as amended.

On the question, Shall it pass?

It was determined in the affirmative---

yeas... 69, nays... 30

[Rollcall Vote No. 247 Leg.]

YEAS --- 69

Akaka, Alexander, Baucus, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Cochran, Collins, Conrad, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Goodwin, Grassley, Gregg, Hagan, Harkin, Inouye, Johanns, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, Lugar, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS --- 30

Barrasso, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Hatch, Hutchison, Inhofe, Isakson, LeMieux, McCain, McConnell, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Wicker.

So it was

Resolved, That the bill, as amended, do pass.

Pursuant to the order of today,

The title was amended, on motion by Mr. INOUYE, so as to read: "Making continuing appropriations for fiscal year 2011, and for other purposes."

PROVIDING FOR A CONDITIONAL ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES AND A CONDITIONAL RECESS OR ADJOURNMENT OF THE SENATE

Pursuant to the order of today,

The PRESIDING OFFICER (Mr. BEGICH in the chair) laid before the Senate the concurrent resolution (H. Con. Res. 321) providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate, received from the House of Representatives for concurrence on today, and at the desk; and

The Senate proceeded to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

On motion by Mr. MCCONNELL,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the concurrent resolution.

On the question, Shall the Senate agree thereto?

It was determined in the affirmative---yeas... 54, nays... 39

[Rollcall Vote No. 248 Leg.]

YEAS --- 54

Akaka, Baucus, Bayh, Begich, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Casey, Conrad, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Goodwin, Gregg, Hagan, Harkin, Inouye, Johnson, Kaufman, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 39

Alexander, Barrasso, Bennet, Bennett, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Hatch, Hutchison, Inhofe, Isakson, Johanns, LeMieux, Lincoln, Lugar, McCain, McConnell, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So it was

Resolved, That the Senate agree thereto.

OBJECTION TO CONSIDERATION OF BILL H.R. 5481

Mrs. SHAHEEN asked unanimous consent that the Senate proceed to consider the bill (H.R. 5481) to give subpoena power to the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. COBURN objected.

HOUSE AMENDMENTS TO SENATE AMENDMENT TO BILL H.R. 3619

On the request of Ms. CANTWELL,

The PRESIDING OFFICER laid before the Senate the amendments received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 3619) to authorize appropriations for the Coast Guard for fiscal year 2010, and for other purposes.

On motion by Ms. CANTWELL,

Resolved, That the Senate concur in the amendment of the House of Representatives to the amendment (in the nature of a substitute) to the bill, with an amendment (Numbered 4684).

Resolved further, That the Senate concur in the amendment of the House of Representatives to the title of the bill.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate resumed its legislative session.

MOTION TO PROCEED TO CONSIDER BILL S. 3815

On motion by Mr. REID that the Senate proceed to consider the bill (S. 3815) to amend the Internal Revenue Code of 1986 to reduce oil consumption and improve energy security, and for other purposes.

The question being on agreeing to the motion.

Mr. REID presented a motion to bring to a close debate on the pending motion to proceed to consider bill S. 3815; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to consider bill S. 3815:

HARRY REID, JEFF BINGAMAN, MAX BAUCUS, TOM UDALL, JON TESTER, DICK DURBIN, JEANNE SHAHEEN, FRANK R. LAUTENBERG, ROBERT P. CASEY, JR., JACK REED, TOM HARKIN, TOM CARPER, BILL NELSON, KENT CONRAD, BYRON L. DORGAN, DANIEL K. AKAKA, AL FRANKEN.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

Mr. REID thereupon withdrew the motion to proceed.

MOTION TO PROCEED TO CONSIDER BILL S. 3772

On motion by Mr. REID that the Senate proceed to consider the bill (S. 3772) to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

The question being on agreeing to the motion.

Mr. REID presented a motion to bring to a close debate on the pending motion to proceed to consider bill S. 3772; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to consider bill S. 3772:

HARRY REID, PATRICK LEAHY, JOHN KERRY, CARL LEVIN, JACK REED, BERNARD SANDERS, BEN CARDIN, FRANK R. LAUTENBERG, RON WYDEN, TOM HARKIN, AMY KLOBUCHAR, SHERROD BROWN, KIRSTEN E. GILLIBRAND, CHRISTOPHER J. DODD, PATTY MURRAY, BARBARA BOXER.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

Mr. REID thereupon withdrew the motion to proceed.

MOTION TO PROCEED TO CONSIDER BILL S. 510

On motion by Mr. REID that the Senate proceed to consider the bill (S. 510) to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply.

The question being on agreeing to the motion.

Mr. REID presented a motion to bring to a close debate on the pending motion to proceed to consider bill S. 510; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do

hereby move to bring to a close debate on the motion to proceed to consider bill S. 510:

HARRY REID, TOM HARKIN, DICK DURBIN, JEFF BINGAMAN, MAX BAUCUS, TOM UDALL, JON TESTER, BEN CARDIN, JEANNE SHAHEEN, FRANK R. LAUTENBERG, HERB KOHL, ROBERT P. CASEY, JR., JACK REED, TOM CARPER, BILL NELSON, KENT CONRAD, CARL LEVIN, MARY LANDRIEU.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

Mr. REID thereupon withdrew the motion to proceed.

RECESS

By unanimous consent, on the request of Mr. BEGICH,

At 10:45 p.m.,

The Senate recessed, subject to the call of the chair.

AT 11:39 P.M.

The PRESIDING OFFICER (Mr. BEGICH in the chair) called the Senate to order.

EXTENDING THE DEADLINE FOR SOCIAL SERVICES BLOCK GRANT EXPENDITURES OF SUPPLEMENTAL FUNDS APPROPRIATED FOLLOWING DISASTERS OCCURRING IN 2008

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on Finance be discharged from the further consideration of the bill (S. 3774) to extend the deadline for Social Services Block Grant expenditures of supplemental funds appropriated following disasters occurring in 2008.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

On motion by Mr. DURBIN (for Mr. CORNYN) to amend the bill on page 2, line 2, by striking certain words, and inserting other words (being amendment No. 4685).

The amendment was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

WIPA AND PABSS EXTENSION ACT

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 6200) to amend part A of title XI of the Social Security Act to provide for a 1-year extension of the authorizations for the Work Incentives Planning and Assistance program and the Protection and Advocacy for Beneficiaries of Social Security program, received from the House of Representatives for concurrence on yesterday, and remaining undisposed of; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HOH INDIAN TRIBE SAFE HOMELANDS ACT

By unanimous consent, on the request of Mr. DURBIN,

The Senate proceeded to consider the bill (H.R. 1061) to transfer certain land to the United States to be held in trust for the Hoh Indian Tribe, to place land into trust for the Hoh Indian Tribe, and for other purposes.

The question being on the passage of the bill.

On motion by Mr. DURBIN (for Ms. CANTWELL) to amend the bill on various pages and lines, by striking certain words and inserting other words (being amendment No. 4686).

The amendment was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

COMMERCIAL ADVERTISEMENT LOUDNESS MITIGATION ACT

By unanimous consent, on the request of Mr. DURBIN,

The Senate proceeded to consider the bill (S. 2847) to regulate the volume of audio on commercials.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

On motion by Mr. DURBIN (for Mr. WHITEHOUSE) to insert, in lieu of the language proposed to be inserted by the reported amendment (in the nature of a substitute), other words (being amendment No. 4687, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The reported amendment (in the nature of a substitute), as amended, was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CONSIDERATION OF CERTAIN BILLS ON THE CALENDAR, EN BLOC

By unanimous consent, on the request of Mr. DURBIN,

The Senate proceeded to consider, en bloc, the following bills on the calendar:

H.R. 4543. A bill to designate the facility of the United States Postal Service located at 4285 Payne Avenue in San Jose, California, as the "Anthony J. Cortese Post Office Building";

H.R. 5341. A bill to designate the facility of the United States Postal Service located at 100 Orndorf Drive in Brighton, Michigan, as the "Joyce Rogers Post Office Building";

H.R. 5390. A bill to designate the facility of the United States Postal Service located at 13301 Smith Road in Cleveland, Ohio, as the "David John Donafee Post Office Building";

H.R. 5450. A bill to designate the facility of the United States Postal Service located at 3894 Crenshaw Boulevard in Los Angeles, California, as the "Tom Bradley Post Office Building".

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the bills be read the third time, en bloc, and passed; and that motions to reconsider be made and laid on the table.

OIL SPILL PREVENTION ACT

By unanimous consent, on the request of Mr. DURBIN,

The Senate proceeded to consider the bill (S. 685) to require new vessels for carrying oil fuel to have double hulls, and for other purposes.

The question being on agreeing to the reported amendments to the bill.

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the reported amendments be withdrawn.

The question being on passage of the bill.

On motion by Mr. DURBIN (for Mr. LAUTENBERG) to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 4688, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

The PAYGO letter of the Chairman of the Committee on the Budget was read.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

FORMERLY OWNED RESOURCES FOR VETERANS TO EXPRESS THANKS FOR SERVICE ACT

By unanimous consent, on the request of Mr. DURBIN,

The Senate proceeded to consider the bill (S. 3794) to amend chapter 5 of title 40, United States Code, to include organizations whose membership comprises substantially veterans as recipient organizations for the donation of Federal surplus personal property through State agencies.

The question being on agreeing to the reported amendment.

The reported amendment was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

TELEWORK IMPROVEMENTS ACT

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on Homeland Security and Governmental Affairs be discharged from the further consideration of the bill (H.R. 1722) to require the head of each executive agency to establish and implement a policy under which employees shall be authorized to telework, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

On motion by Mr. DURBIN for Mr. AKAKA (for himself and Mr. VOINOVICH) to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 4689, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HOUSE AMENDMENT TO BILL S. 3397

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the bill (S. 3397) to amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, and for other purposes.

On motion by Mr. DURBIN,

Resolved, That the Senate concur in the amendment of the House of Representatives to the bill.

HONORING THE HUDSON RIVER SCHOOL PAINTERS FOR THEIR CONTRIBUTIONS TO THE UNITED STATES SENATE

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 278) honoring the Hudson River School painters for their contributions to the United States Senate.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

URGING DEVELOPMENT OF A COMPREHENSIVE STRATEGY TO ENSURE STABILITY IN SOMALIA

By unanimous consent, on the request of Mr. DURBIN,

The Senate proceeded to consider the resolution (S. Res. 573) urging the development of a comprehensive strategy to ensure stability in Somalia, and for other purposes.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

The reported amendment (in the nature of a substitute) was agreed to.

The question being on agreeing to the resolution, as amended.

Resolved, That the Senate agree thereto.

The question being on agreeing to the reported amendment to the preamble.

The reported amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXPRESSING SUPPORT FOR THE DESIGNATION OF NATIONAL DAY OF RECOGNITION FOR LONG-TERM CARE PHYSICIANS

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the concurrent resolution (S. Con. Res. 52) expressing support for the designation of March 20 as a National Day of Recognition for Long-Term Care Physicians.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

On motion by Mr. DURBIN (for Mr. CHAMBLISS) to amend the pending concurrent resolution on page 2, line 3, after "March 20" by adding ", 2010," (being amendment No. 4690).

The amendment was agreed to.

The question being on agreeing to the concurrent resolution, as amended.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE 45TH ANNIVERSARY OF THE WHITE HOUSE FELLOWS PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the concurrent resolution (S. Con. Res. 72) recognizing the 45th anniversary of the White House Fellows Program.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE ANNIVERSARY OF THE TRAGIC SHOOTINGS AT FORT HOOD, TEXAS

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the concurrent resolution (H. Con. Res. 319) recognizing the anniversary of the tragic shootings that occurred at Fort Hood, Texas, on November 5, 2009, received from the House of Representatives for concurrence on today, and at the desk.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HONORING THE 28TH INFANTRY DIVISION FOR SERVING AND PROTECTING THE UNITED STATES

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the concurrent resolution (S. Con. Res. 74) honoring the 28th Infantry Division for serving and protecting the

United States, submitted today by Mr. CASEY (for himself and Mr. SPECTER), and at the desk; and

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE 40TH ANNIVERSARY OF THE COASTAL STATES ORGANIZATION

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 667) recognizing the 40th anniversary of the Coastal States Organization, submitted today by Mrs. FEINSTEIN (for herself, Mrs. BOXER, Mr. GREGG, and Ms. SNOWE), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXPRESSING SUPPORT FOR THE DESIGNATION OF THE "NATIONAL DAY ON WRITING"

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 668) expressing support for the designation of October 20, 2010, as the "National Day on Writing", submitted today by Mr. CASEY (for himself, Mr. ROBERTS, Mr. AKAKA, Mr. SANDERS, and Mr. SHERROD BROWN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING FILIPINO AMERICAN HISTORY MONTH IN OCTOBER 2010

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 669) recognizing Filipino American History Month in October 2010, submitted today by Mr. REID (for himself, Mr. AKAKA, Mr. ENSIGN, Mr. MENENDEZ, and Ms. CANTWELL), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL VETERANS HISTORY PROJECT WEEK"

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 670) designating the week beginning on Monday, November 8, 2010, as "National Veterans History Project Week", submitted today by Mr. CRAPO (for himself, Mrs. SHAHEEN, Mrs. LINCOLN, Mr. DORGAN, Mr. JOHANNS, Mr. RISCH, and Mr. LUGAR), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

SUPPORTING THE GOALS AND IDEALS OF RED RIBBON WEEK

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 671) supporting the goals and ideals of Red Ribbon Week, submitted today by Mrs. FEINSTEIN (for herself, Mr. GRASSLEY, Mr. SCHUMER, Ms. MURKOWSKI, Mr. BENNETT, Mr. WHITEHOUSE, and Mr. CRAPO), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL CHESS DAY" TO ENCOURAGE STUDENTS AND ADULTS TO ENGAGE IN CRITICAL THINKING AND PROBLEM-SOLVING SKILLS

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 672) designating October 9, 2010, as "National Chess Day" to enhance awareness and encourage students and adults to engage in a game known to enhance critical thinking and problem-solving skills, submitted today by Mr. ROCKEFELLER (for himself and Mrs. HUTCHISON), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HOUSE BILL READ THE FIRST TIME

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 4168) to amend the Internal Revenue Code of 1986 to expand the definition of cellulosic biofuel to include algae-based biofuel for purposes of the cellulosic biofuel producer credit and the special allowance for cellulosic biofuel plant property, received from the House of Representatives for concurrence on today, and at the desk; which was read the first time.

Mr. DURBIN asked unanimous consent that the bill be read the second time.

Mr. DURBIN objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

HOUSE BILL READ THE FIRST TIME

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 4337) to amend the Internal Revenue Code of 1986 to modify certain rules applicable to regulated investment companies, and for other purposes, received from the House of Representatives for concurrence on today, and at the desk; which was read the first time.

Mr. DURBIN asked unanimous consent that the bill be read the second time.

Mr. DURBIN objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

HOUSE BILL READ THE FIRST TIME

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 847) to amend the Public Health Service Act to extend and improve protections and services to individuals directly impacted by the terrorist attack in New York City on September 11, 2001, and for other purposes, received from the House of Representatives for concurrence

on today, and at the desk; which was read the first time.

Mr. DURBIN asked unanimous consent that the bill be read the second time.

Mr. DURBIN objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

AUTHORIZING SIGNING OF ENROLLED BILLS AND JOINT RESOLUTIONS

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the majority leader be authorized to sign duly enrolled bills and joint resolutions until Monday, October 4, 2010.

AUTHORIZING APPOINTMENTS DURING RECESS OR ADJOURNMENT

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, notwithstanding the recess or adjournment of the Senate, the President of the Senate, the PRESIDENT pro tempore, and the majority and minority leaders be authorized to make appointment to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, concurrent action of the two Houses, or by order of the Senate.

AUTHORITY FOR COMMITTEES TO REPORT

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, notwithstanding an adjournment, committees be authorized to "file" legislative and executive reports on Friday, October 1, 2010, from 12 noon until 2 p.m. and on Tuesday, October 26, 2010, from 12 noon until 2 p.m.

ORDER FOR PRINTING OF TRIBUTES TO THE LATE SENATOR TED STEVENS

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That tributes for the late Ted Stevens, a Senator from the state of Alaska, be printed as a Senate document; and that Senators be permitted to submit such tributes until Wednesday, November 17, 2010.

ORDERS FOR ADJOURNMENT UNTIL 11:30 A.M. ON FRIDAY, OCTOBER 1, 2010, FOR PRO FORMA SESSIONS, FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, NOVEMBER 15, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That when the Senate concludes its business on today, it adjourn until 11:30 a.m. on Friday, October 1, 2010, for a pro forma session only; that the Senate then recess; that it be in order for the Senate to convene in pro forma session on the following days at the following times: Tuesday, October 5, 2010, at 11 a.m.; Friday, October 8, 2010, at 11:30 a.m.; Tuesday, October 12, 2010, at 10 a.m.; Friday, October 15, 2010, 10 a.m.; Tuesday, October 19, 2010, 12 noon; Friday, October 22, 2010, at 1 p.m.; Tuesday, October 26, 2010, at 12 noon; Friday, October 29, 2010, at 11:30 a.m.; Monday, November 1, 2010, at 9 a.m.; Thursday, November 4, 2010, at 9 a.m.; Monday, November 8, 2010, at 12 noon; Wednesday, November 10, 2010, at 9:30 a.m.; Friday, November 12, 2010, at 9:30 a.m.

Ordered further, That, at the conclusion of the pro forma session on Friday, November 12, 2010, the Senate adjourn, pursuant to the provisions of concurrent resolution H. Con. Res. 321, until 2 p.m. on Monday, November 15, 2010; that, on Monday, November 15, 2010, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that there then be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

ADJOURNMENT

By unanimous consent, on the request of Mr. DURBIN,

At 11:54 p.m.,

The Senate adjourned, under its order of today, until 11:30 a.m. on Friday, October 1, 2010.

FRIDAY, OCTOBER 1, 2010

Mr. BENJAMIN L. CARDIN, from the State of Maryland, called the Senate to order at 11:30 a.m., and

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, October 1, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. CARDIN took the chair.

RECESS

Under the authority of the order of Wednesday, September 29, 2010,

At 11:30:28 a.m.,

The ACTING PRESIDENT pro tempore declared the Senate recessed, under its order of Wednesday, September 29, 2010, until 11 a.m. on Tuesday, October 5, 2010.

TUESDAY, OCTOBER 5, 2010

(Legislative day of Friday, October 1, 2010)

Mr. JOSEPH I. LIEBERMAN, from the State of Connecticut, called the Senate to order at 11:00:06 a.m., and

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, October 5, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOSEPH I. LIEBERMAN, a Senator from the State of Connecticut, to perform the duties of the Chair

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. LIEBERMAN took the chair.

RECESS

Under the authority of the order of Wednesday, September 29, 2010,

At 11:00:37 a.m.,

The ACTING PRESIDENT pro tempore declared the Senate recessed, under its order

of Wednesday, September 29, 2010, until 11:30 a.m. on Friday, October 8, 2010.

FRIDAY, OCTOBER 8, 2010

(Legislative day of Friday, October 1, 2010)

Mr. CARL LEVIN, from the State of Michigan, called the Senate to order at 11:30:16 a.m., and

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, October 8, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CARL LEVIN, a Senator from the State of Michigan, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. LEVIN took the chair.

RECESS

Under the authority of the order of Wednesday, September 29, 2010,

At 11:30:45 a.m.,

The ACTING PRESIDENT pro tempore declared the Senate recessed, under its order of Wednesday, September 29, 2010, until 10 a.m. on Tuesday, October 12, 2010.

TUESDAY, OCTOBER 12, 2010

(Legislative day of Friday, October 1, 2010)

Mr. EDWARD E. KAUFMAN, from the State of Delaware, called the Senate to order at 10:00:01 a.m., and

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, October 12, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable EDWARD E. KAUFMAN, a Senator from the State of Delaware, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. KAUFMAN took the chair.

RECESS

Under the authority of the order of Wednesday, September 29, 2010,

At 10:00:29 a.m.,

The ACTING PRESIDENT pro tempore declared the Senate recessed, under its order of Wednesday, September 29, 2010, until 10 a.m. on Friday, October 15, 2010.

FRIDAY, OCTOBER 15, 2010

(Legislative day of Friday, October 1, 2010)

Mr. JIM WEBB, from the Commonwealth of Virginia, called the Senate to order at 10 a.m., and

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, October 15, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JIM WEBB, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. WEBB took the chair.

RECESS

Under the authority of the order of Wednesday, September 29, 2010,

At 10:00:29 a.m.,

The ACTING PRESIDENT pro tempore declared the Senate recessed, under its order of Wednesday, September 29, 2010, until 12 noon on Tuesday, October 19, 2010.

TUESDAY, OCTOBER 19, 2010

(Legislative day of Friday, October 1, 2010)

Mr. SHELDON WHITEHOUSE, from the State of Rhode Island and Providence Plantations, called the Senate to order at 12:00:07 p.m., and

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, October 19, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island and Providence Plantations, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. WHITEHOUSE took the chair.

RECESS

Under the authority of the order of Wednesday, September 29, 2010,

At 12:00:39 p.m.,

The ACTING PRESIDENT pro tempore declared the Senate recessed, under its order of Wednesday, September 29, 2010, until 1 p.m. on Friday, October 22, 2010.

FRIDAY, OCTOBER 22, 2010

(Legislative day of Friday, October 1, 2010)

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 1:00:02 p.m., and

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, October 22, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

RECESS

Under the authority of the order of Wednesday, September 29, 2010,

At 1:00:35 p.m.,

The ACTING PRESIDENT pro tempore declared the Senate recessed, under its order

of Wednesday, September 29, 2010, until 12 noon on Tuesday, October 26, 2010.

TUESDAY, OCTOBER 26, 2010

(Legislative day of Friday, October 1, 2010)

Mr. SHELDON WHITEHOUSE, from the State of Rhode Island and Providence Plantations, called the Senate to order at 12:00:04 p.m., and

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, October 26, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island and Providence Plantations, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. WHITEHOUSE took the chair.

RECESS

Under the authority of the order of Wednesday, September 29, 2010,

At 12:00:31 p.m.,

The ACTING PRESIDENT pro tempore declared the Senate recessed, under its order of Wednesday, September 29, 2010, until 11:30 a.m. on Friday, October 29, 2010.

FRIDAY, OCTOBER 29, 2010

(Legislative day of Friday, October 1, 2010)

Mr. JACK REED, from the State of Rhode Island and Providence Plantations, called the Senate to order at 11:30:01 a.m., and

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, October 29, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JACK REED, a Senator from the State of Rhode Island and Providence Plantations, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. REED took the chair.

RECESS

Under the authority of the order of Wednesday, September 29, 2010,

At 11:30:30 a.m.,

The ACTING PRESIDENT pro tempore declared the Senate recessed, under its order of Wednesday, September 29, 2010, until 9 a.m. on Monday, November 1, 2010.

MONDAY, NOVEMBER 1, 2010

(Legislative day of Friday, October 1, 2010)

Mr. CHRISTOPHER J. DODD, from the State of Connecticut, called the Senate to order at 9:00:18 a.m., and

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, November 1, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHRISTOPHER J. DODD, a Senator from the State of Connecticut, to perform the duties of the Chair

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. DODD took the chair.

RECESS

Under the authority of the order of Wednesday, September 29, 2010,

At 9:00:55 a.m.,

The ACTING PRESIDENT pro tempore declared the Senate recessed, under its order of Wednesday, September 29, 2010, until 9 a.m. on Thursday, November 4, 2010.

THURSDAY, NOVEMBER 4, 2010

(Legislative day of Friday, October 1, 2010)

Mr. CARL LEVIN, from the State of Michigan, called the Senate to order at 9:00:02 a.m., and

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, November 4, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CARL LEVIN, a Senator from the State of Michigan, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. LEVIN took the chair.

RECESS

Under the authority of the order of Wednesday, September 29, 2010,

At 9:00:39 a.m.,

The ACTING PRESIDENT pro tempore declared the Senate recessed, under its order of Wednesday, September 29, 2010, until 12 noon on Monday, November 8, 2010.

MONDAY, NOVEMBER 8, 2010

(Legislative day of Friday, October 1, 2010)

Mr. SHELDON WHITEHOUSE, from the State of Rhode Island and Providence Plantations, called the Senate to order at 12:00:02 p.m., and

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, November 8, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island and Providence Plantations, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. WHITEHOUSE took the chair.

RECESS

Under the authority of the order of Wednesday, September 29, 2010,

At 12:00:30 p.m.,

The ACTING PRESIDENT pro tempore declared the Senate recessed, under its order of Wednesday, September 29, 2010, until 9:30 a.m. on Wednesday, November 10, 2010.

WEDNESDAY, NOVEMBER 10, 2010

(Legislative day of Friday, October 1, 2010)

Mr. JACK REED, from the State of Rhode Island and Providence Plantations, called the Senate to order at 9:30:05 a.m., and

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, November 10, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JACK REED, a Senator from the State of Rhode Island and Providence Plantations, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. REED took the chair.

RECESS

Under the authority of the order of Wednesday, September 29, 2010,

At 9:30:33 a.m.,

The ACTING PRESIDENT pro tempore declared the Senate recessed, under its order of Wednesday, September 29, 2010, until 9:30 a.m. on Friday, November 12, 2010.

FRIDAY, NOVEMBER 12, 2010

(Legislative day of Friday, October 1, 2010)

Mr. CARL LEVIN, from the State of Michigan, called the Senate to order at 9:30:05 a.m., and

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, November 12, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CARL LEVIN, a Senator from the State of Michigan, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. LEVIN took the chair.

ADJOURNMENT

Under the authority of the order of Wednesday, September 29, 2010,

At 9:30:39 a.m.,

The ACTING PRESIDENT pro tempore declared the Senate adjourned, under its order of Wednesday, September 29, 2010, until 2 p.m. on Monday, November 15, 2010.

MONDAY, NOVEMBER 15, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, November 15, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of Wednesday, September 29, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Wednesday, September 29, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

HOUSE BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 4168) to amend the Internal Revenue Code of 1986 to expand the definition of cellulosic biofuel to include algae-based biofuel for purposes of the cellulosic biofuel producer credit and the special allowance for cellulosic biofuel plant property, received from the House of Representatives for concurrence on Wednesday, September 29, 2010, and read the first time on that day; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

HOUSE BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 4337) to amend the Internal Revenue Code of 1986 to modify certain rules applicable to regulated investment companies, and for other purposes, received from the House of Representatives for concurrence on Wednesday, September 29, 2010, and read the first time on that day; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

HOUSE BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (H.R. 847) to amend the Public Health Service Act to extend and improve protections and services to individuals directly impacted by the terrorist attack in New York City on September 11, 2001, and for other purposes, received from the House of Representatives for concurrence on Wednesday, September 29, 2010, and read the first time on that day; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Friday, November 12, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

ENROLLED BILLS PRESENTED DURING ADJOURNMENT

The Secretary of the Senate reported that on Thursday, September 30, 2010, she had presented to the President of the United States the following enrolled bills:

S. 1132. A bill to amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, and for other purposes.

S. 3304. A bill to increase the access of persons with disabilities to modern communications, and for other purposes.

S. 3397. A bill to amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, and for other purposes.

S. 3729. An original bill to authorize the programs of the National Aeronautics and Space Administration for fiscal years 2011 through 2013, and for other purposes.

S. 3828. A bill to make technical corrections in the Twenty-First Century Communications and Video Accessibility Act of 2010 and the amendments made by that Act.

The Secretary of the Senate reported that on Monday, October 4, 2010, she had presented to the President of the United States the following enrolled bills:

S. 1510. An act to transfer statutory entitlements to pay and hours of work authorized by laws codified in the District of Columbia Official Code for current members of the United States Secret Service Uniformed Division from such laws to the United States Code, and for other purposes.

S. 3196. A bill to amend the Presidential Transition Act of 1963 to provide that certain transition services shall be available to eligible candidates before the general election.

S. 3751. A bill to amend the Stem Cell Therapeutic and Research Act of 2005.

The Secretary of the Senate reported that on Tuesday, October 12, 2010, she had presented to the President of the United States the following enrolled bill:

S. 3802. A bill to designate a mountain and icefield in the State of Alaska as the "Mount Stevens" and "Ted Stevens Icefield", respectively.

ENROLLED BILLS DURING ADJOURNMENT

Under authority of the order of the Senate of January 6, 2009, the following enrolled bills, previously signed by the Speaker of the House, were signed on September 30, 2010, during the adjournment of the Senate, by the ACTING PRESIDENT pro tempore (Mr. REID):

S. 1132. An act to amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, and for other purposes.

S. 3304. An act to increase the access of persons with disabilities to modern communications, and for other purposes.

S. 3828. An act to make technical corrections in the Twenty-First Century Communications and Video Accessibility Act of 2010 and the amendments made by that Act.

H.R. 553. An act to require the Secretary of Homeland Security to develop a strategy to prevent the over-classification of homeland security and other information and to promote the sharing of unclassified homeland security and other information, and for other purposes.

H.R. 1177. An act to require the Secretary of the Treasury to mint coins in recognition of five United States Army 5-Star Generals, George Marshall, Douglas MacArthur, Dwight Eisenhower, Henry “Hap” Arnold, and Omar Bradley, alumni of the United States Army Command and the General Staff College, Fort Leavenworth, Kansas, to coincide with the celebration of the 132nd Anniversary of the founding of the United States Army Command and General Staff College.

H.R. 3081. An act making continuing appropriations for fiscal year 2011, and for other purposes.

H.R. 3689. An act to provide for an extension of the legislative authority of the Vietnam Veterans Memorial Fund, Inc. to establish a Vietnam Veterans Memorial visitor center, and for other purposes.

H.R. 3980. An act to provide for identifying and eliminating redundant reporting requirements and developing meaningful performance metrics for homeland security preparedness grants, and for other purposes.

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under authority of the order of January 6, 2009, the Secretary of the Senate, on September 30, 2010, during the adjournment of the Senate, received a message from the House announcing that the House has passed the following bill, without amendment:

S. 3729. An act to authorize the programs of the National Aeronautics and Space Administration for fiscal years 2011 through 2013, and for other purposes.

Under authority of the order of January 6, 2009, the Secretary of the Senate, on September 30, 2010, during the adjournment of the Senate, received a message from the House announcing that the House agrees to the amendments of the Senate to the bill (H.R. 946) to enhance citizen access to Government information and services by establishing that Government documents issued to the public must be written clearly, and for other purposes.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 2701) to authorize appropriations for fiscal year 2010 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

The message further announced that the House agrees to the amendment of the Senate to the amendments of the House to the bill (S. 1510) to transfer statutory entitlements to pay and hours of work authorized by laws codified in the District of Columbia Official Code for current members of the United States Secret Service Uniformed Division from such laws to the United States Code, and for other purposes.

Under authority of the order of January 6, 2009, the Secretary of the Senate, on September 30, 2010, during the adjournment of the Senate, received a message from the House announcing that the House agrees to the Senate amendments to the bill (H.R. 3940), to clarify the availability of existing funds for political status education in the Territory of Guam, and for other purposes.

Under authority of the order of January 6, 2009, the Secretary of the Senate, on September 30, 2010, during the adjournment of the Senate, received a message from the House announcing that the Speaker had signed the following enrolled bills:

H.R. 946. An act to enhance citizen access to Government information and services by

establishing that Government documents issued to the public must be written clearly, and for other purposes.

H.R. 2701. An act to authorize appropriations for fiscal year 2010 for intelligence and intelligence-related activities of the United States Government, the community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

H.R. 3219. An act to amend title 38, United States Code, and the Servicemembers Civil Relief Act to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

H.R. 4543. An act to designate the facility of the United States Postal Service located at 4285 Payne Avenue in San Jose, California, as the "Anthony J. Cortese Post Office Building".

H.R. 5341. An act to designate the facility of the United States Postal Service located at 100 Orndorf Drive in Brighton, Michigan, as the "Joyce Rogers Post Office Building".

H.R. 5390. An act to designate the facility of the United States Postal Service located at 13301 Smith Road in Cleveland, Ohio, as the "David John Donafee Post Office Building".

H.R. 5450. An act to designate the facility of the United States Postal Service located at 3894 Crenshaw Boulevard in Los Angeles, California, as the "Tom Bradley Post Office Building".

H.R. 6200. An act to amend part A of title XI of the Social Security Act to provide for a 1-year extension of the authorizations for the Work Incentive Planning and Assistance program and the Protection and Advocacy for Beneficiaries of Social Security Program.

ENROLLED BILLS SIGNED

Under authority of the order of January 6, 2010, the enrolled bills were signed on September 30, 2010, during the adjournment of the Senate, by the PRESIDENT pro tempore.

Under authority of the order of January 6, 2009, the Secretary of the Senate, on September 30, 2010, during the adjournment of the Senate, received a message from the House announcing that the Speaker had signed the following enrolled bill:

S. 3729. An act to authorize the programs of the National Aeronautics and Space Administration for fiscal years 2011 through 2013, and for other purposes.

ENROLLED BILL SIGNED

Under authority of the order of January 6, 2010, the enrolled bill was signed on September 30, 2010, during the adjournment of the Senate, by the PRESIDENT pro tempore.

Under authority of the order of January 6, 2009, the Secretary of the Senate, on September 30, 2010, during the adjournment of the Senate, received a message from the House announcing that the Speaker had signed the following enrolled bills:

H.R. 3940. An act to clarify the availability of existing funds for political status education in the Territory of Guam, and for other purposes.

S. 3397. An act to amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, and for other purposes.

ENROLLED BILLS SIGNED

Under authority of the order of September 29, 2010, the enrolled bills were signed on September 30, 2010, during the adjournment of the Senate, by the ACTING PRESIDENT pro tempore (Mr. REID).

MESSAGES FROM THE HOUSE RECEIVED DURING RECESS

Under authority of the order of January 6, 2009, the Secretary of the Senate, on October 1, 2010, during the recess of the Senate, received a message from the House of Representatives announcing that the House has passed the following bills, without amendment:

S. 3196. An act to amend the Presidential Transition Act of 1963 to provide that certain transition services shall be available to eligible candidates before the general election.

S. 3751. An act to amend the Stem Cell Therapeutic and Research Act of 2005.

S. 3802. An act to designate a mountain and icefield in the State of Alaska as the "Mount Stevens" and "Ted Stevens Icefield", respectively.

Under authority of the order of January 6, 2009, the Secretary of the Senate, on October 4, 2010, during the recess of the Senate, received a message from the House of Representatives announcing that the House agrees to the amendments of the Senate to the House amendments to the Senate amendment to the bill (H.R. 3619) to authorize appropriations for the Coast Guard for fiscal year 2010, and for other purposes.

Under authority of the order of January 6, 2009, the Secretary of the Senate, on October 4, 2010, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bills:

S. 1510. An act to transfer statutory entitlements to pay and hours of work authorized by laws codified in the District of Columbia Official Code for current members of the United States Secret Service Uniformed Division from such laws to the United States Code, and for other purposes.

S. 3196. An act to amend the Presidential Transition Act of 1963 to provide that certain transition services shall be available to eligible candidates before the general election.

S. 3751. An act to amend the Stem Cell Therapeutic and Research Act of 2005.

S. 3802. An act to designate a mountain and icefield in the State of Alaska as the "Mount Stevens" and "Ted Stevens Icefield", respectively.

H.R. 3619. An act to authorize appropriations for the Coast Guard for fiscal year 2011, and for other purposes.

ENROLLED BILLS SIGNED

Under authority of the order of September 29, 2010, the enrolled bills were signed on October 4, 2010, during the recess of the Senate, by the ACTING PRESIDENT pro tempore (Mr. REID).

REPORTS OF COMMITTEES SUBMITTED DURING RECESS

Under the authority of the order of the Senate of September 29, 2010, the following reports of committees were submitted on October 26, 2010, during the recess of the Senate:

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 987. A bill to protect girls in developing countries through the prevention of child marriage, and for other purposes (Rept. No. 111-344).

By Mr. LEVIN, from the Committee on Armed Services, under authority of the order of the Senate of 9/29/2010:

Special Report entitled "Inquiry Into the Role and Oversight of Private Security Contractors in Afghanistan" (Rept. No. 111-345). Additional views filed.

By Mr. AKAKA, from the Committee on Veterans' Affairs, with an amendment in the nature of a substitute:

S. 3447. A bill to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes (Rept. No. 111-346).

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-7619. A communication from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Fresh Unshu Oranges From the Republic of Korea into the Continental United States" (Docket No. APHIS-2010-0022), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7620. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting,

pursuant to law, the report of a rule entitled "Tuberculosis in Cattle and Bison; State and Zone Designations; Minnesota" (Docket No. APHIS-2010-0097), received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7621. A communication from the Administrator, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Specifications and Drawings for Construction of Direct Buried Plant" (7 CFR Part 1755), received during adjournment of the Senate in the Office of the President of the Senate on October 15, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7622. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General James T. Conway, United States Marine Corps, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-7623. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General George J. Trautman III, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-7624. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral John J. Donnelly, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-7625. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Carl V. Mauney, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-7626. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Jeffrey A. Sorenson, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-7627. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a quarterly report relative to withdrawals or diversions of equipment from Reserve component units from April 1, 2010 to June 30, 2010; to the Committee on Armed Services.

EC-7628. A communication from the Principal Deputy Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, an annual report relative to the conduct of the Defense Acquisition Challenge Program for fiscal year 2009; to the Committee on Armed Services.

EC-7629. A communication from the Principal Deputy Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, an annual report on the Mentor-Protégé Program for fiscal year 2009; to the Committee on Armed Services.

EC-7630. A communication from the Chair of the U.S. Election Assistance Commission, transmitting, pursuant to law, a report relative to the Government Accountability Office recommendations in "Election Assistance Commission - Obligation of Fiscal Year 2004 Requirements Payments Appropriation"; to the Committee on Appropriations.

EC-7631. A communication from the President of the United States, transmitting, pursuant to law, a six-month periodic report on the national emergency declared in Executive Order 12978 of October 21, 1995, with respect to significant narcotics traffickers centered in Colombia; to the Committee on Banking, Housing, and Urban Affairs.

EC-7632. A communication from the Deputy to the Chairman, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Treatment by the Federal Deposit Insurance Corporation as Conservator or Receiver of Financial Assets Transferred by an Insured Depository Institution in Connection with a Securitization or Participation After September 30, 2010" (RIN3064-AD55), received during adjournment of the Senate in the Office of the President of the Senate on October 7, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7633. A communication from the Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Removal from Regulation FD of the Exemption for Credit Rating Agencies" received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7634. A communication from the Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Technical Amendments to Forms N-CSR and N-SAR in Connection with the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010" received in the Office of the President of the Senate on October 15, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7635. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Internal Agency Docket No. FEMA-8151)), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7636. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67)(Docket No. FEMA-2010-0003)), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7637. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67)(Docket No. FEMA-2010-0003)), received in the Office of the President of the Senate on October 8, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7638. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67)(Docket No. FEMA-2010-0003)), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7639. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67)(Docket No. FEMA-2010-0003)), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7640. A communication from the Deputy Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Financial Crimes Enforcement Network; Amendment to the Bank Secrecy Act Regulations; Defining Mutual Funds as Financial Institutions; Extension of Compliance Date" (RIN1506-AA93), received in the Office of the President of the Senate on October 8, 2010;

to the Committee on Banking, Housing, and Urban Affairs.

EC-7641. A communication from the Deputy Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Reorganizing and Transferring the Bank Secrecy Act Regulations From Part 103 Within Title 31 of the Code of Federal Regulations to Chapter 1000-1099" (RIN1506-AA92), received in the Office of the President of the Senate on October 8, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7642. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Community Reinvestment Act Regulations" (RIN1557-AD24), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7643. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report on the continuation of the national emergency with respect to Iran that was originally declared in Executive Order 12170 on November 14, 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC-7644. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to blocking the property of certain persons contributing to the conflict in Somalia that was declared in Executive Order 13536 of April 12, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7645. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the situation in or in relation to the Democratic Republic of the Congo that was declared in Executive Order 13413 of October 27, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC-7646. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Luxembourg; to the Committee on Banking, Housing, and Urban Affairs.

EC-7647. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Service Level I, II, and III Protective Coatings Applied to Nuclear Power Plants" (Regulatory Guide 1.54, Revision 2), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Energy and Natural Resources.

EC-7648. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Promoting a Competitive Market for Capacity Reassignments" (FERC Docket No. RM10-22-000), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Energy and Natural Resources.

EC-7649. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Appliance Labeling Rule" (RIN3084-AB03), received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2010; to the Committee on Energy and Natural Resources.

EC-7650. A communication from the Assistant Secretary of Land and Minerals Management, Bureau of Ocean Energy Management, Regulation, and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Reorganization of Title 30, Code of Federal Regulations" (RIN1010-AD70), received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2010; to the Committee on Energy and Natural Resources.

EC-7651. A communication from the Assistant Secretary of Land and Minerals Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Oil and Gas and Sulphur Operations in the Outer Continental Shelf-Increased Safety Measures for Energy Development on the Outer Continental Shelf" (RIN1010-AD68), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Energy and Natural Resources.

EC-7652. A communication from the Assistant Secretary of Land and Minerals Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Oil and Gas and Sulphur Operations in the Outer Continental Shelf - Safety and Environmental Management Systems" (RIN1010-AD15), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Energy and Natural Resources.

EC-7653. A communication from the Administrator of the Department of Energy, transmitting, pursuant to law, a report entitled "Annual Energy Review 2009"; to the Committee on Energy and Natural Resources.

EC-7654. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Oil Pollution Prevention; Spill Prevention, Control, and Countermeasure (SPCC) Rule - Compliance Date Amendment" (FRL No. 9213-8), received in the Office of the President of the Senate on October 15, 2010; to the Committee on Environment and Public Works.

EC-7655. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Implementation Plans of Wisconsin: Nitrogen Oxides Reasonably Available Control Technology" (FRL No. 9205-8), received in the Office of the President of the Senate on October 15, 2010; to the Committee on Environment and Public Works.

EC-7656. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Texas; Beaumont/Port Arthur Ozone Nonattainment Area: Redesignation to Attainment for the 1997 8-Hour Ozone Standard and Determination of Attainment for the 1-Hour Ozone Standard; Clarification of EPA's Approval of the El Paso Section 110(a)(1) Maintenance Plan for the 1997 8-Hour Ozone Standard" (FRL No. 9214-9), received in the Office of the President of the Senate on October 15, 2010; to the Committee on Environment and Public Works.

EC-7657. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Determination of Attainment for PM10: Eagle River PM10 Nonattainment Area, Alaska" (FRL No. 9214-7), received in the Office of the President of the Senate on October 15, 2010; to the Committee on Environment and Public Works.

EC-7658. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Mandatory Reporting of Greenhouse Gases" (FRL No. 9213-5), received in the Office of the President of the Senate on October 15, 2010; to the Committee on Environment and Public Works.

EC-7659. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to

law, a report entitled "FY2011 - 2015 EPA Strategic Plan"; to the Committee on Environment and Public Works.

EC-7660. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled "Fiscal Year 2009 Superfund Five-Year Review Report to Congress"; to the Committee on Environment and Public Works.

EC-7661. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Prevention of Significant Deterioration (PSD) for Particulate Matter Less Than 2.5 Micrometers (PM2.5) - Increments, Significant Impact Levels (SILs) and Significant Monitoring Concentration (SMC)" (FRL No. 9210-9), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Environment and Public Works.

EC-7662. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pesticide Management and Disposal; Standards for Pesticide Containers and Containment; Change to Labeling Compliance Date" (FRL No. 8848-8), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Environment and Public Works.

EC-7663. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Delaware; Limiting Emissions of Volatile Organic Compounds from Consumer Products" (FRL No. 9211-5), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Environment and Public Works.

EC-7664. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Amendment to Consumer Products and Architectural and Industrial Maintenance Coatings Regulations" (FRL No. 9211-6), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Environment and Public Works.

EC-7665. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Designations of Areas for Air Quality Planning Purposes; Tennessee: Knoxville; Determination of Attaining Data for the 1997 8-Hour Ozone Standards" (FRL No. 9212-6), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Environment and Public Works.

EC-7666. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Missouri" (FRL No. 9210-3), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Environment and Public Works.

EC-7667. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "NRC Enforcement Policy Revision" (SRM-SECY-09-0190), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Environment and Public Works.

EC-7668. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Inservice Inspection Code Case Acceptability, ASME Section XI, Division 1" (Regulatory Guide 1.147, Rev. 16), received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2010; to the Committee on Environment and Public Works.

EC-7669. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "ASME Code Cases Not Approved for Use" (Regulatory Guide 1.193, Revision 3), received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2010; to the Committee on Environment and Public Works.

EC-7670. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Design, Fabrication, and Materials Code Case Acceptability, ASME Section III" (Regulatory Guide 1.84, Revision 35), received during adjournment of the Senate in the Office of the President of the Senate on October 4, 2010; to the Committee on Environment and Public Works.

EC-7671. A communication from the Chief of Recovery and Delisting Branch, Endangered Species Program, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Technical Corrections for Three Midwest Region Plant Species" (RIN1018-AX28), received in the Office of the President of the Senate on September 29, 2010; to the Committee on Environment and Public Works.

EC-7672. A communication from the Assistant Secretary for Fish and Wildlife Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "General Regulation: National Park System" (RIN1024-AD91), received in the Office of the President of the Senate on October 15, 2010; to the Committee on Environment and Public Works.

EC-7673. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report entitled "2006-2007 Biennial Review of the Louisiana Coastal Wetlands Conservation Plan Report to Congress"; to the Committee on Environment and Public Works.

EC-7674. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, the Uniform Resource Locator (URL) for a report entitled "Revised Guidance on Compiling Administrative Records for CERCLA Response Actions"; to the Committee on Environment and Public Works.

EC-7675. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Broadband Grants" (Rev. Proc. 2010-34), received in the Office of the President of the Senate on September 29, 2010; to the Committee on Finance.

EC-7676. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Field Directive on Treatment of Sales-Based Vendor Allowances ("SBVA") and Margin Protection Payments ("MPP") under Section 471" (LMSB-4-0910-026), received in the Office of the President of the Senate on September 29, 2010; to the Committee on Finance.

EC-7677. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure

re: Corrosive Drywall" (Rev. Proc. 2010-36), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Finance.

EC-7678. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Refundable Adoption Credit" (Notice No. 2010-66), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Finance.

EC-7679. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Finality of Foreign Adoptions under the Hague Convention" (Rev. Proc. 2010-31), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Finance.

EC-7680. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Adoption Credit Inflation Adjustments" (Rev. Proc. 2010-35), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Finance.

EC-7681. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2010-2011 Per Diem" (Rev. Proc. 2010-39), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Finance.

EC-7682. A communication from the Director of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Disability Determinations by State Agency Disability Examiners" (RIN0960-AG87), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Finance.

EC-7683. A communication from the Chairman of the U.S. International Trade Commission, transmitting, pursuant to law, a report entitled "Andean Trade Preference Act (ATPA): Impact on U.S. Industries and Consumers and on Drug Crop Eradication and Crop Substitution, 2009"; to the Committee on Finance.

EC-7684. A joint communication from the Secretary of the Department of Health and Human Services and the Secretary of the Department of Labor, transmitting, pursuant to law, a report entitled "Medicaid, CHIP, and Employer-Sponsored Coverage Coordination Working Group"; to the Committee on Finance.

EC-7685. A communication from the President of the United States, transmitting, pursuant to law, a report stating that it is in the nation's interest to temporarily terminate the suspensions under the Foreign Relations Authorization Act relative to the issuance of temporary munitions export licenses for export to the People's Republic of China; to the Committee on Foreign Relations.

EC-7686. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010-0143 - 2010-0145); to the Committee on Foreign Relations.

EC-7687. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, a revised certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services to Singapore for the organizational and intermediate level support and depot level maintenance and overhaul of the F110-GE-129 family of military aircraft engines in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-7688. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, a revised certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to the Republic of Korea for the manufacture, assembly, inspection, and test of F404-GE-102 aircraft engines for incorporation into T-50 aircraft in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-7689. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, to include technical data, and defense services to Mexico for the manufacture of various high and low pressure, non-cooled, turbine blades; to the Committee on Foreign Relations.

EC-7690. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, to include technical data, and defense services to the United Kingdom and Germany for the manufacture of the main engine fuel pump for the EJ200 engine for the Eurofighter Typhoon Aircraft in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-7691. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, to include technical data, and defense services for the manufacture of Enhanced Position Location Reporting System (EPLRS) Communications Products in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-7692. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, to include technical data, and defense services to Japan for the manufacture, repair, and overhaul of F-15 Environmental Control System components, and the upgrade of the F-15 High Pressure Water System, Airframe Mounted Accessory Drive System and Center Gear Box in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-7693. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, to include technical data, and defense services to Russia for the RD-180 Liquid Propellant Rocket Engine Program in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-7694. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, to include technical data, and defense services to support the Jordanian M113A2Mk1 Armored Personnel Carrier and Co-production program in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-7695. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, to include technical data, and defense services for the manufacturing and post-production support

of various legacy naval equipment in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-7696. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, to include technical data, and defense services to the United Kingdom and the United Arab Emirates related to the DB-110 Reconnaissance System, Integrated Logistics Support and Training in support of the F-16 Block 60 in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-7697. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, to include technical data, and defense services for the Information and Command System of the Land Forces for the Algerian Ministry of Defense in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-7698. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, to include technical data, and defense services to support the sale of twelve (12) 27MHz S-Band Transponders on-orbit in the SES-7 commercial communications satellite in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-7699. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, to include technical data, and defense services to Chile and Canada to support flight training, maintenance and support related to the Bell 412 Helicopter and Huey II Flight Training Device in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-7700. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, to include technical data, and defense services to the United Kingdom, Italy, and Saudi Arabia related to the integration of and support for Paveway Weapons Systems in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-7701. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, to include technical data, and defense services to the United Kingdom and Canada to support the sale of Tactical Support Vehicles and related components and accessories in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-7702. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the establishment of a 15% Danger Pay Allowance for Reynosa, Mexico; to the Committee on Foreign Relations.

EC-7703. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, certification for the export of defense articles, to include technical data, and defense services to the United Arab Emirates, relating to the sale of ten (10) AT-802 aircraft; to the Committee on Foreign Relations.

EC-7704. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles, to include technical data, and defense services related to the sale of Sig Sauer Pistols in the amount of $1,000,000 or more; to the Committee on Foreign Relations.

EC-7705. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the elimination of the Danger Pay Allowance for Nogales, Mexico; to the Committee on Foreign Relations.

EC-7706. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the justification for the President's waiver of the restrictions on the provision of funds to the Palestinian Authority; to the Committee on Foreign Relations.

EC-7707. A communication from the Acting Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development (USAID), transmitting, pursuant to law, the Agency's response to the GAO report entitled "USAID Needs to Improve Its Strategic Planning to Address Current and Future Workforce Needs"; to the Committee on Foreign Relations.

EC-7708. A communication from the Assistant General Counsel of the Division of Regulatory Services, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "High School Equivalency Program and College Assistance Migrant Program, The Federal TRIO Programs, and Gaining Early Awareness and Readiness for Undergraduate Program" (RIN1840-AD01), received during adjournment of the Senate in the Office of the President of the Senate on October 17, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7709. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on the Impact and Effectiveness of Administration for Native Americans (ANA) Projects: Fiscal Year 2008"; to the Committee on Health, Education, Labor, and Pensions.

EC-7710. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Use of Ozone-Depleting Substances; Removal of Essential-Use Designation (Flunisolide, etc.); Correction" (Docket No. FDA-2006-N-0304), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7711. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Microbiology Devices; Reclassification of Herpes Simplex Virus Types 1 and 2 Serological Assays; Confirmation of Effective Date" (Docket No. FDA-2009-N-0344), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7712. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Investigational New Drug Safety Reporting Requirements for Human Drug and Biological Products and Safety Reporting Requirements for Bioavailability and Bioequivalence Studies in Humans" (Docket No. FDA-2000-N-0108), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7713. A communication from the Program Manager, Office of the National Coordinator for Health Information Technology, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Health Information Technology: Revisions to Initial Set of Standards, Implementation Specifications, and Certification Criteria for Electronic Health Record Technology" (RIN0991-AB76), received during adjournment in the Office of the President of the Senate on October 17, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7714. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Prescription Drug User Fee Act of 1992 (PDUFA) for fiscal year 2009; to the Committee on Health, Education, Labor, and Pensions.

EC-7715. A communication from the General Counsel, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, a report relative to a vacancy in the position of Director, Pension Benefit Guaranty Corporation; to the Committee on Health, Education, Labor, and Pensions.

EC-7716. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the Ames Laboratory, Ames, Iowa, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-7717. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from Revere Copper and Brass, Detroit, Michigan, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-7718. A joint communication from the Secretary of the Department of Agriculture and the Secretary of the Department of Health and Human Services, transmitting, pursuant to law, a report relative to Thefts, Losses, or Releases of Select Agents or Toxins for calendar year 2009; to the Committee on Health, Education, Labor, and Pensions.

EC-7719. A communication from the Director, Employee Services, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "General Schedule Locality Pay Areas" (RIN3206-AM25), received during adjournment of the Senate in the Office of the President of the Senate on October 7, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7720. A communication from the Director, Planning and Policy Analysis, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Federal Employees' Group Life Insurance Program: Miscellaneous Changes, Clarifications, and Corrections" (RIN3206-AG63), received during adjournment of the Senate in the Office of the President of the Senate on October 7, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7721. A communication from the Deputy Associate Administrator of Acquisition Policy and Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-46; Introduction" (FAC 2005-46), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7722. A communication from the Deputy Associate Administrator of Acquisition Policy and Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-46; Small Entity Compliance Guide" (FAC 2005-46), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7723. A communication from the Deputy Associate Administrator of Acquisition Policy and Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Award-Fee Language Revision" (RIN9000-AL42), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7724. A communication from the Deputy Associate Administrator of Acquisition Policy and Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Termination for Default Reporting" (RIN9000-AL45), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7725. A communication from the Deputy Associate Administrator of Acquisition Policy and Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Equal Opportunity for Veterans" (RIN9000-AL67), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7726. A communication from the Deputy Associate Administrator of Acquisition Policy and Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Encouraging Contractor Policies to Ban Text Messaging While Driving" (RIN9000-AL64), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7727. A communication from the Deputy Associate Administrator of Acquisition Policy and Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Buy American Exemption for Commercial Information Technology-Construction Material" (RIN9000-AL62), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7728. A communication from the Deputy Associate Administrator of Acquisition Policy and Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Certification Requirement and Procurement Prohibition Relating to Iran Sanctions" (RIN9000-AL71), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7729. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "District of Columbia Agencies' Compliance with Small Business Enterprise Expenditure Goals for the 1st and 2nd Quarter of Fiscal Year 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7730. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Audit of Advisory Neighborhood Commission 6A for Fiscal Years 2008 through 2010, as of March 31, 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7731. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Audit of

Advisory Neighborhood Commission 6B for Fiscal Years 2008 through 2010, as of March 31, 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7732. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Audit of Advisory Neighborhood Commission 6D for Fiscal Years 2008 through 2010, as of March 31, 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7733. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2009 through March 31, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7734. A communication from the Management and Program Analyst, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "U.S. Citizenship and Immigration Services Fees Schedule" (RIN1615-AB80), received in the Office of the President of the Senate on September 28, 2010; to the Committee on the Judiciary.

EC-7735. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Maine Advisory Committee; to the Committee on the Judiciary.

EC-7736. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, a report entitled "Hart-Scott-Rodino Annual Report: Fiscal Year 2009"; to the Committee on the Judiciary.

EC-7737. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Fiscal Year 2009 Annual Report to Congress for the Office of Justice Programs' Bureau of Justice Assistance; to the Committee on the Judiciary.

EC-7738. A communication from the Deputy Administrator, Small Business Administration, transmitting, pursuant to law, a report relative to the Administration's Strategic Plan for fiscal years 2011 - 2016; to the Committee on Small Business and Entrepreneurship.

EC-7739. A communication from the Director of Regulations Policy and Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Compensation for Certain Disabilities Due to Undiagnosed Illnesses" (RIN2900-AN68), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Veterans' Affairs.

EC-7740. A communication from the Director of Regulation Policy and Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Charges Billed to Third Parties for Prescription Drugs Furnished by Veterans Affairs to a Veteran for a Nonservice-Connected Disability" (RIN2900-AN15), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Veterans' Affairs.

EC-7741. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Halibut Fisheries; Limited Access for Guided Sport Charter Vessels in Alaska" (RIN0648-AY85), received in the Office of the President of the Senate on September 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7742. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Chinook Salmon Bycatch Management in the Bering Sea Pollock Fishery; Correction" (RIN0648-AX89), received during adjournment of the Senate in the Office of the President of the Senate on October 17, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7743. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Groundfish Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea/Aleutian Islands Crab Rationalization Program; Recordkeeping and Reporting" (RIN0648-AY28), received in the Office of the President of the Senate on September 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7744. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Atlantic Billfish Management, White Marlin (Kajikia albidus), Roundscale Spearfish (Tetrapturus georgii)" (RIN0648-BA12), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7745. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Emergency Rule to Authorize Re-Opening the Recreational Red Snapper Season" (RIN0648-BA06), received during adjournment of the Senate in the Office of the President of the Senate on October 17, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7746. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Fishery Conservation and Management Act; Regional Fishery Management Councils; Operations" (RIN0648-AW18), received during adjournment of the Senate in the Office of the President of the Senate on October 17, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7747. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; North and South Atlantic Swordfish Quotas" (RIN0648-XV31), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7748. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Black Sea Bass Fishery; 2010 Black Sea Bass Specifications; Emergency Rule Extension; Correction" (RIN0648-XT99), received during adjournment of the Senate in the Office of the President of the Senate on October 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7749. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Pacific Coast Groundfish Fishery Management Plan; Amendments 20 and 21; Trawl Rationalization Program" (RIN0648-AY68), received during adjournment of the Senate in the Office of the President of the Senate on October 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7750. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting,

pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Pot Gear in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XZ27), received during adjournment of the Senate in the Office of the President of the Senate on October 17, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7751. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; Closure of the 2010-2011 Commercial Sector for Black Sea Bass in the South Atlantic" (RIN0648-XY48), received during adjournment of the Senate in the Office of the President of the Senate on October 17, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7752. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Closure" (RIN0648-XY79), received during adjournment of the Senate in the Office of the President of the Senate on October 17, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7753. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Re-Opening of the 2010 Gulf of Mexico Recreational Red Snapper Season" (RIN0648-XY73), received during adjournment of the Senate in the Office of the President of the Senate on October 17, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7754. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; Closure of the July-December 2010 Commercial Sector for Vermilion Snapper in the South Atlantic" (RIN0648-XY47), received during adjournment of the Senate in the Office of the President of the Senate on October 17, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7755. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Inshore Component in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XZ05), received in the Office of the President of the Senate on September 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7756. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Crab and Halibut Prohibited Species Catch and Allowances in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XZ08), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7757. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska" (RIN0648-XZ04), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7758. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Shallow-Water Species by Vessels Using Trawl Gear in the Gulf of Alaska" (RIN0648-XZ06), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7759. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 of the Gulf of Alaska" (RIN0648-XZ13), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7760. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip Limit Reductions and Gear Modifications for the Common Pool Fishery" (RIN0648-XZ07), received during adjournment of the Senate in the Office of the President of the Senate on October 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7761. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program: Hospital Outpatient Prospective Payment System and Calendar Year 2011 Payment Rates...." (RIN0938-AP82 and RIN0938-AP80), received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2010; to the Committee on Finance.

EC-7762. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Payment Policies Under the Physician Fee Schedule and Other Revisions to Part B for Calendar Year 2011" (RIN0938-AP79), received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2010; to the Committee on Finance.

EC-7763. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010-0146 - 2010-0159); to the Committee on Foreign Relations.

EC-7764. A communication from the Secretary of the Senate, transmitting, pursuant to law, the report of the receipts and expenditures of the Senate for the period from April 1, 2010 through September 30, 2010, received in the Office of the President of the Senate on November 15, 2010; ordered to lie on the table.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mrs. MURRAY:

S. 3938. A bill to designate the airport traffic control tower located at Spokane International Airport in Spokane, Washington, as the "Ray Daves Airport Traffic Control Tower"; to the Committee on Commerce, Science, and Transportation.

By Mr. INHOFE:

S. 3939. A bill to reform earmarking and increase transparency and accountability for all expenditures authorized by Congress and all executive agencies of the Federal Government; to the Committee on Rules and Administration.

By Mr. SPECTER (for himself and Mr. CASEY):

S. 3940. A bill to designate the Federal building and United States courthouse located at 700 Grant Street in Pittsburgh, Pennsylvania as the "Richard Lewis Thornburgh Courthouse"; to the Committee on Environment and Public Works.

By Mr. WHITEHOUSE:

S. 3941. A bill to prohibit trafficking in counterfeit military goods or services; to the Committee on the Judiciary.

By Mr. TESTER (for himself, Mr. CRAPO, Mr. BAUCUS, Mr. INHOFE, Mr. ENZI, Mr. BEGICH, and Mr. WICKER):

S. 3942. A bill to amend the Arms Export Control Act to provide that certain firearms listed as curios or relics may be imported into the United States by a licensed importer without obtaining authorization from the Department of State or the Department of Defense, and for other purposes; to the Committee on Foreign Relations.

By Mrs. GILLIBRAND:

S. 3943. A bill to amend the Federal Water Pollution Control Act to direct the Administrator of the Environmental Protection Agency to carry out activities for the restoration, conservation, and management of Onondaga Lake, New York, and for other purposes; to the Committee on Environment and Public Works.

By Ms. MIKULSKI:

S. 3944. A bill to amend the definition of a law enforcement officer under subchapter III of chapter 83 and chapter 84 of title 5, United States Code, respectively, to ensure the inclusion of certain positions; to the Committee on Homeland Security and Governmental Affairs.

By Mr. AKAKA (for himself and Mr. INOUYE):

S. 3945. A bill to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity; to the Committee on Indian Affairs.

By Mr. BAUCUS (for himself, Mr. BEGICH, Ms. LANDRIEU, Mrs. SHAHEEN, Ms. STABENOW, and Mr. BROWN of Massachusetts):

S. 3946. A bill to repeal the expansion of information reporting requirements for payments of $600 or more to corporations, and for other purposes; to the Committee on Finance.

By Mr. REID:

S.J. Res. 40. A joint resolution appointing the day for the convening of the first session of the One Hundred Twelfth Congress; considered and passed.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. GREGG (for himself and Mrs. SHAHEEN):

S. Res. 675. A resolution commemorating the 100th anniversary of the Weeks Law; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. SHAHEEN (for herself and Ms. COLLINS):

S. Res. 676. A resolution supporting the goals and ideals of American Diabetes Month; to the Committee on Health, Education, Labor, and Pensions

By Mr. CARPER (for himself and Ms. SNOWE):

S. Res. 677. A resolution to express the sense of the Senate regarding the importance of recycling and the inception of recycling on the National Mall; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

S. 654

At the request of Mr. BUNNING, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 654, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care.

S. 781

At the request of Mr. ROBERTS, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 781, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 831

At the request of Mr. KERRY, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 831, a bill to amend title 10, United States Code, to include service after September 11, 2001, as service qualifying for the determination of a reduced eligibility age for receipt of non-regular service retired pay.

S. 984

At the request of Mrs. BOXER, the names of the Senator from Minnesota [Ms. KLOBUCHAR] and the Senator from South Dakota [Mr. JOHNSON] were added as cosponsors of S. 984, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 1076

At the request of Mr. MENENDEZ, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 1076, a bill to improve the accuracy of fur product labeling, and for other purposes.

S. 1273

At the request of Mr. DORGAN, the names of the Senator from New Mexico [Mr. BINGAMAN] and the Senator from North Carolina [Mrs. HAGAN] were added as cosponsors of S. 1273, a bill to amend the Public health Service Act to provide for the establishment of permanent national surveillance systems for multiple sclerosis, Parkinson's disease, and other neurological diseases and disorders.

S. 1352

At the request of Mr. DODD, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 1352, a bill to provide for the expansion of Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme and other tick-borne diseases, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. 1361

At the request of Mr. LEAHY, the name of the Senator from Nebraska [Mr. NELSON] was added as a cosponsor of S. 1361, a bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes.

S. 1780

At the request of Mrs. LINCOLN, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 1780, a bill to amend title 38, United States Code, to deem certain service in the reserve components as active service for purposes of laws administered by the Secretary of Veterans Affairs.

S. 1821

At the request of Mr. KOHL, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 1821, a bill to protect seniors in the United States from elder abuse by establishing specialized elder abuse prosecution and research programs and activities to aid victims of elder abuse, to provide training to prosecutors and other law enforcement related to elder abuse prevention and protection, to establish programs that provide for emergency crisis response teams to combat elder abuse, and for other purposes.

S. 2097

At the request of Mr. THUNE, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 2097, a bill to authorize the rededication of the District of Columbia War Memorial as a National and

District of Columbia World War I Memorial to honor the sacrifices made by American veterans of World War I.

S. 2747

At the request of Mr. BINGAMAN, the names of the Senator from Massachusetts [Mr. KERRY] and the Senator from Minnesota [Mr. FRANKEN] were added as cosponsors of S. 2747, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 2814

At the request of Mr. CONRAD, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 2814, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

At the request of Ms. COLLINS, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 2814, supra.

S. 2904

At the request of Mr. FRANKEN, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 2904, a bill to amend title 10, United States Code, to require emergency contraception to be available at all military health care treatment facilities.

S. 2982

At the request of Mr. KERRY, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 2982, a bill to combat international violence against women and girls.

S. 3134

At the request of Mr. SCHUMER, the name of the Senator from Alabama [Mr. SESSIONS] was added as a cosponsor of S. 3134, a bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

S. 3152

At the request of Mr. DEMINT, the name of the Senator from Tennessee [Mr. CORKER] was added as a cosponsor of S. 3152, a bill to repeal the Patient Protection and Affordable Care Act.

S. 3170

At the request of Mr. BOND, the name of the Senator from Nevada [Mr. ENSIGN] was added as a cosponsor of S. 3170, a bill to provide for preferential duty treatment to certain apparel articles of the Philippines.

S. 3184

At the request of Mrs. BOXER, the names of the Senator from North Carolina [Mrs. HAGAN], the Senator from Montana [Mr. BAUCUS] and the Senator from Colorado [Mr. BENNET] were added as cosponsors of S. 3184, a bill to provide United States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes.

S. 3192

At the request of Mr. SPECTER, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 3192, a bill to amend title 38, United States Code, to provide for the tolling of the timing of review for appeals of final decisions of the Board of Veterans' Appeals, and for other purposes.

S. 3201

At the request of Mr. UDALL of Colorado, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 3201, a bill to amend title 10, United States Code, to extend TRICARE coverage to certain dependents under the age of 26.

S. 3234

At the request of Mrs. MURRAY, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 3234, a bill to improve employment, training, and placement services furnished to veterans, especially those serving in Operation Iraqi Freedom and Operation Enduring Freedom, and for other purposes.

S. 3237

At the request of Mr. HARKIN, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 3237, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 3257

At the request of Mr. ENZI, the names of the Senator from Oklahoma [Mr. COBURN], the Senator from North Carolina [Mr. BURR] and the Senator from Kansas [Mr. ROBERTS] were added as cosponsors of S. 3257, a bill to authorize the Department of Labor's voluntary protection program and to expand the program to include more small businesses.

S. 3317

At the request of Mr. KERRY, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 3317, a bill to authorize appropriations for fiscal years 2010 through 2014 to promote long-term, sustainable rebuilding and development in Haiti, and for other purposes.

S. 3390

At the request of Mr. FRANKEN, the names of the Senator from New York [Mr. SCHUMER], the Senator from North Dakota [Mr. DORGAN] and the Senator from Pennsylvania [Mr. SPECTER] were added as cosponsors of S. 3390, a bill to end the discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 3398

At the request of Mr. BAUCUS, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 3398, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans.

S. 3418

At the request of Mr. MERKLEY, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 3418, a bill to amend the Public Health Service Act to specifically include, in programs of the Substance Abuse and Mental Health Services Administration, programs to research, prevent, and address the harmful consequences of pathological and other problem gambling, and for other purposes.

S. 3424

At the request of Mr. DURBIN, the names of the Senator from Oregon [Mr. MERKLEY] and the Senator from Louisiana [Ms. LANDRIEU] were added as cosponsors of S. 3424, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 3447

At the request of Mr. AKAKA, the names of the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. CARDIN], the Senator from Georgia [Mr. CHAMBLISS], the Senator from Vermont [Mr. LEAHY] and the Senator from New Jersey [Mr. MENENDEZ] were added as cosponsors of S. 3447, a bill to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes.

S. 3508

At the request of Mr. UDALL of New Mexico, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 3508, a bill to strengthen the capacity of the United States to lead the international community in reversing renewable natural resource degradation trends around the world that threaten to undermine global prosperity and security and eliminate the diversity of life on Earth, and for other purposes.

S. 3572

At the request of Mrs. LINCOLN, the names of the Senator from Iowa [Mr. GRASSLEY], the Senator from Ohio [Mr. VOINOVICH], the Senator from Maine [Ms. SNOWE], the Senator from Massachusetts [Mr. BROWN], the Senator from South Dakota [Mr. THUNE] and the Senator from South Carolina [Mr. GRAHAM] were added as cosponsors of S. 3572, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first law enforcement agency, the United States Marshals Service.

S. 3605

At the request of Mr. ROCKEFELLER, the names of the Senator from Florida [Mr. NELSON], the Senator from Minnesota [Ms. KLOBUCHAR], the Senator from Delaware [Mr. KAUFMAN], the Senator from Massachusetts [Mr. KERRY], the Senator from Washington [Ms. CANTWELL], the

Senator from Arkansas [Mr. PRYOR] and the Senator from Alaska [Mr. BEGICH] were added as cosponsors of S. 3605, a bill to invest in innovation through research and development, to improve the competitiveness of the United States, and for other purposes.

S. 3703

At the request of Mrs. MURRAY, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 3703, a bill to expand the research, prevention, and awareness activities of the Centers for Disease Control and Prevention and the National Institutes of Health with respect to pulmonary fibrosis, and for other purposes.

S. 3705

At the request of Mr. CRAPO, the name of the Senator from Wisconsin [Mr. FEINGOLD] was added as a cosponsor of S. 3705, a bill to amend title 23, United States Code, with respect to vehicle weight limitations applicable to the Interstate System, and for other purposes.

S. 3708

At the request of Mr. SCHUMER, the name of the Senator from Florida [Mr. NELSON] was added as a cosponsor of S. 3708, a bill to amend titles XVIII and XIX of the Social Security Act to clarify the application of EHR payment incentives in cases of multi-campus hospitals.

S. 3716

At the request of Mrs. GILLIBRAND, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3716, a bill to amend the Internal Revenue Code of 1986 to provide a tax incentive for the installation and maintenance of mechanical insulation property.

S. 3733

At the request of Mr. BENNET, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 3733, a bill to amend the Elementary and Secondary Education Act of 1965 to allow State educational agencies, local educational agencies, and schools to increase implementation of schoolwide positive behavioral interventions and supports and early intervening services in order to improve student academic achievement, reduce overidentification of individuals with disabilities, and reduce disciplinary problems in school, and to improve coordination with similar activities and services provided under the Individuals with Disabilities Education Act.

S. 3756

At the request of Mr. ROCKEFELLER, the name of the Senator from Florida [Mr. NELSON] was added as a cosponsor of S. 3756, a bill to amend the Communications Act of 1934 to provide public safety providers an additional 10 megahertz of spectrum to support a national, interoperable wireless broadband network and authorize the Federal Communications Commission to hold incentive auctions to provide funding to support such a network, and for other purposes.

S. 3772

At the request of Mrs. HAGAN, her name was added as a cosponsor of S. 3772, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 3804

At the request of Mr. LEAHY, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 3804, a bill to combat online infringement, and for other purposes.

S. 3819

At the request of Mrs. LINCOLN, the names of the Senator from Maine [Ms. SNOWE] and the Senator from South Dakota [Mr. JOHNSON] were added as cosponsors of S. 3819, a bill to amend the Internal Revenue Code of 1986 to reduce the mileage threshold for the deduction for National Guard and Reservists overnight travel expenses.

S. 3846

At the request of Ms. COLLINS, the names of the Senator from Maine [Ms. SNOWE] and the Senator from Florida [Mr. NELSON] were added as cosponsors of S. 3846, a bill to establish a temporary prohibition on termination coverage under the TRICARE program for age of dependents under the age of 26 years.

S. 3860

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Nevada [Mr. ENSIGN] was added as a cosponsor of S. 3860, a bill to require reports on the management of Arlington National Cemetery.

S. 3861

At the request of Mrs. BOXER, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of S. 3861, a bill to direct the Administrator of the Environmental Protection Agency to investigate and address cancer and disease clusters, including in infants and children.

S. 3900

At the request of Mr. COBURN, the name of the Senator from South Dakota [Mr. THUNE] was added as a cosponsor of S. 3900, a bill to reduce waste, fraud, and abuse under the Medicare, Medicaid, and CHIP programs, and for other purposes.

S. 3913

At the request of Mr. ROCKEFELLER, the names of the Senator from Oregon [Mr. WYDEN] and the Senator from South Dakota [Mr. JOHNSON] were added as cosponsors of S. 3913, a bill to amend title 10, United States Code, to enhance the roles and responsibilities of the Chief of the National Guard Bureau.

S. 3925

At the request of Mr. BINGAMAN, the names of the Senator from Indiana [Mr. LUGAR], the Senator from Massachusetts [Mr. KERRY], the Senator from Maryland [Mr. CARDIN], the Senator from Indiana [Mr. BAYH], the Senator from South Dakota [Mr. JOHNSON] and the Senator from Virginia [Mr. WARNER] were added as cosponsors of S. 3925, a bill to amend the Energy Policy and Conservation Act to improve the energy efficiency of, and standards applicable to, certain appliances and equipment, and for other purposes.

S. 3929

At the request of Mr. TESTER, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of S. 3929, a bill to revise the Forest Service Recreation Residence Program as it applies to units of the National Forest System derived from the public domain by implementing a simple, equitable, and predictable procedure for determining cabin user fees, and for other purposes.

SENATE CONCURRENT RESOLUTION 63

At the request of Mr. BARRASSO, his name was added as a cosponsor of Senate Concurrent Resolution 63, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

SENATE CONCURRENT RESOLUTION 71

At the request of Mr. FEINGOLD, the names of the Senator from Vermont [Mr. SANDERS], the Senator from Colorado [Mr. UDALL] and the Senator from Connecticut [Mr. DODD] were added as cosponsors of Senate Concurrent Resolution 71, a concurrent resolution recognizing the United States national interest in helping to prevent and mitigate acts of genocide and other mass atrocities against civilians, and supporting and encouraging efforts to develop a whole of government approach to prevent and mitigate such acts.

SENATE RESOLUTION 519

At the request of Mr. DEMINT, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of Senate Resolution 519, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and children is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not

transmit the Convention to the Senate for its advice and consent.

SENATE RESOLUTION 586

At the request of Mr. FEINGOLD, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of Senate Resolution 586, a resolution supporting democracy, human rights, and civil liberties in Egypt.

SENATE RESOLUTION 631

At the request of Mrs. LINCOLN, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of Senate Resolution 631, a resolution designating the week beginning on November 8, 2010, as National School Psychology Week.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 2:03 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 512. An act to amend the Federal Election Campaign Act of 1971 to prohibit certain State election administration officials from actively participating in electoral campaigns.

H.R. 758. An act to amend title IV of the Public Health Service Act to provide for the establishment of pediatric research consortia.

H.R. 1032. An act to amend the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

H.R. 1210. An act to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

H.R. 1230. An act to amend the Public Health Service Act to provide for research on acquired bone marrow failure diseases, minority-focused programs on such diseases, and the development of best practices for diagnosis of and care for individuals with such diseases.

H.R. 1347. An act to amend title III of the Public Health Service Act to provide for the establishment and implementation of concussion management guidelines with respect to school-aged children, and for other purposes.

H.R. 2408. An act to expand the research and awareness activities of the National Institute of Arthritis and Musculoskeletal and Skin Diseases and the Centers for Disease Control and Prevention with respect to scleroderma, and for other purposes.

H.R. 2818. An act to amend the Public Health Service Act to provide for the establishment of a drug-free workplace information clearinghouse, to support residential methamphetamine treatment programs for pregnant and parenting women, to improve the prevention and treatment of methamphetamine addiction, and for other purposes.

H.R. 2853. An act to require the purchase of domestically made flags of the United States of America for use by the Federal Government.

H.R. 2941. An act to reauthorize and enhance Johanna's Law to increase public awareness and knowledge with respect to gynecologic cancers.

H.R. 2999. An act to amend the Public Health Service Act to enhance and increase the number of veterinarians trained in veterinary public health.

H.R. 3243. An act to amend section 5542 of title 5, United States Code, to provide that any hours worked by Federal firefighters under a qualified trade-of-time arrangement shall be excluded for purposes of determinations relating to overtime pay.

H.R. 4602. An act to designate the facility of the United States Postal Service located at 1332 Sharon Copley Road in Sharon Center, Ohio, as the "Emil Bolas Post Office".

H.R. 5354. An act to provide grants to better understand and reduce gestational diabetes, and for other purposes.

H.R. 5462. An act to amend title III of the Public Health Service Act to authorize the Secretary of Health and Human Services to establish and implement a birth defects prevention, risk reduction, and public awareness program.

H.R. 5605. An act to designate the facility of the United States Postal Service located at 47 East Fayette Street in Uniontown, Pennsylvania, as the "George C. Marshall Post Office".

H.R. 5606. An act to designate the facility of the United States Postal Service located at 47 South 7th Street in Indiana, Pennsylvania, as the "James M. 'Jimmy' Stewart Post Office Building".

H.R. 6118. An act to designate the facility of the United States Postal Service located at 2 Massachusetts Avenue, NE, in Washington D.C., as the "Dorothy I. Height Post Office".

The message also announced that pursuant to section 112 of the Clean Air Act (42 U.S.C. 7412), and the order of the House of January 6, 2009, the Speaker reappoints the following member on the part of the House of Representatives to the Board of Directors of the National Urban Air Toxics Research Center: Ms. Jane Luxton of McLean, Virginia.

The message further announced that pursuant to section 214(a) of the Help America Vote Act of 2002 (42 U.S.C. 15344), the Minority Leader appoints the following member on the part of the House of Representatives to the Election Assistance Commission Board of Advisors: Mr. Fuentes of Lake Forest, California.

The message also announced that pursuant to section 703 of the Social Security Act (42 U.S.C. 903), and the order of the House of January 6, 2009, and upon the recommendation of the Minority Leader, the Speaker reappoints, effective October 9, 2010, the following member on the part of the House of Representatives to the Social Security Advisory Board for a term of 6 years: Mrs. Dorcas R. Hardy of Spotsylvania, Virginia.

HOUSE BILLS REFERRED

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

H.R. 512. An act to amend the Federal Election Campaign Act of 1971 to prohibit certain State election administration officials from actively participating in electoral campaigns; to the Committee on Rules and Administration.

H.R. 758. An act to amend title IV of the Public Health Service Act to provide for the establishment of pediatric research consortia; to the Committee on Health, Education, Labor, and Pensions.

H.R. 1032. To amend the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women; to the Committee on Health, Education, Labor, and Pensions.

H.R. 1210. An act to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 1230. To amend the Public Health Service Act to provide for research on acquired bone marrow failure diseases, minority-focused programs on such diseases, and the development of best practices for diagnosis of and care for individuals with such diseases; to the Committee on Health, Education, Labor, and Pensions.

H.R. 1347. An act to amend title III of the Public Health Service Act to provide for the establishment and implementation of concussion management guidelines with respect to school-aged children, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 2408. An act to expand the research and awareness activities of the National Institute of Arthritis and Musculoskeletal and Skin Diseases and the Centers for Disease Control and Prevention with respect to scleroderma, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 2818. An act to amend the Public Health Service Act to provide for the establishment of a drug-free workplace

information clearinghouse, to support residential methamphetamine treatment programs for pregnant and parenting women, to improve the prevention and treatment of methamphetamine addiction, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 2853. An act to require the purchase of domestically made flags of the United States of America for use by the Federal Government; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2941. An act to reauthorize and enhance Johanna's Law to increase public awareness and knowledge with respect to gynecologic cancers; to the Committee on Health, Education, Labor, and Pensions.

H.R. 2999. An act to amend the Public Health Service Act to enhance and increase the number of veterinarians trained in veterinary public health; to the Committee on Health, Education, Labor, and Pensions.

H.R. 3243. An act to amend section 5542 of title 5, United States Code, to provide that any hours worked by Federal firefighters under a qualified trade-of-time arrangement shall be excluded for purposes of determinations relating to overtime pay; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4602. An act to designate the facility of the United States Postal Service located at 1332 Sharon Copley Road in Sharon Center, Ohio, as the "Emil Bolas Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5354. To provide grants to better understand and reduce gestational diabetes, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5462. To amend title III of the Public Health Service Act to authorize the Secretary of Health and Human Services to establish and implement a birth defects prevention, risk reduction, and public awareness program; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5605. An act to designate the facility of the United States Postal Service located at 47 East Fayette Street in Uniontown, Pennsylvania, as the "George C. Marshall Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5606. An act to designate the facility of the United States Postal Service located at 47 South 7th Street in Indiana, Pennsylvania, as the "James M. 'Jimmy' Stewart Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6118. To designate the facility of the United States Postal Service located at 2 Massachusetts Avenue, NE, in Washington, D.C., as the "Dorothy I. Height Post Office"; to the Committee on Homeland Security and Governmental Affairs.

CREDENTIALS OF A SENATOR-ELECT FOR UNEXPIRED TERM

The VICE PRESIDENT laid before the Senate the credentials of Christopher A. Coons, duly chosen a Senator by the qualified electors of the State of Delaware on Tuesday, November 2, 2010, to fill the vacancy in the term ending January 3, 2015, caused by the resignation of Hon. JOSEPH R. BIDEN JR., as follows; which was deemed read and ordered placed on file:

STATE OF DELAWARE

Executive Department

Dover

CERTIFICATE

To All Persons To Whom These Presents Shall Come, Greetings:

Whereas, an election was held in the State of Delaware, on Tuesday, the second day of November. in the year of our Lord two thousand ten, that being the Tuesday next after the first Monday in said month, in accordance with the provisions of the Constitution and Laws of the State of Delaware, in that behalf, for the purpose of choosing by ballot a Senator for the people of said State in the United States Senate for the unexpired term caused by the resignation of Joseph R. Biden, Jr., said term ending at noon on the 3d day of January, 2015.

And Whereas, the official certificates or returns of said election, held in the several counties of the said State. in due manner made out, signed and executed, have been delivered to me according to the laws of the said State, by the Superior Court of said counties; and having examined said returns, and enumerated and ascertained the number of votes for each and every candidate or person voted for, for United States Senate, I have found Christopher A. Coons to be the person highest in vote, and therefore duly elected and chosen United States Senator of this State.

I, the said Jack A. Markell, Governor aforesaid, in accordance with the provisions of the Act of the General Assembly of this State in that behalf, do hereby, therefore, declare, make known and certify that the said Christopher A. Coons has received the highest vote at the election aforesaid and therefore is the legally elected United States Senator for the State of Delaware.

Given under my hand and the Great Seal of the said State, the 10th day of November in the year of our Lord two thousand ten and in the year of the Independence of the United States of America two hundred thirty-five.

By the Governor:

JACK A. MARKELL,
Governor.
JEFFREY W. BULLOCK,
Secretary of State.

[State Seal Affixed]

CREDENTIALS OF A SENATOR-ELECT FOR UNEXPIRED TERM

The VICE PRESIDENT laid before the Senate the credentials of Joe Manchin III, duly chosen a Senator by the qualified electors of the State of West Virginia on Tuesday, November 2, 2010, to fill the vacancy in the term ending January 3, 2013, caused by the death of Hon. ROBERT C. BYRD, as follows; which was deemed read and ordered placed on file:

STATE OF WEST VIRGINIA

Office of the Executive

CERTIFICATE

To the President of the Senate of the United States:

This is to certify that on the Second day of November, 2010, Joe Manchin III was duly chosen by the qualified electors of the State of West Virginia a Senator for the unexpired term ending at noon on the 3rd day of January 2013, to fill the vacancy in the representation from said State in the Senate of the United States caused by the death of Robert C. Byrd.

Witness: His excellency our Governor Joe Manchin III, and our seal hereto affixed at Charleston, West Virginia this the Twelfth day of November in the year or our Lord 2010.

By the Governor:

JOE MANCHIN III,
Governor.
NATALIE E. TENNANT,
Secretary of State.

[State Seal Affixed]

ADMINISTRATION OF OATH TO SENATORS-ELECT

The following-named Senators-elect, whose credentials were this day laid before the Senate, appeared; and the oath of office prescribed by law having been administered to them by the VICE PRESIDENT and subscribed by them, they took their seats in the Senate:

Mr. Christopher A. Coons, from the State of Delaware;

Mr. Joe Manchin III, from the State of West Virginia.

(Applause, Senators rising.)

APPOINTING THE DAY FOR THE CONVENING OF THE FIRST SESSION OF THE ONE HUNDRED TWELFTH CONGRESS

On the request of Mr. WYDEN,

The PRESIDING OFFICER (Mr. BURRIS in the chair) laid before the Senate the joint resolution (S.J. Res. 40) appointing the day for the convening of the first session of the One Hundred Twelfth Congress, introduced on today by Mr. REID, and at the desk; which

was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the joint resolution.

The question being on the passage of the joint resolution; and

No amendment being proposed,

The joint resolution was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CONSTITUTING MAJORITY PARTY MEMBERSHIP ON CERTAIN COMMITTEES

On the request of Mr. WYDEN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 674) to constitute the majority party's membership on certain committees for the One Hundred Eleventh Congress, or until their successors are chosen, submitted today by Mr. REID, and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORITY FOR IMPEACHMENT COMMITTEE TO REPORT

By unanimous consent, on the request of Mr. WYDEN,

Ordered, That the Senate impeachment committee be authorized to file its report with respect to the impeachment of Judge Porteous, on tomorrow from 12 noon until 2 p.m., notwithstanding an adjournment.

REMOVAL OF INJUNCTION OF SECRECY

By unanimous consent, on the request of Mr. WYDEN,

As in executive session,

Ordered, That the injunction of secrecy be removed from Treaty Document 111-7, received from the President on today.

REMOVAL OF INJUNCTION OF SECRECY

By unanimous consent, on the request of Mr. WYDEN,

As in executive session,

Ordered, That the injunction of secrecy be removed from Treaty Document 111-8, received from the President on today.

APPOINTMENT BY THE MAJORITY LEADER

CONGRESSIONAL OVERSIGHT PANEL

The PRESIDING OFFICER announced that pursuant to provisions of Public Law 110-343, the majority leader, on September 30, 2010, during the recess of the Senate, had appointed the Honorable Edward E. Kaufman, of Delaware, to the Congressional Oversight Panel.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

ADVISORY COMMITTEE ON STUDENT FINANCIAL ASSISTANCE

The PRESIDING OFFICER announced that pursuant to provisions of Public Law 99-498, the President pro tempore, on October 5, 2010, during the recess of the Senate, had appointed Sharon Wurm, of Nevada, to the Advisory Committee on Student Financial Assistance.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON WEDNESDAY NEXT, AND FOR PROGRAM

By unanimous consent, on the request of Mr. WYDEN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on Wednesday, November 17, 2010; that, on Wednesday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 11 a.m.; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; that Mr. HARKIN control 15 minutes of the time of the majority therein; that Mr. DODD control 15 minutes therein; and that Ms. MIKULSKI control 5 minutes therein.

Ordered further, That, at 11 a.m., the Senate resume consideration of the motion to proceed to consider bill S. 3815; and that the Senate then vote on the question of agreeing to the motion to bring to a close debate on the motion to proceed.

ADJOURNMENT

By unanimous consent, on the request of Mr. WYDEN,

At 5:53 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on Wednesday, November 17, 2010.

WEDNESDAY, NOVEMBER 17, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, November 17, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. TOM UDALL took the chair.

THE JOURNAL

Pursuant to the order of Monday, November 15, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Monday, November 15, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

ORDERS RELATIVE TO BILL S. 3815, FOR CONSIDERATION OF MOTION TO PROCEED TO CONSIDER BILL S. 3772, AND FOR RECESS ON TODAY

By unanimous consent, on the request of Mr. REID,

Ordered, That the motion to bring to a close debate on the motion to proceed to consider the bill (S. 3815) to amend the Internal Revenue Code of 1986 to reduce oil consumption and improve energy security, and for other purposes, be withdrawn; that, at 11 a.m., the Senate resume consideration of the motion to proceed to consider the bill (S. 3772) to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for

other purposes; that the Senate then vote on the question of agreeing to said motion; and that, if the motion is agreed to, time in adjournment or recess on today, be counted against time for debate pursuant to rule XXII of the Standing Rules of the Senate.

Ordered further, That, on today, the Senate recess from 12:30 p.m. until 4 p.m.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Monday, November 15, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under the authority of the order of the Senate of November 15, 2010, the following report of a committee was submitted on November 16, 2010.

By Mrs. McCASKILL, from the Committee on Impeachment Trial Committee (Porteous), under the authority of the order of the Senate of November 15, 2010:

Special Report entitled "Report of the Impeachment Trial Committee on the Articles Against Judge G. Thomas Porteous, Jr." (Rept. No. 111-347).

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-7765. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Removal of Varietal Restrictions on Apples from Japan" (Docket No. APHIS-2009-0020), received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7766. A communication from the Director of the Regulatory Review Group, Commodity Credit Corporation, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Biomass Crop Assistance Program" (RIN0560-AH92), received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7767. A communication from the Secretary of Agriculture, transmitting, pursuant to law, a report relative to (21) vacancies in the Department of Agriculture; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7768. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Mexican Hass Avocados; Additional Shipping Options" (Docket No. APHIS-2008-0016), received in the Office of the President of the Senate on November 1, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7769. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 10-096, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-7770. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 10-104, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-7771. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Continuation of Current Contracts - Deletion of Redundant Text" (DFARS Case 2010-D016), received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2010; to the Committee on Armed Services.

EC-7772. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to current military, diplomatic, political, and economic measures that are being or have been undertaken; to the Committee on Armed Services.

EC-7773. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General Stephen R. Lorenz, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-7774. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General Roger A. Brady, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-7775. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-7776. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-7777. A communication from the Under Secretary of Defense (Comptroller), Department of Defense, transmitting, pursuant to law, a quarterly report entitled, "Acceptance of Contributions for Defense Programs, Projects, and Activities; Defense Cooperation Account"; to the Committee on Armed Services.

EC-7778. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Department's projects, or separable elements of projects, which have been authorized, but for which no funds have been obligated for planning, design or construction during the preceding five full fiscal years; to the Committee on Armed Services.

EC-7779. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report relative to the full life-cycle costs of munitions; to the Committee on Armed Services.

EC-7780. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to transfer authorities used in fiscal year 2010; to the Committee on Armed Services.

EC-7781. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to Reserve component equipment delivery; to the Committee on Armed Services.

EC-7782. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Continuation of Essential Contractor Services" ((RIN0750-AG52)(DFARS Case 2009-D017)), received during adjournment of the Senate in the Office of the President of the Senate on October 25, 2010; to the Committee on Armed Services.

EC-7783. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Electronic Subcontracting Reporting System" (DFARS Case 2009-D002), received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2010; to the Committee on Armed Services.

EC-7784. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of the national emergency relative to the actions and policies of the Government of Sudan as declared in Executive Order 13067 of November 3, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC-7785. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency declared in Executive Order 13413 of October 27, 2006 with respect to blocking the property of persons contributing to the conflict taking place in the Democratic Republic of the Congo; to the Committee on Banking, Housing, and Urban Affairs.

EC-7786. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to South Africa; to the Committee on Banking, Housing, and Urban Affairs.

EC-7787. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Spain; to the Committee on Banking, Housing, and Urban Affairs.

EC-7788. A communication from the Deputy General Counsel, Office of the General Counsel, National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "The Low-Income Definition" (RIN3133-AD75), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7789. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Truth in Savings" (RIN3133-AD72), received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7790. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Short-Term, Small Amount Loans" (RIN3133-AD71), received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7791. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Secondary Capital Accounts" (RIN3133-AD67), received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7792. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Fixed Assets, Member Business Loans, and Regulatory Flexibility Program" (RIN3133-AD68), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7793. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Prompt Corrective Action; Amended Definition of Low-Risk Assets" (RIN3133-AD81), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7794. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Corporate Credit Unions" (RIN3133-AD58), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7795. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "North Korea Sanctions Regulations" (31 CFR Part 510), received during adjournment of the Senate in the Office of the President of the Senate on November 2, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7796. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Equal Access to Justice Act Implementation" (RIN2590-AA29), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7797. A communication from the Deputy to the Chairman, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Community Reinvestment Act Regulations" (RIN1557-AD24), received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7798. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Internal Agency Docket No. FEMA-8153)), received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7799. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67)(Docket No. FEMA-2010-0003)), received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7800. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Additions to the List of Validated End-Users in the People's Republic of China: Hynix Semiconductor China Ltd., Hynix Semiconductor (Wuxi) Ltd. and Lam Research Corporation" (RIN0694-AE95), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7801. A communication from the Legal Information Assistant, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Definitions for Regulations Affecting All Savings Associations; Money Market Deposit Accounts" (RIN1550-AC40), received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7802. A communication from the Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Withdrawal of Indexed Annuity Rule" (RIN3235-AK16), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7803. A communication from the Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Interim Rule for Reporting Pre-enactment Security Based Swap Transactions" (RIN3235-AK73), received

during adjournment of the Senate in the Office of the President of the Senate on October 17, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7804. A communication from the Associate General Counsel for Legislation and Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Use of Public Housing Capital Funds for Financing Activities" (RIN2577-AC49), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7805. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program for Consumer Products: Test Procedures for Residential Furnaces and Boilers (Standby Mode and Off Mode)" (RIN1904-AB89), received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2010; to the Committee on Energy and Natural Resources.

EC-7806. A communication from the Director, Office of Hearings and Appeals, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Interior Board of Land Appeals and Other Appeals Procedures" (RIN1094-AA53), received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2010; to the Committee on Energy and Natural Resources.

EC-7807. A communication from the Principal Deputy General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Credit Reforms in Organized Wholesale Electric Markets" (RIN1902-AD89), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Energy and Natural Resources.

EC-7808. A communication from the Deputy Assistant Secretary, Bureau of Land Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Promotion of Development, Reduction of Royalty Rates for Stripper Well and Heavy Oil Properties" (RIN1004-AE04), received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2010; to the Committee on Energy and Natural Resources.

EC-7809. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Illinois; Volatile Organic Compound Site-Specific State Implementation Plan for Abbott Laboratories" (FRL No. 9212-8), received during adjournment of the Senate in the Office of the President of the Senate on November 2, 2010; to the Committee on Environment and Public Works.

EC-7810. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Albuquerque/Bernalillo County, New Mexico; Interstate Transport of Pollution" (FRL No. 9221-4), received during adjournment of the Senate in the Office of the President of the Senate on November 2, 2010; to the Committee on Environment and Public Works.

EC-7811. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Change of Addresses for Submission of Certain Reports; Technical Correction" (FRL No. 9221-7), received during adjournment of the Senate in the Office of the President of the Senate on November 2, 2010; to the Committee on Environment and Public Works.

EC-7812. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Delegation of National Emission Standards for Hazardous Air Pollutants for Source Categories; State of Nevada; Clark County Department of Air Quality and Environmental Management" (FRL No. 9219-5), received during adjournment of the Senate in the Office of the President of the Senate on November 2, 2010; to the Committee on Environment and Public Works.

EC-7813. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Determinations of Attainment by the Applicable Attainment Date for the Hayden, Nogales, Paul Spur/Douglas PM10 Nonattainment Areas, Arizona" (FRL No. 9219-7), received during adjournment of the Senate in the Office of the President of the Senate on November 2, 2010; to the Committee on Environment and Public Works.

EC-7814. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Direct Final Rule Staying Numeric Limitation for the Construction and Development Point Source Category" (FRL No. 9222-2), received during adjournment of the Senate in the Office of the President of the Senate on November 2, 2010; to the Committee on Environment and Public Works.

EC-7815. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to In-Use Testing for Heavy-Duty Diesel Engines and Vehicles; Emissions Measurement and Instrumentation; Not-to-Exceed Emission Standards; and Technical Amendments for Off-Highway Engines" (FRL No. 9220-6), received during adjournment of the Senate in the Office of the President of the Senate on November 2, 2010; to the Committee on Environment and Public Works.

EC-7816. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Ohio; Ohio Ambient Air Quality Standards" (FRL No. 9209-1), received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2010; to the Committee on Environment and Public Works.

EC-7817. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Ohio; Particulate Matter Standards" (FRL No. 9215-2), received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2010; to the Committee on Environment and Public Works.

EC-7818. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Rhode Island; Determination of Attainment of the 1997 Ozone Standard for the Providence, Rhode Island Area" (FRL No. 9215-9), received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2010; to the Committee on Environment and Public Works.

EC-7819. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection

Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Illinois; Voluntary Nitrogen Oxides Controls" (FRL No. 9215-8), received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2010; to the Committee on Environment and Public Works.

EC-7820. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "New Mexico: Final Authorization of State Hazardous Waste Management Program Revision" (FRL No. 9217-2), received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2010; to the Committee on Environment and Public Works.

EC-7821. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "1-Propene, 2,3,3,3-tetrafluoro-; Significant New Use Rule" (FRL No. 8846-8), received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2010; to the Committee on Environment and Public Works.

EC-7822. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, the Uniform Resource Locator (URL) for a report entitled "Guidance on the Planning and Use of Special Accounts Funds"; to the Committee on Environment and Public Works.

EC-7823. A communication from the President of the United States, transmitting, pursuant to law, notification of the designation of Irving A. Williamson as Vice Chair of the United States International Trade Commission; to the Committee on Finance.

EC-7824. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 457(b) Unforeseeable Emergency Guidance" (Rev. Rul. 2010-27), received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2010; to the Committee on Finance.

EC-7825. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates - November 2010" (Rev. Rul. 2010-26), received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2010; to the Committee on Finance.

EC-7826. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Limitations on Qualified Residence Interest" (Rev. Rul. 2010-25), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Finance.

EC-7827. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Shoukri Osman Saleh Abdel-Fattah v. Commissioner, 134 T.C. No. 10" (IRB No.: 2010-47), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Finance.

EC-7828. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Dyed Diesel Fuel and Kerosene: Nontaxable Use; Alaska" (Notice No. 2010-68), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Finance.

EC-7829. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Production Tax Credit for Refined Coal" (Notice No. 2010-54), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Finance.

EC-7830. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Basis Reporting by Securities Brokers and Basis Determination for Stock" (RIN1545-BI66), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Finance.

EC-7831. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Hybrid Retirement Plans" (RIN1545-BG36), received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2010; to the Committee on Finance.

EC-7832. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Examination of Returns and Claims for Refund, Credit, or Abatement; Determination of Tax Liability" (Rev. Proc. 2010-29), received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2010; to the Committee on Finance.

EC-7833. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Credit for Carbon Dioxide Sequestration, 2010 Section 45Q Inflation Adjustment Factor" (Notice 2010-75), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Finance.

EC-7834. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Inflation Adjusted Items for 2011" (Rev. Proc. 2010-40), received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2010; to the Committee on Finance.

EC-7835. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Furnishing Identifying Number of Tax Return Preparer" (RIN1545-BI28), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Finance.

EC-7836. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice 2010-70), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Finance.

EC-7837. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Extension of Import Restrictions Imposed on Certain Categories of Archaeological Material From the Pre-Hispanic Cultures of the Republic of Nicaragua" (RIN1515-AD70), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Finance.

EC-7838. A communication from the Assistant Secretary of the Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Federal-State Unemployment Compensation Program; Funding Goals for Interest-Free Advances" (RIN1205-AB53), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Finance.

EC-7839. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Medicare Part B Monthly Actuarial Rates, Premium Rate, and Annual Deductible Beginning January 1, 2011" (RIN0938-AP81), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Finance.

EC-7840. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Part A Premiums for Calendar Year 2011 for the Uninsured Aged and for Certain Disabled Individuals Who Have Exhausted Other Entitlement" (RIN0938-AP85), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Finance.

EC-7841. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Inpatient Hospital Deductible and Hospital and Extended Care Services Coinsurance Amounts for Calendar Year 2011" (RIN0938-AP86), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Finance.

EC-7842. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Home Health Prospective Payment System Rate Update for Calendar Year 2011" (RIN0938-AP88), received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2010; to the Committee on Finance.

EC-7843. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Evaluation of the Cancer Prevention and Treatment Demonstration for Ethnic and Racial Minorities: Second Report to Congress"; to the Committee on Finance.

EC-7844. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Tribal Economic Development Bonds - Extension of Deadline to Issue Bonds" (Announcement 2010-88), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Finance.

EC-7845. A communication from the Secretary of Education, transmitting, pursuant to law, the National Advisory Committee's Annual Report on Institutional Quality and Integrity for Fiscal Year 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7846. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Community Services Block Act Discretionary Activities: Community Economic Development and Rural Facilities Programs for Fiscal Year 2006; to the Committee on Health, Education, Labor, and Pensions.

EC-7847. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on the Assets for Independence Program - Status at the Conclusion of the Tenth Year"; to the Committee on Health, Education, Labor, and Pensions.

EC-7848. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Fiscal Year 2007 Biennial Report on the Status of Children in Head Start Programs; to the Committee on Health, Education, Labor, and Pensions.

EC-7849. A communication from the Program Manager, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "State Systems Advance Planning Document (APD) Process" (RIN0970-AC33), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7850. A communication from the Program Manager, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Countermeasures Injury Compensation Program (CICP): Administrative Implementation, Interim Final Rule" (RIN0906-AA83), received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7851. A communication from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Fiduciary Requirements for Disclosure in Participant-Directed Individual Account Plans" (RIN1210-AB07), received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7852. A communication from the Assistant General Counsel for Regulatory Services, Office of Elementary and Secondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "School Improvement Grants Program Notice of Final Requirements" (RIN1810-AB06), received in the Office of the President of the Senate on November 1, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7853. A communication from the Assistant General Counsel for Regulatory Services, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Program Integrity Issues" (RIN1840-AD02), received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7854. A communication from the Assistant General Counsel for Regulatory Services, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Program Integrity: Gainful Employment - New Programs" (RIN1840-AD04), received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7855. A communication from the Assistant General Counsel for Regulatory Services, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Final Regulations - Foreign Institutions - Federal Student Aid Program" (RIN1840-AD03), received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7856. A communication from the Deputy Director for Operations, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits" (29 CFR Part 4022), received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-7857. A communication from the President of the United States, transmitting, pursuant to law, a report relative to Afghanistan and Pakistan; to the Committee on Foreign Relations.

EC-7858. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010-0160 - 2010-0170); to the Committee on Foreign Relations.

EC-7859. A communication from the Assistant Secretary, Legislative Affairs,

Department of State, transmitting, pursuant to law, a report of the convening of an Accountability Review Board; to the Committee on Foreign Relations.

EC-7860. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, an annual report relative to the United States Participation in the United Nations; to the Committee on Foreign Relations.

EC-7861. A communication from the Acting Deputy Assistant Administrator, Bureau for Legislative and Public Affairs, U.S. Agency for International Development (USAID), transmitting, pursuant to law, the fourth fiscal year 2010 quarterly report on unobligated and unexpended appropriated funds; to the Committee on Foreign Relations.

EC-7862. A communication from the Acting Executive Secretary, U. S. Agency for International Development (USAID), (4) four reports relative to vacancies in the Agency for International Development (USAID), received during adjournment of the Senate in the Office of the President of the Senate on October 18, 2010; to the Committee on Foreign Relations.

EC-7863. A communication from the Associate Legal Counsel, Equal Employment Opportunity Commission, transmitting, pursuant to law, the report of a rule entitled "Regulations Under the Genetic Information Nondiscrimination Act" (RIN3046-AA84), received during adjournment of the Senate in the Office of the President of the Senate on November 2, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7864. A communication from the Deputy Associate Administrator of Acquisition Policy and Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Offering a Construction Requirement - 8(a) Program" (RIN9000-AL68), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7865. A communication from the Deputy Archivist, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled "National Historical Publications and Records Commission" (RIN3095-AB67), received in the Office of the President of the Senate on November 1, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7866. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-544 "Land Acquisition for Housing Development Opportunities Program Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7867. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-545 "Supermarket Tax Exemption Clarification Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7868. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-546 "14W and Anthony Bowen YMCA Project Tax Abatement Implementation Clarification Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7869. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-547 "Kelsey Gardens Redevelopment Project Real Property Limited Tax Abatement Assistance Clarification Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7870. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-548 "M.M. Washington Career High School Redevelopment Grant Authroziation Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7871. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-549 "DCPL Federal Grant Authorization Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7872. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-550 "Washington Convention and Sports Authority Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7873. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-551 "Youth Baseball Academy Grant Authorization Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7874. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-552 "Howard Theatre Redevelopment Project Great Streets Initiative Tax Increment Financing Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7875. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-553 "Sustainable Energy Utility Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7876. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-554 "Healthy DC Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7877. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-555 "DC High Risk Pool Program Establishment Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7878. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-558 "National Popular Vote Interstate Agreement Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7879. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-559 "Howard Theatre Redevelopment Project Great Streets Initiative Tax Increment Financing Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7880. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-561 "Extension of Review Period for the Proposed Disposition of the J.F. Cook School Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7881. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-562 "District Settlement Payment Integrity Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7882. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-563 "Private Fire Hydrant Responsibility Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7883. A communication from the Administrator, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report relative to the cost of response

and recovery efforts for FEMA-3315-EM in the Commonwealth of Massachusetts has exceeded the $5,000,000 limit for a single emergency declaration; to the Committee on Homeland Security and Governmental Affairs.

EC-7884. A communication from the Executive Director, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, a report relative to four audit reports issued during fiscal year 2010 relative to the Agency and the Thrift Savings Plan; to the Committee on Homeland Security and Governmental Affairs.

EC-7885. A communication from the Secretary of the Department of Labor, transmitting, pursuant to law, the Semiannual Report of the Office of Inspector General of the Pension Benefit Guaranty Corporation for the period from October 1, 2009, through March 31, 2010 and the Director's Semiannual Report on Management Decisions and Final Actions on Office of Inspector General Audit Recommendations; to the Committee on Homeland Security and Governmental Affairs.

EC-7886. A communication from the Chief Privacy Officer, Privacy Office, Department of Homeland Security, transmitting, pursuant to law, a report entitled "Privacy Office Fourth Quarter Fiscal Year 2010 Report to Congress"; to the Committee on Homeland Security and Governmental Affairs.

EC-7887. A communication from the Chairman, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the Inspector General's Semiannual Report for the six-month period from April 1, 2010, through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7888. A communication from the Department of State, transmitting, pursuant to law, a report relative to foreign terrorist organizations (OSS Control No. 2010-1762); to the Committee on the Judiciary.

EC-7889. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the New Mexico Advisory Committee; to the Committee on the Judiciary.

EC-7890. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Fiscal Year 2009 Annual Report to Congress for the Office of Justice Programs; to the Committee on the Judiciary.

EC-7891. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, as amended for the six months ending December 31, 2009"; to the Committee on the Judiciary.

EC-7892. A communication from the Deputy General Counsel, Office of Hearings and Appeals, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Rules of Procedure Governing Cases Before the Office of Hearings and Appeals" (RIN3245-AG09), received during adjournment of the Senate in the Office of the President of the Senate on November 2, 2010; to the Committee on Small Business and Entrepreneurship.

EC-7893. A communication from the Deputy General Counsel, Office of Surety Guarantees, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Surety Bond Guarantee Program; Size Standards" (RIN3245-AG10), received during adjournment of the Senate in the Office of the President of the Senate on November 2, 2010; to the Committee on Small Business and Entrepreneurship.

EC-7894. A communication from the Deputy General Counsel, Office of Size Standards, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Standards: Retail Trade" (RIN3245-AF69), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Small Business and Entrepreneurship.

EC-7895. A communication from the Deputy General Counsel, Office of Size Standards, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Standards: Accommodation and Food Services Industries" (RIN3245-AF71), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Small Business and Entrepreneurship.

EC-7896. A communication from the Deputy General Counsel, Office of Size Standards, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Standards: Other Services" (RIN3245-AF70), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Small Business and Entrepreneurship.

EC-7897. A communication from the Deputy General Counsel, Office of Financial Assistance, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Immediate Disaster Assistance Program" (RIN3245-AG00), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Small Business and Entrepreneurship.

EC-7898. A communication from the Deputy Director of Regulations Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Supportive Services for Veteran Families Program" (RIN2900-AN53), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Veterans' Affairs.

EC-7899. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a quarterly report to Congress relative to the Uniformed Services Employment and Reemployment Rights Act of 1994; to the Committee on Veterans' Affairs.

EC-7900. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca S.A. ARRIEL 2B Turboshaft Engines" ((RIN2120-AA64)-(Docket No. FAA-2005-21624)), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7901. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Gulfstream Aerospace LP (Type Certificate Previously Held by Israel Aircraft Industries, Ltd.) Model Galaxy and Gulfstream 200 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0555)), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7902. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France (ECF) Model SA-365N1, AS-365N2, AS 365N3, EC 155B, and EC155B1 Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-0426)), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7903. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-120, -120ER, -120FC, -120QC, and -120RT Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0715)), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7904. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law,

the report of a rule entitled "Airworthiness Directives; Turbomeca Arriel 1 Series Turboshaft Engines" ((RIN2120-AA64)-(Docket No. FAA-2010-0710)), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7905. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; GROB-WERKE Model G120A Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0926)), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7906. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce Corporation (RRC) AE 3007A Series Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2009-0811)), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 817. A bill to establish a Salmon Stronghold Partnership program to conserve wild Pacific salmon and for other purposes (Rept. No. 111-348).

S. 2859. A bill to reauthorize the Coral Reef Conservation Act of 2000, and for other purposes (Rept. No. 111-349).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. COCHRAN (for himself and Mr. WICKER):

S. 3947. A bill to direct the Secretary of the Interior to convey to the State of Mississippi 2 parcels of surplus land within the boundary of the Natchez Trace Parkway, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BINGAMAN (for himself, Mr. CRAPO, and Mr. KERRY):

S. 3948. A bill to amend the Internal Revenue Code of 1986 to modify certain rules applicable to regulated investment companies, and for other purposes; to the Committee on Finance.

By Mr. CARDIN (for himself and Ms. MIKULSKI):

S. 3949. A bill to amend the Chesapeake and Ohio Canal Development Act to extend to the Chesapeake and Ohio Canal National Historical Park Commission; to the Committee on Energy and Natural Resources.

By Mr. KERRY (for himself, Mr. DODD, Mr. CASEY, and Mr. BINGAMAN):

S. 3950. A bill to amend title XVIII of the Social Security Act to provide for the application of a consistent Medicare part B premium for all Medicare beneficiaries for 2011; to the Committee on Finance.

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

S. 3951. A bill to authorize United States participation in, and appropriations for, the United States contribution to the ninth replenishment of the resources of the Asian Development Fund and the United States subscription to the fifth general capital increase of the Asian Development Bank; to the Committee on Foreign Relations.

By Mr. COCHRAN (for himself and Mr. WICKER):

S. 3952. A bill to authorize the acquisition of core battlefield land at Champion Hill, Port Gibson, and Raymond for addition to Vicksburg National Military Park; to the Committee on Energy and Natural Resources.

By Mr. AKAKA:

S. 3953. A bill to amend title 38, United States Code, to provide benefits for children with spina bifida of veterans exposed to herbicides while serving in the Armed Forces during the Vietnam era outside Vietnam, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CASEY:

S. 3954. A bill to improve air cargo security; to the Committee on Commerce, Science, and Transportation.

By Mr. BEGICH:

S. 3955. A bill to amend title 10, United States Code, to authorize space-available travel on military aircraft for members of the reserve components, a member or former member of a reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents; to the Committee on Armed Services.

By Mr. BEGICH:

S. 3956. A bill to amend title 10, United States Code, to permit the use of commissary and exchange facilities by former members of the Armed Forces who were retired or separated for physical disability; to the Committee on Armed Services.

By Mr. REED (for himself and Mr. WHITEHOUSE):

S. 3957. A bill to establish a medical education trust fund, and for other purposes; to the Committee on Finance.

By Mr. WYDEN (for himself and Mr. BROWN of Massachusetts):

S. 3958. A bill to allow an earlier start for State health care coverage innovation waivers under the Patient Protection and Affordable Care Act; to the Committee on Finance.

By Mrs. McCASKILL:

S. 3959. A bill to eliminate the preferences and special rules for Alaska Native Corporations under the program under section 8(a) of the Small Business Act; to the Committee on Small Business and Entrepreneurship.

By Mr. LAUTENBERG (for himself, Mr. WYDEN, and Mr. MENENDEZ):

S. 3960. A bill to prevent harassment at institutions of higher education, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LIEBERMAN (for himself and Ms. COLLINS):

S. 3961. A bill to amend the E-Government Act of 2002 (44 U.S.C. 3501 note) to reform the electronic rulemaking process; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DURBIN (for himself, Mr. LEAHY, and Mr. LUGAR):

S. 3962. A bill to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children and for other purposes; read the first time.

By Mr. DURBIN (for himself, Mr. LEAHY, and Mr. LUGAR):

S. 3963. A bill to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children and for other purposes; read the first time.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. CASEY (for himself and Mr. SPECTER):

S. Res. 678. A resolution congratulating the Penn State Nittany Lions for their 400th win under head football coach Joe Paterno; to the Committee on the Judiciary.

By Mr. GREGG (for himself and Mrs. SHAHEEN):

S. Res. 679. A resolution commemorating the 100th anniversary of the Weeks Law; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. KERRY (for himself, Mr. BINGAMAN, Ms. SNOWE, Mr. CARDIN,

Mr. WHITEHOUSE, and Mr. MERKLEY):

S. Res. 680. A resolution supporting international tiger conservation efforts and the upcoming Global Tiger Summit in St. Petersburg, Russia; to the Committee on Foreign Relations.

By Mrs. SHAHEEN (for herself and Ms. SNOWE):

S. Res. 681. A resolution designating the week of November 15 through 19, 2010, as "Global Entrepreneurship Week/USA"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 325

At the request of Mr. PRYOR, his name was added as a cosponsor of S. 325, a bill to amend section 845 of title 18, United States Code, relating to explosives, to grant the Attorney General exemption authority.

S. 446

At the request of Mr. SPECTER, the names of the Senator from Alaska [Mr. BEGICH] and the Senator from Montana [Mr. TESTER] were added as cosponsors of S. 446, a bill to permit the televising of Supreme Court proceedings.

S. 535

At the request of Mr. NELSON of Florida, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 535, a bill to amend title 10, United States Code, to repeal requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 1216

At the request of Ms. KLOBUCHAR, the name of the Senator from Georgia [Mr. ISAKSON] was added as a cosponsor of S. 1216, a bill to amend the Consumer Product Safety Act to require residential carbon monoxide detectors to meet the applicable ANSI/UL standard by treating that standard as a consumer product safety rule, to encourage States to require the installation of such detectors in homes, and for other purposes.

S. 1547

At the request of Mr. REED, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 1547, a bill to amend title 38, United States Code, and the United States Housing Act of 1937 to enhance and expand the assistance provided by the Department of Veterans Affairs and the Department of Housing and Urban Development to homeless veterans and veterans at risk of homelessness, and for other purposes.

S. 1548

At the request of Mr. BARRASSO, his name was added as a cosponsor of S. 1548, a bill to improve research, diagnosis, and treatment of musculoskeletal diseases, conditions, and injuries, to conduct a longitudinal study on aging, and for other purposes.

S. 1553

At the request of Mr. GRASSLEY, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1619

At the request of Mr. DODD, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 1619, a bill to establish the Office of Sustainable Housing and Communities, to establish the Interagency Council on Sustainable Communities, to establish a comprehensive planning grant program, to establish a sustainability challenge grant program, and for other purposes.

S. 1695

At the request of Mr. BURRIS, the name of the Senator from Missouri [Mrs. MCCASKILL] was added as a cosponsor of S. 1695, a bill to authorize the award of a Congressional gold medal to the Montford Point Marines of World War II.

S. 1703

At the request of Mr. DORGAN, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 1703, a bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from Mississippi [Mr. WICKER] was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 2740

At the request of Mrs. MURRAY, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 2740, a bill to establish a comprehensive literacy program.

S. 2747

At the request of Mr. BINGAMAN, the names of the Senator from Pennsylvania [Mr. CASEY] and the Senator from Washington [Ms. CANTWELL] were added as cosponsors of S. 2747, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 3036

At the request of Mr. BAYH, the name of the Senator from North Carolina [Mr. BURR] was added as a cosponsor of S. 3036, a bill to establish the Office of the National Alzheimer's Project.

S. 3181

At the request of Mr. BROWNBACK, the name of the Senator from Oklahoma [Mr. INHOFE] was added as a cosponsor of S. 3181, a bill to protect the rights of consumers to diagnose, service, maintain, and repair their motor vehicles, and for other purposes.

S. 3183

At the request of Mr. WYDEN, the name of the Senator from Kansas [Mr. ROBERTS] was added as a cosponsor of S. 3183, a bill to amend the Internal Revenue Code of 1986 to extend the nonbusiness energy property credit to roofs with pigmented coatings which meet Energy Star program requirements.

S. 3234

At the request of Mrs. MURRAY, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 3234, a bill to improve employment, training, and placement services furnished to veterans, especially those serving in Operation Iraqi Freedom and Operation Enduring Freedom, and for other purposes.

S. 3260

At the request of Mr. HARKIN, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 3260, a bill to enhance and further research into the prevention and treatment of eating disorders, to improve access to treatment of eating disorders, and for other purposes.

S. 3320

At the request of Mr. WHITEHOUSE, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 3320, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 3329

At the request of Mr. LAUTENBERG, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3329, a bill to provide triple credits for renewable energy on brownfields, and for other purposes.

S. 3390

At the request of Mr. FRANKEN, the name of the Senator from Colorado [Mr. UDALL] was added as a cosponsor of S. 3390, a bill to end the discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 3398

At the request of Mr. BAUCUS, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 3398, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans.

S. 3424

At the request of Mr. DURBIN, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 3424, a bill to

amend the Animal Welfare Act to provide further protection for puppies.

S. 3642

At the request of Mrs. BOXER, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 3642, a bill to ensure that the underwriting standards of Fannie Mae and Freddie Mac facilitate the use of property assessed clean energy programs to finance the installation of renewable energy and energy efficiency improvements.

S. 3678

At the request of Mr. LAUTENBERG, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 3678, a bill to improve mental health services for members of the National Guard and Reserve deployed in connection with a contingency operation, and for other purposes.

S. 3695

At the request of Mr. MENENDEZ, the name of the Senator from Illinois [Mr. BURRIS] was added as a cosponsor of S. 3695, a bill to fight criminal gangs.

S. 3706

At the request of Ms. STABENOW, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 3706, a bill to extend unemployment insurance benefits and cut taxes for businesses to create hiring incentives, and for other purposes.

S. 3709

At the request of Mr. WHITEHOUSE, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 3709, a bill to amend the Public Health Services Act and the Social Security Act to extend health information technology assistance eligibility to behavioral health, mental health, and substance abuse professionals and facilities, and for other purposes.

S. 3727

At the request of Ms. KLOBUCHAR, the name of the Senator from Georgia [Mr. CHAMBLISS] was added as a cosponsor of S. 3727, a bill to amend title 18, United States Code, with respect to the offense of stalking.

S. 3735

At the request of Mrs. LINCOLN, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 3735, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve the use of certain registered pesticides.

S. 3739

At the request of Mr. CASEY, the names of the Senator from New York [Mr. SCHUMER] and the Senator from Massachusetts [Mr. KERRY] were added as cosponsors of S. 3739, a bill to amend the Safe and Drug-Free Schools and Communities Act to include bullying and harassment prevention programs.

S. 3813

At the request of Mr. BINGAMAN, the names of the Senator from North Dakota [Mr. CONRAD] and the Senator from Pennsylvania [Mr. SPECTER] were added as cosponsors of S. 3813, a bill to amend the Public Utility Regulatory Policies Act of 1978 to establish a Federal renewable electricity standard, and for other purposes.

S. 3829

At the request of Mr. GRAHAM, the name of the Senator from South Dakota [Mr. THUNE] was added as a cosponsor of S. 3829, a bill to repeal the CLASS Act.

S. 3833

At the request of Mrs. GILLIBRAND, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 3833, a bill to amend the National Environmental Education Act to update, streamline, and modernize that Act, and for other purposes.

S. 3842

At the request of Mr. LEAHY, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 3842, a bill to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes.

S. 3846

At the request of Ms. COLLINS, the names of the Senator from New Jersey [Mr. MENENDEZ] and the Senator from New Mexico [Mr. UDALL] were added as cosponsors of S. 3846, a bill to establish a temporary prohibition on termination coverage under the TRICARE program for age of dependents under the age of 26 years.

S. 3865

At the request of Mr. BROWN of Ohio, the name of the Senator from South Carolina [Mr. GRAHAM] was added as a cosponsor of S. 3865, a bill to facilitate nationwide availability of volunteer income tax assistance for low-income and underserved populations, and for other purposes.

S. 3874

At the request of Mrs. BOXER, the names of the Senator from Tennessee [Mr. ALEXANDER] and the Senator from Rhode Island [Mr. WHITEHOUSE] were added as cosponsors of S. 3874, a bill to amend the Safe Drinking Act to reduce lead in drinking water.

S. 3881

At the request of Mr. CARDIN, the name of the Senator from Mississippi [Mr. WICKER] was added as a cosponsor of S. 3881, a bill to require the Secretary of State to identify individuals responsible for the detention, abuse, or death of Sergei Magnitsky or for the conspiracy to defraud the Russian Federation of taxes on corporate profits through fraudulent transactions and lawsuits against Hermitage, and to impose a visa ban and certain financial measures with respect to such individuals, until the Russian Federation has thoroughly investigated the death of Sergei Magnitsky and brought the Russian criminal justice system into compliance with international legal standards, and for other purposes.

S. 3901

At the request of Mr. HATCH, the name of the Senator from Kansas [Mr. ROBERTS] was added as a cosponsor of S. 3901, a bill to promote enforcement of immigration laws and for other purposes.

S. 3914

At the request of Mrs. MURRAY, the names of the Senator from South Dakota [Mr. THUNE] and the Senator from Missouri [Mrs. MCCASKILL] were added as cosponsors of S. 3914, a bill to amend title VIII of the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to complete payments under such title to local educational agencies eligible for such payments within 3 fiscal years.

S. 3923

At the request of Mr. SANDERS, the name of the Senator from Florida [Mr. NELSON] was added as a cosponsor of S. 3923, a bill to amend the Public Utility Regulatory Policies Act of 1978 to clarify the authority of States to adopt renewable energy incentives.

S. 3924

At the request of Mr. CORNYN, the names of the Senator from South Dakota [Mr. THUNE], the Senator from South Carolina [Mr. DEMINT] and the Senator from Oklahoma [Mr. COBURN] were added as cosponsors of S. 3924, a bill to promote transparency and accountability concerning the implementation of the Patient Protection and Affordable Care Act.

S. 3925

At the request of Mr. BINGAMAN, the names of the Senator from Rhode Island [Mr. WHITEHOUSE], the Senator from Wisconsin [Mr. FEINGOLD], the Senator from Oregon [Mr. MERKLEY], the Senator from Washington [Ms. CANTWELL] and the Senator from Michigan [Ms. STABENOW] were added as cosponsors of S. 3925, a bill to amend the Energy Policy and Conservation Act to improve the energy efficiency of, and standards applicable to, certain appliances and equipment, and for other purposes.

S. 3928

At the request of Mr. INOUYE, the names of the Senator from Maine [Ms. SNOWE] and the Senator from Louisiana [Mr. VITTER] were added as cosponsors of S. 3928, a bill to strengthen Federal consumer product safety programs and activities with respect to commercially-marketed seafood by directing the Secretary of Commerce to coordinate with the Federal Trade Commission and other appropriate Federal agencies to strengthen and coordinate those programs and activities.

S. 3932

At the request of Mr. MENENDEZ, the name of the Senator from Pennsylvania [Mr. SPECTER] was added as a cosponsor of S. 3932, a bill to provide comprehensive immigration reform, and for other purposes.

S. 3942

At the request of Mr. TESTER, the names of the Senator from New Hampshire [Mrs. SHAHEEN] and the Senator from Alaska [Ms. MURKOWSKI] were added as cosponsors of S. 3942, a bill to amend the Arms Export Control Act to provide that certain firearms listed as curios or relics may be imported into the United States by a licensed importer without obtaining authorization from the Department of State or the Department of Defense, and for other purposes.

S. 3946

At the request of Mr. BAUCUS, the names of the Senator from Minnesota [Ms. KLOBUCHAR], the Senator from Nebraska [Mr. NELSON] and the Senator from Maryland [Mr. CARDIN] were added as cosponsors of S. 3946, a bill to repeal the expansion of information reporting requirements for payments of $600 or more to corporations, and for other purposes.

SENATE CONCURRENT RESOLUTION 63

At the request of Mr. JOHNSON, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of Senate Concurrent Resolution 63, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

SENATE RESOLUTION 676

At the request of Mrs. SHAHEEN, the names of the Senator from North Dakota [Mr. DORGAN], the Senator from New Jersey [Mr. LAUTENBERG], the Senator from Montana [Mr. TESTER] and the Senator from South Dakota [Mr. JOHNSON] were added as cosponsors of Senate Resolution 676, a resolution supporting the goals and ideals of American Diabetes Month.

SENATE RESOLUTION 677

At the request of Mr. CARPER, the names of the Senator from Georgia [Mr. CHAMBLISS], the Senator from Georgia [Mr. ISAKSON] and the Senator from Colorado [Mr. UDALL] were added as cosponsors of Senate Resolution 677, a resolution to express the sense of the Senate regarding the importance of recycling and the inception of recycling on the National Mall.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. LEAHY,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, November 17, 2010, at 4 p.m.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on November 17, 2010, at 9:30 a.m., in room 253 of the Russell Senate Office Building.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works be authorized to meet during the session of the Senate on November 17, 2010, at 10 a.m., in room 406 of the Dirksen Senate Office Building.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on November 17, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Strengthening Medicare and Medicaid: Taking Steps to Modernize America's Health Care System."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on November 17, 2010, at 9:30 a.m.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on November 17, 2010.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on November 17, 2010, at 10 a.m., to conduct a hearing entitled "Securing Critical Infrastructure in the Age of Stuxnet."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on November 17, 2010, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Judicial and Executive Nominations."

SUBCOMMITTEE ON COMMUNICATIONS, TECHNOLOGY, AND THE INTERNET

The Subcommittee on Communications, Technology, and the Internet of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on November 17, 2010, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 9:36 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 6397. An act to amend section 101(a)-(35) of the Immigration and Nationality Act to provide for a marriage for which the parties are not physically in the presence of each other due to service abroad in the Armed Forces of the United States.

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

S. 1376. An act to restore immunization and sibling age exemptions for children adopted by United States citizens under the Hague Convention on Intercountry Adoption to allow their admission into the United States.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 328. Concurrent resolution expressing the sense of the Congress regarding the successful and substantial contributions of the amendments to the patent and trademark laws that were initially enacted in 1980 by Public Law 96-517 (commonly referred to as the "Bayh-Dole Act") on the occasion of the 30th anniversary of its enactment.

The message also announced that the House has passed the following bill with amendments, in which it requests the concurrence of the Senate:

S. 3689. An act to clarify, improve, and correct the laws relating to copyrights.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 5566) to amend title 18, United States Code, to prohibit interstate commerce in animal crush videos, and for other purposes, with an amendment, in which it requests the concurrence of the Senate.

The message also announced that pursuant to Section 1002 of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107-306) as amended by section 701(a)(3) of the Intelligence Authorization Act for Fiscal Year 2010 (Public Law 111-259), and the other of the House of January 6, 2009, the Speaker appointed the following member on the part of the House of

Representatives to the National Commission for the Review of the Research and Development Programs of the United States Intelligence Community: Mr. Maurice Sonnenberg of New York, NY.

At 12:28 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5367. An act to amend title 11, District of Columbia Official Code, to revise certain administrative authorities of the District of Columbia courts, to authorize the District of Columbia Public Defender Service to provide professional liability insurance for officers and employees of the Service for claims relating to services furnished within the scope of employment with the service, and for other purposes.

H.R. 5655. An act to designate the Little River Branch facility of the United States Postal Service located at 140 NE 84th Street in Miami, Florida, as the “Jesse J. McCrary, Jr. Post Office”.

H.R. 5702. An act to amend the District of Columbia Home Rule Act to reduce the waiting period for holding special elections to fill vacancies in local offices in the District of Columbia.

H.R. 6237. An act to designate the facility of the United States Postal Service located at 1351 2nd Street in Napa, California, as the “Tom Kongsgaard Post Office Building”.

H.R. 6278. An act to amend the National Children’s Island Act of 1995 to expand allowable uses for Kingman and Heritage Islands by the District of Columbia, and for other purposes.

H.R. 6387. An act to designate the facility of the United States Postal Service located at 337 West Clark Street in Eureka, California, as the “Sam Sacco Post Office Building”.

H.R. 6399. An act to improve certain administrative operations of the Office of the Architect of the Capitol, and for other purposes.

The message further announced that the House has passed the following bill and joint resolution, without amendment:

S. 3567. An act to designate the facility of the United States Postal Service located at 100 Broadway in Lynbrook, New York, as the “Navy Corpsman Jeffry L. Wiener Post Office Building”.

S.J. Res. 40. Joint resolution appointing the day for the convening of the first session of the One Hundred Twelfth Congress.

At 6:57 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 332. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

The message also announced that the House having proceeded to reconsider the bill (H.R. 3808) to require any Federal or State court to recognize any notarization made by a notary public licensed by a State other than the State where the court is located when such notarization occurs in or affects interstate commerce, returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was resolved, that the said bill do not pass, two-thirds of the House of Representatives not agreeing to pass the same.

HOUSE BILLS AND CONCURRENT RESOLUTION REFERRED

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

H.R. 5655. An act to designate the Little River Branch facility of the United States Postal Service located at 140 NE 84th Street in Miami, Florida, as the "Jesse J. McCrary, Jr. Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6237. An act to designate the facility of the United States Postal Service located at 1351 2nd Street in Napa, California, as the "Tom Kongsgaard Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6387. An act to designate the facility of the United States Postal Service located at 337 West Clark Street in Eureka, California, as the "Sam Sacco Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6399. An act to improve certain administrative operations of the Office of the Architect of the Capitol, and for other purposes; to the Committee on Rules and Administration.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 328. Concurrent resolution expressing the sense of the Congress regarding the successful and substantial contributions of the amendments to the patent and trademark laws that were initially enacted in 1980 by Public Law 96-517 (commonly referred to as the "Bayh-Dole Act") on the occasion of the 30th anniversary of its enactment; to the Committee on the Judiciary.

MOTION TO PROCEED TO CONSIDER BILL S. 3772

The hour of 11 a.m. having passed,

Pursuant to the order of today, as modified,

The PRESIDING OFFICER (Mr. BENNET in the chair) laid before the Senate the motion, made by Mr. REID on Wednesday, September 29, 2010, that the Senate proceed to consider the bill (S. 3772) to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; and

The Senate resumed consideration of the motion to proceed.

The question being on agreeing to the motion.

The PRESIDING OFFICER laid before the Senate the motion, presented by Mr. REID on Wednesday, September 29, 2010, to bring to a close debate on the motion to proceed to consider bill S. 3772.

Pursuant to the order of Wednesday, September 29, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the negative---
yeas... 58, nays... 41

[Rollcall Vote No. 249 Leg.]

YEAS --- 58

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Conrad, Coons, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, Manchin, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 41

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Nelson (NE), Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was not agreed to; three-fifths of Senators duly chosen and sworn not having voted in the affirmative.

MOTION TO PROCEED TO CONSIDER BILL S. 510

The PRESIDING OFFICER laid before the Senate the motion, presented by Mr. REID on Wednesday, September 29, 2010, to bring to a close debate on the motion to proceed to consider the bill (S. 510) to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply.

Pursuant to the order of Wednesday, September 29, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

Pursuant to the order of today, as modified,

The question being taken.

It was determined in the affirmative---
yeas... 74, nays... 25

[Rollcall Vote No. 250 Leg.]

YEAS --- 74

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (MA), Brown (OH), Burr, Burris, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Coons, Corker, Dodd, Dorgan, Durbin, Enzi, Feingold, Feinstein, Franken, Gillibrand, Grassley, Gregg, Hagan, Harkin, Inouye, Johanns, Johnson, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lincoln, Lugar, Manchin, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS --- 25

Bennett, Bond, Brownback, Bunning, Chambliss, Coburn, Cochran, Cornyn, Crapo, DeMint, Ensign, Graham, Hatch, Hutchison, Inhofe, Isakson, Kyl, McCain, McConnell, Nelson (NE), Risch, Roberts, Sessions, Shelby, Wicker.

So the motion was agreed to; three-fifths of Senators duly chosen and sworn not having voted in the affirmative.

The question being on agreeing to the motion to proceed to consider bill S. 510.

Pending debate,

RECESS

Pursuant to the order of yesterday, as modified,

At 12:37 p.m.,

The PRESIDING OFFICER (Mr. BURRIS in the chair) declared the Senate recessed until 4 p.m.

AT 4 P.M.

The PRESIDING OFFICER (Mr. FRANKEN in the chair) called the Senate to order.

MOTION TO PROCEED TO CONSIDER BILL S. 510

The Senate resumed consideration of the motion to proceed to consider bill S. 510.

The question being on agreeing to the motion.

Pending debate,

ASIAN CARP PREVENTION AND CONTROL ACT

By unanimous consent, on the request of Mr. WHITEHOUSE,

The Senate proceeded to consider the bill (S. 1421) to amend section 42 of title 18, United States Code, to prohibit the importation and shipment of certain species of carp.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "GLOBAL ENTREPRENEURSHIP WEEK/USA"

On the request of Mr. WHITEHOUSE,

The PRESIDING OFFICER (Mr. BEGICH in the chair) laid before the Senate the resolution (S. Res. 681) designating the week of November 15 through 19, 2010, as "Global Entrepreneurship Week/USA", submitted today by Mrs. SHAHEEN (for herself and Ms. COLLINS), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period of one hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; that the time therein be equally divided and controlled for debate between the two leaders, or their designees; that the minority control the first half therein, and the majority control the second half therein; and that, following morning business, the Senate resume consideration of the motion to proceed to consider bill S. 510.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 3 p.m.

Ordered further, That time in adjournment, recess, or morning business be counted against time for debate pursuant to rule XXII of the Standing Rules of the Senate.

BILL READ THE FIRST TIME

On the request of Mr. WHITEHOUSE,

The PRESIDING OFFICER laid before the Senate the bill (S. 3962) to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children and for other purposes, introduced today by Mr. DURBIN (for himself, Mr. LEAHY, and Mr. LUGAR), and at the desk; which was read the first time.

Mr. WHITEHOUSE asked unanimous consent that the bill be read the second time.

Mr. WHITEHOUSE objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

BILL READ THE FIRST TIME

On the request of Mr. WHITEHOUSE,

The PRESIDING OFFICER laid before the Senate the bill (S. 3963) to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children and for other purposes, introduced today by Mr. DURBIN (for himself, Mr. LEAHY, and Mr. LUGAR), and at the desk; which was read the first time.

Mr. WHITEHOUSE asked unanimous consent that the bill be read the second time.

Mr. WHITEHOUSE objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

ADJOURNMENT

By unanimous consent, on the request of Mr. WHITEHOUSE,

At 6:58 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

THURSDAY, NOVEMBER 18, 2010

Mrs. KIRSTEN E. GILLIBRAND, from the State of New York, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mrs. GILLIBRAND led the Senate in

reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, November 18, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mrs. GILLIBRAND took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3962) to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children and for other purposes, introduced on yesterday by Mr. DURBIN (for himself, Mr. LEAHY, and Mr. LUGAR), and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3963) to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children and for other purposes, introduced on yesterday by Mr. DURBIN (for himself, Mr. LEAHY, and Mr. LUGAR), and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-7907. A communication from the Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Competitive and Noncompetitive Nonformula Federal Assistance Programs - Administrative Provisions for the Sun Grant Program" (RIN0524-AA64), received in the Office of the President of the Senate on November 16, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7908. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Isoxaben; Pesticide Tolerances" (FRL No. 8845-6), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7909. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Rear Admiral Robert B. Murrett, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-7910. A communication from the Secretary of the Navy, transmitting, pursuant to law, a report relative to competitive procedures and the authorization of awarding a contract for short-term dry-docking depot level repair and maintenance availabilities of FFG/DDG ships homeported in the Puget Sound area of Washington from FY 2011 through FY 2015 to Todd Pacific Shipyard; to the Committee on Armed Services.

EC-7911. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency with respect to Iran that was originally declared in Executive Order 12170 on November 14, 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC-7912. A communication from the Deputy Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Syria that was declared in Executive Order 13338 of May 11, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-7913. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Switzerland; to the Committee on Banking, Housing, and Urban Affairs.

EC-7914. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to the Republic of Colombia; to the Committee on Banking, Housing, and Urban Affairs.

EC-7915. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Mortgage Loan Transfer Disclosures" (Docket No. R-1378), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7916. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Electronic Fund Transfers; Interim Rule" (Docket No. R-1377), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7917. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Regulation Z (Truth in Lending) Interim Rule; Request for Public Comment" (Docket No. R-1366), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7918. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "12 CFR Part 226 Regulation Z - Truth in

Lending" (Docket No. R-1384), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-7919. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Acquisition Regulation: Socioeconomic Programs" (RIN1991-AB87), received in the Office of the President of the Senate on November 16, 2010; to the Committee on Energy and Natural Resources.

EC-7920. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Acquisition Regulation: Agency Supplementary Regulations" (RIN1991-AB91), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Energy and Natural Resources.

EC-7921. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Threatened Status for the Southern District Population Segment of the Spotted Seal" (RIN0648-XR74), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Environment and Public Works.

EC-7922. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; New York, New Jersey, and Connecticut; Determination of Attainment of the 1997 Fine Particle Standard" (FRL No. 9225-6), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Environment and Public Works.

EC-7923. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; Excess Emissions During Startup, Shutdown, Maintenance, and Malfunction Activities" (FRL No. 9223-2), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Environment and Public Works.

EC-7924. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; Emissions Banking and Trading of Allowances Program" (FRL No. 9226-3), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Environment and Public Works.

EC-7925. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Mandatory Reporting of Greenhouse Gases: Petroleum and Natural Gas Systems" (FRL No. 9226-1), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Environment and Public Works.

EC-7926. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Capitalization v. Repairs Audit Techniques Guide" (LBandI-4-0910-023), received in the Office of the President of the Senate on November 16, 2010; to the Committee on Finance.

EC-7927. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice No. 2010-76), received in the Office of the President of the Senate on November 16, 2010; to the Committee on Finance.

EC-7928. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "VERITAS Software Corp. v. Commissioner, 133 T.C. No. 14" (AOD 2010-49), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Finance.

EC-7929. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Withdrawal of Determination of Average Manufacturer Price, Multiple Source Drug Definition, and Upper Limits for Multiple Source Drugs (CMS-2238-F2)" (RIN0938-AP67), received in the Office of the President of the Senate on November 16, 2010; to the Committee on Finance.

EC-7930. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2010 through September 30, 2010 and the Inspector General's Compendium of Unimplemented Recommendations; to the Committee on Homeland Security and Governmental Affairs.

EC-7931. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7932. A communication from the Director, Congressional Affairs, Federal Election Commission, transmitting, pursuant to law, a report entitled "Federal Election Commission 2010 Performance and Accountability Report"; to the Committee on Homeland Security and Governmental Affairs.

EC-7933. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Public-Private Development Project Compliance with Certified Business Enterprise Goals through the 2nd Quarter of Fiscal Year 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-7934. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Audit of the Office of the People's Counsel Agency Fund for Fiscal Year 2005"; to the Committee on Homeland Security and Governmental Affairs.

EC-7935. A communication from the Counsel for Regulatory and External Affairs, Federal Labor Relations Authority, transmitting, pursuant to law, the report of a rule entitled "Employee Responsibilities and Conduct; Enforcement of Nondiscrimination in Programs or Activities; Filing Procedures" (5 CFR Parts 2415, 2416, 2424, and 2429), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7936. A communication from the Archivist of the United States, National Archives and Records Administration, transmitting, pursuant to law, a report relative to the Administration's Fiscal Year 2010 Commercial Activities Inventory and Inherently Governmental Inventory; to the Committee on Homeland Security and Governmental Affairs.

EC-7937. A communication from the Counsel for Regulatory and External Affairs, Federal Labor Relations Authority, transmitting, pursuant to law, the report of a

rule entitled "Enforcement of Nondiscrimination on the Basis of Disability in Programs or Activities Conducted by the Federal Labor Relations Authority; Correction" (5 CFR Part 2416), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7938. A communication from the Counsel for Regulatory and External Affairs, Federal Labor Relations Authority, transmitting, pursuant to law, the report of a rule entitled "Unfair Labor Practice Proceedings" (5 CFR Part 2423), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7939. A communication from the Counsel for Regulatory and External Affairs, Federal Labor Relations Authority, transmitting, pursuant to law, the report of a rule entitled "Review of Arbitration Awards; Miscellaneous and General Requirements" (5 CFR Parts 2425 and 2429), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7940. A communication from the Counsel for Regulatory and External Affairs, Federal Labor Relations Authority, transmitting, pursuant to law, the report of a rule entitled "Availability of Official Information" (5 CFR Part 2411), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7941. A communication from the Senior Procurement Executive, Office of Governmentwide Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Travel Regulation (FTR); Terms and Definitions for 'Dependent', 'Domestic Partner', 'Domestic Partnership', and 'Immediate Family' " (RIN3090-AJ06), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-7942. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-7943. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Mississippi River, Mile 212.0 to 214.5" ((RIN1625-AA00)-(Docket No. USCG-2010-0576)), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7944. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fireworks Displays, Potomac River, National Harbor, MD" ((RIN1625-AA00)(Docket No. USCG-2010-0776)), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7945. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Mississippi River, Mile 427.3 to 427.5" ((RIN1625-AA00)-(Docket No. USCG-2010-0703)), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7946. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Red Bull Flugtag, Delaware River, Camden, NJ" ((RIN1625-AA00)(Docket No. USCG-2010-0728)), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7947. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Olympia Harbor Days Tug Boat Races, Budd Inlet, WA" ((RIN1625-AA00)(Docket No. USCG-2010-0799)), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7948. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Potomac River, St. Mary's River, St. Inigoes, MD" ((RIN1625-AA00)(Docket No. USCG-2010-0719)), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7949. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; San Diego Harbor Shark Fest Swim; San Diego Bay, San Diego, CA" ((RIN1625-AA00)(Docket No. USCG-2010-0462)), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7950. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Ocean City Beachfront Air Show, Ocean City, NJ" ((RIN1625-AA00)(Docket No. USCG-2010-0817)), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7951. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Ohio River, Wheeling, WV, Wheeling Heritage Port Sternwheel Foundation Fireworks Display" ((RIN1625-AA00)(Docket No. USCG-2010-0723)), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7952. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; VERMILION 380A at Block 380 Outer Continental Shelf Fixed Platform in the Gulf of Mexico" ((RIN1625-AA00)(Docket No. USCG-2010-0857)), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7953. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Illinois River, Mile 000.5 to 001.5" ((RIN1625-AA00)-(Docket No. USCG-2010-0786)), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7954. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Raccoon Creek, Bridgeport, NJ" ((RIN1625-AA00)(Docket No. USCG-2010-0743)), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7955. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; NASSCO Launching of USNS Washington Chambers, San Diego Bay, San Diego, CA" ((RIN1625-

AA00)(Docket No. USCG-2010-0782)), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7956. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Revolution 3 Triathlon, Lake Erie and Sandusky Bay, Cedar Point, OH" ((RIN1625-AA00)(Docket No. USCG-2010-0791)), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7957. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; DEEPWATER HORIZON at Mississippi Canyon 252 Outer Continental Shelf MODU in the Gulf of Mexico" ((RIN1625-AA00)(Docket No. USCG-2010-0448)), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7958. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Thunder on the Bay, Chesapeake Bay, Buckroe Beach Park, Hampton, VA" ((RIN1625-AA00)(Docket No. USCG-2010-0755)), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7959. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Swim Events within the Sector New York Captain of the Port Zone" ((RIN1625-AA00)(Docket No. USCG-2010-0502)), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7960. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Taunton River, Fall River and Somerset, MA" ((RIN1625-AA09)(Docket No. USCG-2010-0234)), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7961. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Pequonnock River, Bridgeport, CT" ((RIN1625-AA09)(Docket No. USCG-2009-0787)), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7962. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Passaic River, Clifton, NJ" ((RIN1625-AA09)(Docket No. USCG-2010-0200)), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7963. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments, Sector Columbia River; Correction" ((RIN1625-AA00)(Docket No. USCG-2010-0351)), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7964. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation for Marine Events; Roanoke River, Plymouth, NC" ((RIN1625-AA08)(Docket No. USCG-2010-0756)), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7965. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone, Mackinac Bridge, Straits of Mackinac, Michigan" (Docket No. USCG-2010-0790), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7966. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; U.S. Coast Guard BSU Seattle, Pier 36, Seattle, WA" ((RIN1625-AA87)(Docket No. USCG-2010-0021)), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7967. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations, Sabine River; Orange, TX" ((RIN1625-AA08)(Docket No. USCG-2010-0518)), received in the Office of the President of the Senate on October 19, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7968. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Inseason; Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction" (RIN0648-XZ99), received in the Office of the President of the Senate on November 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7969. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Inshore Component in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XZ67), received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7970. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 of the Gulf of Alaska" (RIN0648-XZ84), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7971. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska" (RIN0648-XY88), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7972. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Inseason Action to Close the Commercial Non-Sandbar Large Coastal Shark Research Fishery" (RIN0648-XZ43), received during adjournment of the Senate in the Office of the President of the Senate on October 27, 2010;

to the Committee on Commerce, Science, and Transportation.

EC-7973. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Coast Groundfish Final Rule; Inseason Action; October 1, 2010 Changes to Commercial Trip Limits" (RIN0648-BA28), received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7974. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Surfclam and Ocean Quahog Fisheries; Suspension of Minimum Atlantic Surfclam Size Limit for Fishing Year 2011" (RIN0648-XZ16), received in the Office of the President of the Senate on November 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7975. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska" (RIN0648-XZ38), received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7976. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Final Rule to Implement Amendments 95 and 96 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area and Amendment 87 to the Fishery Management Plan for Groundfish of the Gulf of Alaska" (RIN0648-AY48), received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7977. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Amendment 94 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area for Modified Nonpelagic Trawl Gear" (RIN0648-AY34), received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7978. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Amendments to Fishing Capacity Reduction Framework" (RIN0648-AY79), received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7979. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Regulatory Amendment to the Fishery Management Plan for the Reef Fish Fishery Management Plan of Puerto Rico and the U.S. Virgin Islands Modifying the Bajo de Sico Seasonal Closure" (RIN0648-AY05), received in the Office of the President of the Senate on November 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7980. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Correcting Amendment to the Regulations for Framework 21 to the Atlantic Sea Scallop Fishery Management Plan" (RIN0648-BA08), received during adjournment of the Senate in the Office of the President of the Senate on November 2, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7981. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Adjustment to Fishing Year 2010 Georges Bank Yellowtail Flounder Total Allowable Catch" (RIN0648-AY29), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7982. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (61); Amdt. No. 3394" (RIN2120-AA65), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7983. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (27); Amdt. No. 3395" (RIN2120-AA65), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7984. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Amdt. No. 3396" (RIN2120-AA65), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7985. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (40); Amdt. No. 3397" (RIN2120-AA65), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7986. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (73); Docket No. 30745" (RIN2120-AA65), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7987. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (27); Docket No. 30746" (RIN2120-AA65), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7988. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Part 95 Instrument Flight Rules (156); Docket No. 30742" (RIN2120-AA63), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7989. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Crewmember Requirements When Passengers Are Onboard" ((RIN2120-AJ30)(Docket No. FAA-2009-0022)), received in the Office of the President of the Senate on November 10,

2010; to the Committee on Commerce, Science, and Transportation.

EC-7990. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Flightcrew Alerting" ((RIN2120-AJ35)(Docket No. FAA-2008-1292)), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7991. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Inclusion of Reference to Manual Requirements" ((RIN2120-AJ44)(Docket No. FAA-2006-25877)), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7992. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Re-registration and Renewal of Aircraft Registration; OMB Approval of Information Collection; Correction" ((RIN2120-AI89)(Docket No. FAA-2008-0188)), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7993. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airports/Locations; Special Operating Restrictions" ((RIN2120-AA66)(Docket No. FAA-2010-0995)), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7994. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class C Airspace, Establishment of Class D Airspace, and Modification of Class E Airspace; Columbus, GA" ((RIN2120-AA66)(Docket No. FAA-2010-0386)), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7995. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class E Airspace, Franklin, TX" ((RIN2120-AA66)(Docket No. FAA-2010-0603)), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7996. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation and Establishment of Class E Airspace; Northeast Alaska, AK" ((RIN2120-AA66)(Docket No. FAA-2010-0445)), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7997. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Tanana, AK" ((RIN2120-AA66)(Docket No. FAA-2010-0588)), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7998. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Unalakleet, AK" ((RIN2120-AA66)(Docket No. FAA-2010-0119)), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-7999. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Kalaupapa, HI" ((RIN2120-AA66)(Docket No. FAA-2010-0650)), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8000. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Port Clarence, AK" ((RIN2120-AA66)(Docket No. FAA-2010-0354)), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8001. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment to Class E Airspace; Smithfield, NC" ((RIN2120-AA66)(Docket No. FAA-2010-0911)), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8002. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Charleston, SC" ((RIN2120-AA66)(Docket No. FAA-2010-0817)), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8003. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and Class E Airspace; Klamath Falls, OR" ((RIN2120-AA66)(Docket No. FAA-2010-0651)), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8004. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Bamberg, SC" ((RIN2120-AA66)(Docket No. FAA-2010-0685)), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8005. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment and Establishment of Restricted Areas and Other Special Use Airspace, Razorback Range Airspace Complex, AR" ((RIN2120-AA66)-(Docket No. FAA-2009-1050)), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8006. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Williston, ND" ((RIN2120-AA66)(Docket No. FAA-2010-0407)), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8007. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class E Airspace; Chilicothe, MO"

((RIN2120-AA66)(Docket No. FAA-2010-0268)), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8008. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Youngstown, OH" ((RIN2120-AA66)(Docket No. FAA-2010-267)), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8009. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Boonville, MO" ((RIN2120-AA66)(Docket No. FAA-2010-0607)), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8010. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Kaiser/Lake Ozark, MO" ((RIN2120-AA66)(Docket No. FAA-2010-0604)), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8011. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Corpus Christi, TX" ((RIN2120-AA66)(Docket No. FAA-2010-0404)), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8012. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Searcy, AR" ((RIN2120-AA66)(Docket No. FAA-2009-1182)), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8013. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D and E Airspace; Establishment of Class E Airspace; Patuxent River, MD" ((RIN2120-AA66)(Docket No. FAA-2010-0428)), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8014. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Homestead, FL" ((RIN2120-AA66)(Docket No. FAA-2010-0429)), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8015. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Brewton, AL" ((RIN2120-AA66)(Docket No. FAA-2010-0777)), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8016. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class D Airspace; Miami Opa Locka Airport, FL, and Hollywood, FL" ((RIN2120-AA66)-(Docket No. FAA-2010-0816)), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8017. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Toledo, WA" ((RIN2120-AA66)(Docket No. FAA-2009-1189)), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8018. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Fillmore, UT" ((RIN2120-AA66)(Docket No. FAA-2009-1248)), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8019. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Wilcox, AZ" ((RIN2120-AA66)(Docket No. FAA-2010-0325)), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8020. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace and Amendment to Class D Airspace; Troutdale, OR" ((RIN2120-AA66)-(Docket No. FAA-2010-0393)), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8021. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class B Airspace; Chicago, IL" ((RIN2120-AA66)(Docket No. FAA-2010-0347)), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8022. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment and Modification of Class E Airspace; Deer Park, WA" ((RIN2120-AA66)(Docket No. FAA-2009-1136)), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8023. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Kwajalein Island, Marshall Islands, RMI" ((RIN2120-AA66)(Docket No. FAA-2010-0808)), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8024. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Pendleton, OR" ((RIN2120-AA66)(Docket No. FAA-2010-0616)), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8025. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; San Clemente, CA" ((RIN2120-AA66)(Docket No. FAA-2010-0619)), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8026. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Arco, ID" ((RIN2120-AA66)(Docket No. FAA-2010-0615)), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8027. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 and 440) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0482)), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8028. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200F, 747-300, 747-400, 747-400D, 747SP, and 747SR Series Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2010-0950)), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8029. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt and Whitney JT8D-9, -9A, -11, -15, -17, and -17R Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0514)), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 2991. A bill to amend title 31, United States Code, to enhance the oversight authorities of the Comptroller General, and for other purposes (Rept. No. 111-350).

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

S. 3167. A bill to amend title 13 of the United States Code to provide for a 5-year term of office for the Director of the Census and to provide for authority and duties of the Director and Deputy Director of the Census, and for other purposes (Rept. No. 111-351).

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and an amendment to the title:

S. 1183. A bill to authorize the Secretary of Agriculture to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, and for other purposes (Rept. No. 111-352).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 3650. A bill to amend chapter 21 of title 5, United States Code, to provide that fathers of certain permanently disabled or deceased veterans shall be included with mothers of such veterans as preference eligibles for treatment in the civil service.

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 3804. A bill to combat online infringement, and for other purposes.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. CASEY:

S. 3964. A bill to provide for an expedited response to emergencies related to oil or gas production or storage; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW:

S. 3965. A bill to amend title XVIII of the Social Security Act to ensure continued access to Medicare for seniors and people with disabilities and to TRICARE for America's military families; to the Committee on Finance.

By Mrs. SHAHEEN (for herself and Ms. COLLINS):

S. 3966. A bill to amend title III of the Public Health Service Act to provide for increased gestational diabetes research and to lower the rate of gestational diabetes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. LANDRIEU (for herself and Mr. CARDIN):

S. 3967. A bill to encourage investment in and innovation by small business concerns, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. DODD (for himself and Mr. CASEY):

S. 3968. A bill to establish a National Council on Children, and for other purposes; to the Committee on Health, Education, Labor, and Pensions

By Mr. BEGICH (for himself, Ms. MURKOWSKI, Mrs. MURRAY, and Mr. WYDEN):

S. 3969. A bill to amend the Federal Food, Drug, and Cosmetic Act to require labeling of genetically-engineered fish; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ:

S. 3970. A bill to establish a program under which the Administrator of the Environmental Protection Agency shall provide grants to eligible State consortia to establish and carry out municipal sustainability certification programs, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BEGICH (for himself, Ms. MURKOWSKI, and Mrs. MURRAY):

S. 3971. A bill to amend the Federal Food, Drug, and Cosmetic Act to prevent the approval of genetically-engineered fish; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARDIN (for himself, Mr. GRAHAM, and Mr. LEAHY):

S. 3972. A bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty; to the Committee on the Judiciary.

By Mr. VOINOVICH (for himself, Mr. CARPER, Mr. INHOFE, Mrs. BOXER, Ms. COLLINS, Mr. ALEXANDER, Ms. KLOBUCHAR, Mr. LUGAR, Mrs. GILLIBRAND, Mrs. SHAHEEN, Mr. TESTER, Mrs. FEINSTEIN, Mr. KERRY, Mr. BAUCUS, Mr. HARKIN, Mr. MERKLEY, Mr. LIEBERMAN, Mr. BROWN of Ohio, Mr. WHITEHOUSE, Mr. WYDEN, Ms. LANDRIEU, Mrs. HAGAN, Mr. WARNER, Mr. LAUTENBERG, Mr. CARDIN, Mr. FRANKEN, Mr. BURRIS, Mr. SCHUMER, Mr. DURBIN, and Mr. REED):

S. 3973. A bill to amend the Energy Policy Act of 2005 to reauthorize and modify provisions relating to the diesel emissions reduction program; to the Committee on Environment and Public Works.

By Mr. BROWNBACK (for himself, Mr. CORNYN, and Mr. BURR):

S. 3974. A bill to impose sanctions on individuals who are complicit in human

rights abuses committed against nationals of Vietnam or their family members, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DEMINT:

S. 3975. A bill to permanently extend the 2001 and 2003 tax relief provisions, and to permanently repeal the estate tax, and to provide permanent alternative minimum tax relief, and for other purposes; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent and Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. LEMIEUX:

S. Res. 682. A resolution commending the Children's Home Society of America; to the Committee on the Judiciary.

By Mr. KERRY (for himself, Mr. LUGAR, and Mrs. HAGAN):

S. Res. 683. A resolution recognizing the recent accomplishments of the people and Government of Moldova and expressing support for free and transparent parliamentary elections on November 28, 2010; considered and agreed to.

By Mr. HARKIN (for himself, Mr. ENZI, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. CARDIN, Mr. COCHRAN, Mr. DODD, Mr. DURBIN, Mrs. FEINSTEIN, Mr. FRANKEN, Mr. GREGG, Mr. HATCH, Mrs. HUTCHISON, Mr. ISAKSON, Mr. JOHANNS, Mr. LAUTENBERG, Mr. MENENDEZ, Ms. MIKULSKI, Mrs. MURRAY, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANDERS, Mr. TESTER, Mr. UDALL of Colorado, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WHITEHOUSE, Mr. BARRASSO, and Ms. MURKOWSKI):

S. Res. 684. A resolution recognizing the 35th anniversary of the enactment of the Education for All Handicapped Children Act of 1975; considered and agreed to.

By Mr. CARDIN (for himself and Mr. COCHRAN):

S. Res. 685. A resolution commemorating the 100th anniversary of the discovery of sickle cell disease by Dr. James B. Herrick; considered and agreed to.

By Mr. KERRY:

S. Con. Res. 75. A concurrent resolution authorizing the use of the rotunda of the Capitol for an event marking the 50th anniversary of the inaugural address of President John F. Kennedy; considered and agreed to.

By Mrs. BOXER (for herself, Mr. BURR, Mrs. MURRAY, Mr. KERRY, Mr. BENNET, Mr. PRYOR, Mr. DURBIN, Mr. NELSON of Nebraska, Ms. MURKOWSKI, Mr. JOHANNS, Mr. LAUTENBERG, Ms. KLOBUCHAR, Mrs. SHAHEEN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. SANDERS, Mr. BEGICH, Mr. BROWN of Massachusetts, and Mr. BAUCUS):

S. Con. Res. 76. A concurrent resolution to recognize and honor the commitment and sacrifices of military families of the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 132

At the request of Mrs. FEINSTEIN, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 132, a bill to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to expand and improve gang prevention programs, and for other purposes.

S. 231

At the request of Mr. LIEBERMAN, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 231, a bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.

S. 1334

At the request of Mrs. GILLIBRAND, the names of the Senator from Ohio [Mr. BROWN], the Senator from Delaware [Mr. COONS] and the Senator from Vermont [Mr. SANDERS] were added as cosponsors of S. 1334, a bill to amend the Public Health Service Act to extend and improve protections and services to individuals directly impacted by the terrorist attack in New York City on September 11, 2001, and for other purposes.

S. 1580

At the request of Mrs. MURRAY, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 1580, a bill to amend the Occupational Safety and Health Act of 1970 to expand coverage under the Act, to increase protections for whistleblowers, to increase penalties for certain violators, and for other purposes.

S. 2984

At the request of Ms. LANDRIEU, the name of the Senator from Missouri [Mrs. MCCASKILL] was added as a cosponsor of S. 2984, a bill to direct the Secretary of Health and Human Services to revise regulations implementing the statutory reporting and auditing requirements for the Medicaid disproportionate share hospital ("DSH") payment program to be consistent with the scope of the statutory provisions and avoid substantive changes to preexisting DSH policy.

S. 3058

At the request of Mr. DORGAN, the name of the Senator from South Dakota [Mr. THUNE] was added as a cosponsor of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3184

At the request of Mrs. BOXER, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 3184, a bill to provide United States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes.

S. 3211

At the request of Mrs. SHAHEEN, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 3211, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self-management training by designating certain certified diabetes educators as certified providers for purposes of outpatient diabetes self-management training services under part B of the Medicare Prorgram.

S. 3213

At the request of Mr. LEVIN, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 3213, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 3221

At the request of Mr. KOHL, the names of the Senator from Ohio [Mr. BROWN], the Senator from Minnesota [Ms. KLOBUCHAR] and the Senator from New York [Mrs. GILLIBRAND] were added as cosponsors of S. 3221, a bill to amend the Farm Security and Rural Investment Act of 2002 to extend the suspension of limitation on the period for which certain borrowers are eligible for guaranteed assistance.

S. 3315

At the request of Ms. COLLINS, the name of the Senator from Missouri [Mrs. MCCASKILL] was added as a cosponsor of S. 3315, a bill to amend title XVIII of the Social Security Act to protect Medicare beneficiaries' access to home health services under the Medicare program.

S. 3447

At the request of Mr. AKAKA, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 3447, a bill to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes.

S. 3517

At the request of Mr. AKAKA, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of

S. 3517, a bill to amend title 38, United States Code, to improve the processing of claims for disability compensation filed with the Department of Veterans Affairs, and for other purposes.

S. 3578

At the request of Mr. JOHANNS, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 3578, a bill to repeal the expansion of information reporting requirements for payments of $600 or more to corporations, and for other purposes.

S. 3703

At the request of Mr. BENNETT, his name was added as a cosponsor of S. 3703, a bill to expand the research, prevention, and awareness activities of the Centers for Disease Control and Prevention and the National Institutes of Health with respect to pulmonary fibrosis, and for other purposes.

S. 3709

At the request of Mr. WHITEHOUSE, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of S. 3709, a bill to amend the Public Health Services Act and the Social Security Act to extend health information technology assistance eligibility to behavioral health, mental health, and substance abuse professionals and facilities, and for other purposes.

S. 3790

At the request of Mr. COBURN, the name of the Senator from Missouri [Mrs. MCCASKILL] was added as a cosponsor of S. 3790, a bill to amend title 5, United States Code, to provide that persons having seriously delinquent tax debts shall be ineligible for Federal employment.

S. 3804

At the request of Mr. LEAHY, the name of the Senator from Oklahoma [Mr. INHOFE] was added as a cosponsor of S. 3804, a bill to combat online infringement, and for other purposes.

S. 3805

At the request of Mr. BINGAMAN, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 3805, a bill to authorize the Attorney General to award grants for States to implement minimum and enhanced DNA collection processes.

S. 3860

At the request of Mrs. MCCASKILL, the names of the Senator from Massachusetts [Mr. KERRY], the Senator from Maryland [Mr. CARDIN] and the Senator from New Mexico [Mr. BINGAMAN] were added as cosponsors of S. 3860, a bill to require reports on the management of Arlington National Cemetery.

S. 3874

At the request of Mrs. BOXER, the names of the Senator from Oklahoma [Mr. INHOFE], the Senator from Wisconsin [Mr. FEINGOLD] and the Senator from New Jersey [Mr. LAUTENBERG] were added as cosponsors of S. 3874, a bill to amend the Safe Drinking Act to reduce lead in drinking water.

S. 3906

At the request of Mr. ALEXANDER, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 3906, a bill to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity.

S. 3925

At the request of Mr. BINGAMAN, the names of the Senator from Delaware [Mr. COONS] and the Senator from New Jersey [Mr. MENENDEZ] were added as cosponsors of S. 3925, a bill to amend the Energy Policy and Conservation Act to improve the energy efficiency of, and standards applicable to, certain appliances and equipment, and for other purposes.

S. 3946

At the request of Mr. BAUCUS, the names of the Senator from Ohio [Mr. BROWN] and the Senator from West Virginia [Mr. MANCHIN] were added as cosponsors of S. 3946, a bill to repeal the expansion of information reporting requirements for payments of $600 or more to corporations, and for other purposes.

SENATE CONCURRENT RESOLUTION 63

At the request of Mr. JOHNSON, the names of the Senator from Arkansas [Mr. PRYOR] and the Senator from Georgia [Mr. CHAMBLISS] were added as cosponsors of Senate Concurrent Resolution 63, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

SENATE RESOLUTION 680

At the request of Mr. KERRY, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of Senate Resolution 680, a resolution supporting international tiger conservation efforts and the upcoming Global Tiger Summit in St. Petersburg, Russia.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. BURRIS,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on November 18, 2010, at 9:30 a.m.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on November 18, 2010, at 1 p.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "International Trade in the Digital Economy."

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "The State of the American Child: Securing Our Children's Future" on November 18, 2010. The hearing will commence at 10:30 a.m. in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on November 18, 2010, at 3 p.m.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs be authorized to meet on November 18, 2010, at 9:30 a.m. in room 628 of the Dirksen Senate Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on November 18, 2010, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on November 18, 2010, at 10 a.m. to conduct a hearing entitled "Assessing the Regulatory and Administrative Burdens on America's Small Businesses."

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs be authorized to meet during the session of the Senate on November 18, 2010. The Committee will meet in room 418 of the Russell Senate Office Building beginning at 10 a.m.

AD HOC SUBCOMMITTEE ON CONTRACTING OVERSIGHT

The Ad Hoc Subcommittee on Contracting Oversight of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on November 18, 2010, at 3:30 p.m. to conduct a hearing entitled, "Oversight of Reconstruction Contracts in Afghanistan and the Role of the Special Inspector General."

NEAR EASTERN AND SOUTH AND CENTRAL ASIAN AFFAIRS SUBCOMMITTEE

The Committee on Foreign Relations be authorized to meet during the session of the Senate on November 18, 2010, at 4:30 p.m., to hold a Near Eastern and South and Central Asian Affairs Subcommittee hearing entitled, "Jamming the IED Assembly Line: Impeding the flow of Ammonium Nitrate in South and Central Asia."

SUBCOMMITTEE ON HUMAN RIGHTS AND THE LAW

The Committee on the Judiciary, Subcommittee on Human Rights and the Law, be authorized to meet during the session of the Senate, on November 18, 2010, at 2 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Women's Rights Are Human Rights: U.S. Ratification of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)."

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on November 18, 2010, at 2:30 p.m.

NOTICES OF INTENT TO MOVE TO SUSPEND

Mr. JOHANNS, in accordance with rule V of the Standing Rules of the Senate, submitted notice in writing of his intent to suspend rule XXII, including any germaneness requirements, for the purpose of proposing his amendment No. 4702 to bill S. 510, or any related amendment (in the nature of a substitute) to the bill.

Mr. COBURN, in accordance with rule V of the Standing Rules of the Senate, submitted notice in writing of his intent to suspend rule XXII, for the purpose of proposing his amendment No. 4696 to bill S. 510, including germaneness requirements.

Mr. COBURN, in accordance with rule V of the Standing Rules of the Senate, submitted notice in writing of his intent to suspend rule XXII, for the purpose of proposing his amendment No. 4697 to bill S. 510, including germaneness requirements.

Mr. REID, in accordance with rule V of the Standing Rules of the Senate, submitted notice in writing of his intent to suspend rule XXII, for the purpose of proposing his amendment No. 4714 to S. 510.

Mr. BAUCUS, in accordance with rule V of the Standing Rules of the Senate, submitted notice in writing of his intent to suspend rule XXII, for the purpose of proposing his amendment No. 4713 to bill S. 510.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 9:36 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 6397. An act to amend section 101(a)-(35) of the Immigration and Nationality Act to provide for a marriage for which the parties are not physically in the presence of each other due to service abroad in the Armed Forces of the United States.

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

S. 1376. An act to restore immunization and sibling age exemptions for children adopted by United States citizens under the Hague Convention on Intercountry Adoption to allow their admission into the United States.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 328. Concurrent resolution expressing the sense of the Congress regarding the successful and substantial contributions of the amendments to the patent and trademark laws that were initially enacted in 1980 by Public Law 96-517 (commonly referred to as the "Bayh-Dole Act") on the occasion of the 30th anniversary of its enactment.

The message also announced that the House has passed the following bill with amendments, in which it requests the concurrence of the Senate:

S. 3689. An act to clarify, improve, and correct the laws relating to copyrights.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 5566) to amend title 18, United States Code, to prohibit interstate commerce in animal crush videos, and for other purposes, with an amendment, in which it requests the concurrence of the Senate.

The message also announced that pursuant to Section 1002 of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107-306) as amended by section 701(a)(3) of the Intelligence Authorization Act for Fiscal Year 2010 (Public Law 111-259), and the other of the House of January 6, 2009, the Speaker appointed the following member on the part of the House of Representatives to the National Commission for the Review of the Research and Development Programs of the United States Intelligence Community: Mr. Maurice Sonnenberg of New York, NY.

At 12:28 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5367. An act to amend title 11, District of Columbia Official Code, to revise certain administrative authorities of the District of Columbia courts, to authorize the District of Columbia Public Defender Service to provide professional liability insurance for officers and employees of the Service for claims relating to services furnished within the scope of employment with the service, and for other purposes.

H.R. 5655. An act to designate the Little River Branch facility of the United States Postal Service located at 140 NE 84th Street in Miami, Florida, as the "Jesse J. McCrary, Jr. Post Office".

H.R. 5702. An act to amend the District of Columbia Home Rule Act to reduce the waiting period for holding special elections to fill vacancies in local offices in the District of Columbia.

H.R. 6237. An act to designate the facility of the United States Postal Service located at 1351 2nd Street in Napa, California, as the "Tom Kongsgaard Post Office Building".

H.R. 6278. An act to amend the National Children's Island Act of 1995 to expand allowable uses for Kingman and Heritage Islands by the District of Columbia, and for other purposes.

H.R. 6387. An act to designate the facility of the United States Postal Service located at 337 West Clark Street in Eureka, California, as the "Sam Sacco Post Office Building".

H.R. 6399. An act to improve certain administrative operations of the Office of the Architect of the Capitol, and for other purposes.

The message further announced that the House has passed the following bill and joint resolution, without amendment:

S. 3567. An act to designate the facility of the United States Postal Service located at 100 Broadway in Lynbrook, New York, as the "Navy Corpsman Jeffry L. Wiener Post Office Building".

S.J. Res. 40. Joint resolution appointing the day for the convening of the first session of the One Hundred Twelfth Congress.

At 6:57 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 332. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

The message also announced that the House having proceeded to reconsider the bill (H.R. 3808) to require any Federal or State court to recognize any notarization made by a notary public licensed by a State other than the State where the court is located when such notarization occurs in or affects interstate commerce, returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was resolved, that the said bill do not pass, two-thirds of the House of Representatives not agreeing to pass the same.

HOUSE BILL AND CONCURRENT RESOLUTIONS REFERRED

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

H.R. 5758. An act to designate the facility of the United States Postal Service located at 2 Government Center in Fall River, Massachusetts, as the "Sergeant Robert Barrett Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

The following concurrent resolutions were read, and referred as indicated:

H. Con. Res. 259. Concurrent resolution recognizing the 500th anniversary of the birth of Italian architect Andrea Palladio; to the Committee on the Judiciary.

H. Con. Res. 329. Concurrent resolution recognizing the 35th anniversary of the enactment of the Education for All Handicapped Children Act of 1975; to the Committee on Health, Education, Labor, and Pensions.

MOTION TO PROCEED TO CONSIDER BILL S. 510

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate the motion, made by Mr. REID on Wednesday, September 29, 2010, that the Senate proceed to consider the bill (S. 510) to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply; and

The Senate resumed consideration of the motion to proceed.

The question being on agreeing to the motion.

Pending debate,

RECESS

Pursuant to the order of yesterday, as modified,

At 12:33 p.m.,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) declared the Senate recessed until 3 p.m.

AT 3 P.M.

The PRESIDING OFFICER (Mr. FRANKEN in the chair) called the Senate to order.

MOTION TO PROCEED TO CONSIDER BILL S. 510

The Senate resumed consideration of the motion to proceed to consider bill S. 510.

The question being on agreeing to the motion.

After debate,

On motion by Mrs. BOXER,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion.

The question being taken.

It was determined in the affirmative--- yeas... 57, nays... 27

[Rollcall Vote No. 251 Leg.]

YEAS --- 57

Akaka, Baucus, Begich, Bennet, Bingaman, Boxer, Brown (MA), Brown (OH), Burris, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Coons, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, Manchin, McCaskill, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Sanders, Schumer, Shaheen, Snowe, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Whitehouse, Wyden.

NAYS --- 27

Barrasso, Bennett, Bond, Brownback, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, Enzi, Graham, Grassley, Hatch, Inhofe, Isakson, Kyl, LeMieux, Lugar, McCain, McConnell, Roberts, Sessions, Shelby, Thune, Wicker.

So the motion was agreed to.

The question being on agreeing to the motion to proceed.

The motion was agreed to.

Whereupon,

FDA FOOD SAFETY MODERNIZATION ACT

The PRESIDING OFFICER (Mr. FRANKEN in the chair) laid before the Senate the bill (S. 510) to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply; and

The Senate proceeded to consider the bill.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

VETERANS', SENIORS', AND CHILDREN'S HEALTH TECHNICAL CORRECTIONS ACT

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (H.R. 5712) to provide for certain clarifications and extensions under Medicare, Medicaid, and the Children's Health Insurance Program.

The question being on the passage of the bill.

On motion by Mr. REID for Mr. BAUCUS (for himself and Mr. GRASSLEY) to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 4711, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The title was amended, on motion by Mr. REID (for Mr. BAUCUS), so as to read: "An act entitled 'The Physician Payment and Therapy Relief Act of 2010'."

FDA FOOD SAFETY MODERNIZATION ACT

The Senate resumed consideration of bill S. 510.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

Pending debate,

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate resumed its legislative session.

RECESS

At 9:34 p.m.,

The PRESIDING OFFICER declared the Senate recessed, subject to the call of the chair.

AT 9:56 P.M.

The PRESIDING OFFICER called the Senate to order.

FDA FOOD SAFETY MODERNIZATION ACT

The Senate resumed consideration of bill S. 510.

The question being on agreeing to the reported amendment (in the nature of a substitute) to the bill.

By unanimous consent, on the request of Mr. REID,

Ordered, That the pending reported amendment (in the nature of a substitute) be withdrawn.

The question being on passage of the bill.

On motion by Mr. REID (for Mr. HARKIN) to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 4715, in the nature of a substitute).

Mr. REID presented a motion to bring to a close debate on the pending amendment No. 4715 (in the nature of a substitute); which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do

hereby move to bring to a close debate on amendment No. 4715 (in the nature of a substitute) to bill S. 510:

HARRY REID, PATRICK J. LEAHY, CLAIRE MCCASKILL, TOM HARKIN, CARL LEVIN, D.K. INOUYE, DICK DURBIN, BYRON L. DORGAN, JACK REED, JEFF BINGAMAN, MARK BEGICH, BLANCHE L. LINCOLN, ROBERT MENENDEZ, DANIEL K. AKAKA, SHERROD BROWN, S. WHITEHOUSE, PATTY MURRAY, DEBBIE STABENOW, BARBARA BOXER.

The question being on agreeing to amendment No. 4715 (in the nature of a substitute) to the bill.

Mr. REID presented a motion to bring to a close debate on bill S. 510; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on bill S. 510:

HARRY REID, PAT LEAHY, CLAIRE MCCASKILL, TOM HARKIN, CARL LEVIN, D. INOUYE, DICK DURBIN, BYRON L. DORGAN, JACK REED, JEFF BINGAMAN, MARK BEGICH, BLANCHE L. LINCOLN, ROBERT MENENDEZ, DANIEL K. AKAKA, SHERROD BROWN, S. WHITEHOUSE, PATTY MURRAY, DEBBIE STABENOW, BARBARA BOXER.

The question being on agreeing to amendment No. 4715 (in the nature of a substitute) to the bill.

By unanimous consent, on the request of Mr. REID,

Ordered, That the Senate vote on the question of agreeing to the motion to bring to a close debate on amendment No. 4715 (in the nature of a substitute) at 6:30 p.m. on Monday, November 29, 2010; and that the quorum under the rule be waived.

The question being on agreeing to amendment No. 4715 (in the nature of a substitute) to the bill.

By unanimous consent, on the request of Mr. REID,

Ordered, That, if said motion is agreed to, time for debate, pursuant to rule XXII of the Standing Rules of the Senate, be concluded, except as mentioned herein; that the following be the only amendments or motions in order; and that there be limitations of debate on each as indicated:

A motion, by Mr. BAUCUS, to suspend the Standing Rules of the Senate for consideration of amendment No. 4713;

A motion, by Mr. JOHANNS, to suspend the Standing Rules of the Senate for consideration of amendment No. 4702; 60 minutes total, equally divided and controlled, for debate by Mr. BAUCUS and Mr. JOHANNS on the motions;

A motion, by Mr. COBURN, to suspend the Standing Rules of the Senate for consideration of amendment No. 4696 (in the nature of a substitute); and

A motion, by Mr. COBURN, to suspend the Standing Rules of the Senate for consideration of amendment No. 4697, relative to earmarks; 4 hours total, equally divided and controlled, for debate between Mr. INOUYE and Mr. COBURN on the motions by Mr. COBURN.

Ordered further, That, upon conclusion of debate, the Senate vote in relation to the motions in the following order: motions by Mr. JOHANNS, by Mr. BAUCUS, by Mr. COBURN, relative to earmarks, and by Mr. COBURN.

Ordered further, That, upon disposition of the motions, no further motion or amendment be in order; that amendment No. 4715 (in the nature of a substitute), as may be amended, be agreed to; that the bill, as thus amended, be read the third time; that a PAYGO letter of the Chairman of the Committee on the Budget be read; that the Senate then vote on passage of the bill, as amended; and that the motion to bring to a close debate on the bill be withdrawn.

The question being on agreeing to amendment No. 4715 (in the nature of a substitute) to the bill.

Pending debate,

LONGLINE CATCHER PROCESSOR SUBSECTOR SINGLE FISHERY COOPERATIVE ACT

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (S. 1609) to authorize a single fisheries cooperative for the Bering Sea Aleutian Islands longline catcher processor subsector, and for other purposes.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORIZING USE OF THE ROTUNDA OF THE CAPITOL FOR AN EVENT MARKING 50TH ANNIVERSARY OF THE INAUGURAL ADDRESS OF PRESIDENT JOHN F. KENNEDY

On the request of Mr. REID,

The PRESIDING OFFICER (Mr. FRANKEN in the chair) laid before the Senate the concurrent resolution (S. Con. Res. 75) authorizing the use of the rotunda of the Capitol for an event marking the 50th anniversary of the inaugural address of President John F. Kennedy, submitted today by Mr. KERRY, and at the desk; and

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING AND HONORING THE COMMITMENT AND SACRIFICES OF MILITARY FAMILIES OF THE UNITED STATES

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the concurrent resolution (S. Con. Res. 76) to recognize and honor the commitment and sacrifices of military families of the United States, submitted today by Mrs. BOXER (for herself, Mr. BURR, Mrs. MURRAY, Mr. KERRY, Mr. BENNET, Mr. PRYOR, Mr. DURBIN, Mr. BEN NELSON, Ms. MURKOWSKI, Mr. JOHANNS, Mr. LAUTENBERG, Ms. KLOBUCHAR, Mrs. SHAHEEN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. SANDERS, Mr. BEGICH, Mr. SCOTT BROWN, and Mr. BAUCUS), and at the desk; and

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXPRESSING SUPPORT FOR THE GOALS OF NATIONAL ADOPTION DAY AND NATIONAL ADOPTION MONTH

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on Health, Education, Labor, and Pensions be discharged from the further consideration of the resolution (S. Res. 647) expressing support for the goals of National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging Americans to secure safety, permanency, and well-being for all children.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE PEOPLE AND GOVERNMENT OF MOLDOVA AND EXPRESSING SUPPORT FOR PARLIAMENTARY ELECTIONS

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 683) recognizing the recent accomplishments of the people and Government of Moldova and expressing support for free and transparent parliamentary elections on November 28, 2010, submitted today by Mr. KERRY (for himself, Mr. LUGAR, and Mrs. HAGAN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE 35TH ANNIVERSARY OF THE ENACTMENT OF THE EDUCATION FOR ALL HANDICAPPED CHILDREN ACT

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 684) recognizing the 35th anniversary of the enactment of the Education for All Handicapped Children Act of 1975, submitted today by Mr. HARKIN (for himself, Mr. ENZI, Mr. SCOTT BROWN, Mr. SHERROD BROWN, Mr. CARDIN, Mr. COCHRAN, Mr. DODD, Mr. DURBIN, Mrs. FEINSTEIN, Mr. FRANKEN, Mr. GREGG, Mr. HATCH, Mrs. HUTCHISON, Mr. ISAKSON, Mr. JOHANNS, Mr. LAUTENBERG, Mr. MENENDEZ, Ms. MIKULSKI, Mrs. MURRAY, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANDERS, Mr. TESTER, Mr. MARK UDALL, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WHITEHOUSE, Mr. BARRASSO, and Ms. MURKOWSKI), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

COMMEMORATING THE 100TH ANNIVERSARY OF THE DISCOVERY OF SICKLE CELL DISEASE BY DR. JAMES B. HERRICK

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 685) commemorating the 100th anniversary of the discovery of sickle cell disease by Dr. James B. Herrick, submitted today by Mr. CARDIN (for himself and Mr. COCHRAN), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

BILL READ THE FIRST TIME

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the bill (S. 3975) to permanently extend the 2001 and 2003 tax relief provisions, and to permanently repeal the estate tax, and to provide permanent alternative minimum tax relief, and for other purposes, introduced today by Mr. DEMINT, and at the desk; which was read the first time.

Mr. REID asked unanimous consent that the bill be read the second time.

Mr. REID objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES AND A CONDITIONAL RECESS OR ADJOURNMENT OF THE SENATE

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the concurrent resolution (H. Con. Res. 332) providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate, received from the House of Representatives for concurrence on yesterday, and remaining undisposed of.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 10:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that there then be a period of one hour for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 10:06 p.m.,

The Senate adjourned, under its order of today, until 10:30 a.m. on tomorrow.

FRIDAY, NOVEMBER 19, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 10:30 a.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, November 19, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3975) to permanently extend the 2001 and 2003 tax relief provisions, and to permanently repeal the estate tax, and to provide permanent alternative minimum tax relief, and for other purposes, introduced on yesterday by Mr. DEMINT, and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, Friday, November 19, 2010, she had presented to the President of the United States the following enrolled bills and a joint resolution:

S. 1376. A bill to restore immunization and sibling age exemptions for children adopted by United States citizens under the Hague Convention on Intercountry Adoption to allow their admission into the United States.

S. 3567. A bill to designate the facility of the United States Postal Service located at 100 Broadway in Lynbrook, New York, as the "Navy Corpsman Jeffrey L. Wiener Post Office Building".

S. 3774. A bill to extend the deadline for Social Services Block Grant expenditures of supplemental funds appropriated following disasters occurring in 2008.

S.J. Res. 40. A joint resolution appointing the day for the convening of the first session of the One Hundred Twelfth Congress.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-8030. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; PIAGGIO AERO INDUSTRIES S.p.A Model PIAGGIO P-180 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0736)), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8031. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; PIAGGIO AERO INDUSTRIES S.p.A Model PIAGGIO P-180 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0734)), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8032. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; PIAGGIO AERO INDUSTRIES S.p.A Model PIAGGIO P-180 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0737)), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8033. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-500 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0754)), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8034. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Corporation Model DC-10-10, DC-10-10F, DC-10-30, DC-10-30F (KDC-10), DC-10-40, and DC-10-40F Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2010-0672)), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8035. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France (Eurocopter) Model AS350B, BA, B1, B2, B3, D, AS355E, F, F1, F2, and N Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-0969)), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8036. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Corporation Model MD-90-30 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0554)), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8037. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France (ECF) Model AS35B3 and EC130 B4 Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-0779)), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8038. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Learjet Inc. Model 45 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0676)), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8039. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-1229)), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8040. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Services B.V. Model F.28 Mark 0070 and 0100 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0479)), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8041. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE SYSTEMS

(OPERATIONS) LIMITED Model BAe 146 and Avro 146-RJ Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0642)), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8042. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc., Model CL 600 2C10 (Regional Jet Series 700, 701, and 702) Airplanes, Model CL 600 2D15 (Regional Jet Series 705) Airplanes, and Model CL 600 2D24 (Regional Jet Series 900) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0438)), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8043. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747-400, 747-400D, 747-400F, and 747SR Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-1069)), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8044. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eclipse Aerospace, Inc. Model EA500 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0691)), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8045. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Agusta S.p.A. (Agusta) Model A109E Helicopters" ((RIN2120-AA64)-(Docket No. FAA-2010-0449)), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8046. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A310 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0680)), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8047. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-201, -202, -203, -223, and -243 Airplanes, and Model A330-300 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0697)), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8048. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter Deutschland GmbH Model MBB-BK 117 C-2 Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-0780)), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8049. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acequinocyl; Pesticide Tolerances" (FRL No. 8851-7), received during adjournment of the Senate in the Office of the President of the Senate on November 16, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8050. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Georgia; Prevention of Significant Deterioration and Nonattainment New Source Review Rules" (FRL No. 9229-5), received in the Office of the President of the Senate on November 16, 2010; to the Committee on Environment and Public Works.

EC-8051. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plan Revisions; State of North Dakota; Interstate Transport of Pollution for the 1997 PM2.5 and 8-hour Ozone NAAQS: 'Interface with Maintenance' Requirement" (FRL No. 9229-1), received in the Office of the President of the Senate on November 16, 2010; to the Committee on Environment and Public Works.

EC-8052. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plans; State of Colorado; Interstate Transport of Pollution Revisions for the 1997 8-hour Ozone NAAQS: 'Interference with Maintenance' Requirement" (FRL No. 9229-2), received in the Office of the President of the Senate on November 16, 2010; to the Committee on Environment and Public Works.

EC-8053. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New York Prevention of Significant Deterioration of Air Quality and Nonattainment New Source Review" (FRL No. 9212-1), received in the Office of the President of the Senate on November 16, 2010; to the Committee on Environment and Public Works.

EC-8054. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Cobalt Lithium Manganese Nickel Oxide; Withdrawal of Significant New Use Rule" (FRL No. 8853-2), received in the Office of the President of the Senate on November 16, 2010; to the Committee on Environment and Public Works.

EC-8055. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Extension of Deadline for Action on the Second Section 126 Petition From New Jersey" (FRL No. 9227-6), received in the Office of the President of the Senate on November 16, 2010; to the Committee on Environment and Public Works.

EC-8056. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Water Quality Standards for the State of Florida's Lakes and Flowing Waters" (FRL No. 9228-7), received in the Office of the President of the Senate on November 16, 2010; to the Committee on Environment and Public Works.

EC-8057. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Mandatory Reporting of Greenhouse Gases: Additional Sources of Fluorinated GHGs" (FRL No. 9226-8), received in the Office of the President of the Senate on November 16, 2010; to the Committee on Environment and Public Works.

EC-8058. A communication from the Chairperson of the National Commission on Children and Disasters, transmitting, pursuant to law, the Commission's 2010 report; to the Committee on Health, Education, Labor, and Pensions.

EC-8059. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Review of D.C. Taxicab Commission's Assessment/Commission Fund for Fiscal Years 2005 Through 2009, As of June 30, 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-8060. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Review of the D.C. Taxicab Commission's Fingerprinting Fund"; to the Committee on Homeland Security and Governmental Affairs.

EC-8061. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Comparative Analysis of Actual Cash Collections to the Revised Revenue Estimate Through the 3rd Quarter of Fiscal Year 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-8062. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled "Statistical Programs of the United States Government: Fiscal Year 2011"; to the Committee on Homeland Security and Governmental Affairs.

EC-8063. A communication from the General Counsel, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, the report of a rule entitled "Participants' Choices of TSP Funds" (5 CFR Part 1601), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8064. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flumioxazin; Pesticide Tolerances" (FRL No. 8850-3), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8065. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flubendiamide; Pesticide Tolerances; Technical Correction" (FRL No. 8849-2), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8066. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Hass Avocado Promotion, Research, and Information Order; Section 610 Review" (Docket No. AMS-FV-10-0007), received during adjournment of the Senate in the Office of the President of the Senate on November 3, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8067. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Defense Cargo Riding Gang Members" (DFARS Case 2007-D002), received during adjournment of the Senate in the Office of the President of the Senate on October 21, 2010; to the Committee on Armed Services.

EC-8068. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Award-Fee Reductions for Health and Safety Issues" (DFARS Case 2009-D039), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Armed Services.

EC-8069. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Prohibition on Interrogation of Detainees by Contractor Personnel" (DFARS Case 2010-D027), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Armed Services.

EC-8070. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC-8071. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938, as amended, is to continue in effect for 1 year beyond November 14, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8072. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Display of Official Sign; Permanent Increase in Standard Maximum Share Insurance Amount" (RIN3133-AD78), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8073. A communication from the Associate General Counsel for Legislation and Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "HUD Programs: Violence Against Women Act Confirming Amendments" (RIN2577-AC65), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8074. A communication from the Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Extension of Compliance Date for Amendments to Rule 201 and 200(g) of Regulation SHO - Short Sale-Related Circuit Breaker that Imposes a Short Sale Price Test Restriction" (RIN3235-AK35), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8075. A communication from the Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Risk Management Controls for Brokers or Dealers with Market Access" (RIN3235-AK53), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8076. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Debt Collection Interim Final Rule" (RIN2590-AA15), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8077. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and

Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District" (FRL No. 9221-6), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Environment and Public Works.

EC-8078. A communication from the Chief, Listing Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Revised Designation of Critical Habitat for Bull Trout in the Coterminous United States" (RIN1018-AW88), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Environment and Public Works.

EC-8079. A communication from the Chief, Division of Habitat and Resource Conservation, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Marine Mammal; Polar Bear Deterrence Guidlines" (RIN1018-AW94), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Environment and Public Works.

EC-8080. A communication from the Chief, Listing Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the Georgia Pigtoe Mussel, Interrupted Rocksnail, and Rough Hornsnail and Designation of Critical Habitat" (RIN1018-AU88), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Environment and Public Works.

EC-8081. A communication from the Chief, Branch of Foreign Species, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for the African Penguin; Final Rule" (RIN1018-AV60), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Environment and Public Works.

EC-8082. A communication from the Chief, Branch of Recovery and Delisting, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Reinstatement of Protections for the Gray Wolf in the Northern Rocky Mountains in Compliance with a Court Order" (RIN1018-AX37), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Environment and Public Works.

EC-8083. A communication from the Chief, Listing Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Revised Critical Habitat for Navarretia fossalis (Spreading Navarretia)" (RIN1018-AW22), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Environment and Public Works.

EC-8084. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "User Fees Relating to Enrollment and Preparer Tax Identification Numbers" (RIN1545-BI71), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Finance.

EC-8085. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Fringe Benefits Aircraft Valuation Formula" (Revenue Ruling 2010-22), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Finance.

EC-8086. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC-8087. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the status of the Government of Cuba's compliance with the United States-Cuba September 1994 "Joint Communique" and on the treatment of persons returned to Cuba in accordance with the United States-Cuba May 1995 "Joint Statement"; to the Committee on Foreign Relations.

EC-8088. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Security-Related Assistance Provided by the United States to the Countries of Central Asia"; to the Committee on Foreign Relations.

EC-8089. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on the Impact and Effectiveness of Administration for Native Americans (ANA) Projects: Fiscal Year 2009"; to the Committee on Indian Affairs.

EC-8090. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Comparative Analysis of Actual Cash Collections to the Revised Revenue Estimate Through the 4th Quarter of Fiscal Year 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-8091. A communication from the Deputy Assistant Administrator of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Additions to Listing of Exempt Chemical Mixtures" (RIN1117-AB29), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on the Judiciary.

EC-8092. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "2009 Annual Report of the National Institute of Justice"; to the Committee on the Judiciary.

EC-8093. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Offshore Component in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XZ79), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8094. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; PILATUS Aircraft Ltd. Model PC-7 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0849)), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8095. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Services B.V. Model F.28 Mark 0070 and 0100 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0516)), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8096. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness

Directives; McDonnell Douglas Corporation Model MD-90-30 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0645)), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8097. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls Royce Deutschland Ltd. and Co. KG, (RRD) Models Tay 650-15 and Tay 651-54 Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2007-0037)), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8098. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McCauley Propeller Systems Five-Blade Propeller Assemblies" ((RIN2120-AA64)(Docket No. FAA-2005-22690)), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8099. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL 600 2B19 (Regional Jet Series 100 & 440) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-1037)), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8100. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Cessna Aircraft Company (Cessna) Models 336, 337, 337A (USAF 02B), 337B, M337B (USAF 02A), T337B, 337C, T337C, 337D, T337D, 337E, T337E, 337F, T337F, 337G, T337G, 337H, P337H, T337H, T337H-SP, F 337E, FT337E, F 337F, FT337F, F 337G, FT337GP, F337H, and FT337HP Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2010-1013)), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8101. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 767-200, -300, and -300F Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-1036)), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8102. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 747-400, 747-400D, and 747-400F Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0035)), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8103. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A300 B4-600, B4-600R, and F4-600R Series Airplanes, and Model A300 C4-605R Variant F Airplanes (Collectively Called A300-600 Series Airplanes); and Model A300 and A310 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0478)), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8104. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 and 440) Airplanes; Model CL-600-2C10 (Regional Jet Series 700, 701, and 702) Airplanes; Model CL-600-2D15 (Regional Jet Series 705) Airplanes; and Model CL-600-2D24 (Regional Jet Series 900) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0550)), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8105. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Karnal Bunt; Regulated Areas in Arizona, California, and Texas" (Docket No. APHIS-2009-0079), received in the Office of the President of the Senate on November 16, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8106. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Update of Noxious Weed Regulations" (Docket No. APHIS-2007-0146), received in the Office of the President of the Senate on November 16, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8107. A communication from the Principal Deputy Under Secretary of Defense (Policy), transmitting, pursuant to law, a report relative to a request of the United States Government by the Government of Spain to contribute to a clean-up of plutonium contamination in Spain; to the Committee on Armed Services.

EC-8108. A communication from the President of the Federal Financing Bank, transmitting, pursuant to law, the Bank's Annual Report for Fiscal Year 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8109. A communication from the Chief Counsel of the Fiscal Service, Bureau of Public Debt, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Regulations Governing Securities Held in Treasury Direct" (31 CFR Part 363), received in the Office of the President of the Senate on November 16, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8110. A communication from the Chief Counsel of the Fiscal Service, Bureau of Public Debt, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Regulations Governing Securities Held in Treasury Direct" (31 CFR Part 363), received in the Office of the President of the Senate on November 16, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8111. A communication from the Administrator and Chief Executive Officer, Bonneville Power Administration, Department of Energy, transmitting, pursuant to law, the Administration's Annual Report for fiscal year 2010; to the Committee on Energy and Natural Resources.

EC-8112. A communication from the Acting Chief Human Capital Officer, Department of Energy, transmitting, pursuant to law, (16) sixteen reports relative to vacancies in the Department of Energy; to the Committee on Energy and Natural Resources.

EC-8113. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2010 Section 43 Inflation Adjustment" (Notice 2010-72), received in the Office of the President of the Senate on November 17, 2010; to the Committee on Finance.

EC-8114. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2010 Marginal

Production Rates" (Notice 2010-73), received in the Office of the President of the Senate on November 17, 2010; to the Committee on Finance.

EC-8115. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "ARRA Battery Grants" (Rev. Proc. 2010-45), received in the Office of the President of the Senate on November 17, 2010; to the Committee on Finance.

EC-8116. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "ARRA High-Speed Rail Grants" (Rev. Proc. 2010-46), received in the Office of the President of the Senate on November 17, 2010; to the Committee on Finance.

EC-8117. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 263A Safe Harbor Methods for Motor Vehicle Dealerships" (Rev. Proc. 2010-44), received in the Office of the President of the Senate on November 17, 2010; to the Committee on Finance.

EC-8118. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and Medicaid Programs: Changes to the Hospital and Critical Access Hospital Conditions of Participation to Ensure Visitation Rights for All Patients" (RIN0938-AQ06), received in the Office of the President of the Senate on November 17, 2010; to the Committee on Finance.

EC-8119. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Child Welfare Outcomes 2004-2007: Report to Congress"; to the Committee on Finance.

EC-8120. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Radiology Devices; Reclassification of Full-Field Digital Mammography System" (Docket No. FDA-2008-N-0273), received in the Office of the President of the Senate on November 17, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-8121. A communication from Acting General Counsel, Corporation for National and Community Service, transmitting, pursuant to law, the report of a rule entitled "AmeriCorps National Service Program" (RIN3045-AA51), received in the Office of the President of the Senate on November 17, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-8122. A communication from the Secretary of Labor, transmitting, pursuant to law, the Department of Labor's fiscal year 2010 financial report; to the Committee on Health, Education, Labor, and Pensions.

EC-8123. A communication from the Deputy Chief Financial Officer, Department of Homeland Security, transmitting, pursuant to law, the Department's Fiscal Year 2010 Annual Financial Report; to the Committee on Homeland Security and Governmental Affairs.

EC-8124. A communication from the Inspector General, Nuclear Regulatory Commission, transmitting, pursuant to law, a report relative to the Commission's Commercial and Inherently Governmental Activities for Fiscal Year 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8125. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, the Department of Veterans Affairs Fiscal Year 2010 Performance and Accountability Report; to the Committee on Homeland Security and Governmental Affairs.

EC-8126. A communication from the Chairman of the Broadcasting Board of Governors, transmitting, pursuant to law, the Board's Performance and Accountability Report for Fiscal Year 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8127. A communication from the Chairman of the Federal Energy Regulatory Commission, transmitting, pursuant to law, the Commission's Performance and Accountability Report for Fiscal Year 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8128. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, the Commission's Performance and Accountability Report for Fiscal Year 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8129. A communication from the Chairman of the National Credit Union Administration, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8130. A communication from the Secretary of the Department of the Interior, transmitting, a report relative to the management of individual Indian trust accounts; to the Committee on Indian Affairs.

EC-8131. A communication from the Deputy Director of Regulations Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Responding to Disruptive Patients" (RIN2900-AN45), received in the Office of the President of the Senate on November 16, 2010; to the Committee on Veterans' Affairs.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-146. A resolution adopted by the Legislature of the State of California urging Congress to pass House Resolution 5879, which would authorize the Secretary of Veterans Affairs to inter in national cemeteries individuals who served in combat support of the Armed Services of the United States in the Kingdom of Laos from 1961 to 1975; to the Committee on Veterans' Affairs.

HOUSE RESOLUTION NO. 33

Whereas, from 1961 to 1975, during the Vietnam War, the United States Central Intelligence Agency (CIA) ran a covert counterinsurgency operation in Laos that became known as the Secret War; and

Whereas, the CIA recruited Hmong individuals from Laos to help fight the communists; and

Whereas, the Hmong soldiers fought shoulder-to-shoulder with American soldiers; and

Whereas, the Hmong were recruited initially to shield Laos from communist takeover, and were later instructed to interdict convoys of supplies on the Ho Chi Minh Trail; and

Whereas, these young Hmong earned a reputation as capable, loyal, and brave fighters, and their service in combat proved to match the best guerrilla fighters in the world; and

Whereas, many Hmong soldiers paid the ultimate sacrifice in service to our country, and our nation owes a debt of gratitude to them; and

Whereas, these Hmong soldiers played an important and unique role in United States military history; and

Whereas, about 130,000 ethnic Hmong moved to the United States after the 1975 communist takeover as political refugees; and

Whereas, it is fitting that the service of Hmong veterans be honored with burial benefits in our national cemeteries; and

Whereas, House Resolution 5879 would authorize the Secretary of Veterans Affairs to inter in national cemeteries individuals who served in combat support of the Armed Services of the United States in the Kingdom of Laos from 1961 to 1975: Now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly of the State of California respectfully requests the Congress

of the United States to pass, and the President to sign, House Resolution 5879, which would authorize the Secretary of Veterans Affairs to inter in national cemeteries individuals who served in combat support of the Armed Services of the United States in the Kingdom of Laos from 1961 to 1975; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, the President pro Tempore of the United States Senate, and each Senator and Representative from California in the Congress of the United States.

REPORT OF A COMMITTEE

The following report of committee was submitted:

By Mr. KERRY, from the Committee on Foreign Relations, without amendment:

S. 3665. A bill to promote the strengthening of the private sector in Pakistan (Rept. No. 111-353).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. SANDERS (for himself, Mr. REID, Mr. SCHUMER, Mr. LEAHY, Mr. BROWN of Ohio, Mr. LAUTENBERG, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Ms. STABENOW, Mr. BEGICH, and Mr. MENENDEZ):

S. 3976. A bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 3977. A bill for the relief of Shing Ma "Steve" Li; to the Committee on the Judiciary.

By Mr. JOHNSON:

S. 3978. A bill to ensure that home health agencies can assign the most appropriate skilled service to make the initial assessment visit for home health services for Medicare beneficiaries requiring rehabilitation therapy under a home health plan of care, based upon physician referral; to the Committee on Finance.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Ms. COLLINS (for herself and Ms. SNOWE):

S. Res. 686. A resolution designating December 11, 2010, as "Wreaths Across America Day"; to the Committee on the Judiciary.

By Ms. CANTWELL (for herself and Mrs. MURRAY):

S. Res. 687. A resolution honoring the life and career of Dave Niehaus; to the Committee on the Judiciary.

By Mr. CASEY:

S. Res. 688. A resolution supporting the goals and ideals of Pancreatic Cancer Awareness Month; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DORGAN (for himself, Mr. BARRASSO, Mr. UDALL of New Mexico, Mr. CRAPO, Mr. BAUCUS, Mr. TESTER, Mr. FRANKEN, Mr. MERKLEY, Mr. BINGAMAN, Ms. CANTWELL, Mr. AKAKA, Ms. MURKOWSKI, Mrs. MURRAY, Mr. BEGICH, Mr. JOHNSON, and Mr. UDALL of Colorado):

S. Res. 689. A resolution recognizing National American Indian and Alaska Native Heritage Month and celebrating the heritage and culture of American Indians and Alaska Natives and the contributions of American Indians and Alaska Natives to the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 470

At the request of Mr. DURBIN, the name of the Senator from Idaho [Mr. RISCH] was added as a cosponsor of S. 470, a bill to combat organized crime involving the illegal acquisition of retail goods for the purpose of selling those illegally obtained goods through physical and online retail marketplaces.

S. 3739

At the request of Mr. CASEY, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 3739, a bill to amend the Safe and Drug-Free Schools and Communities Act to include bullying and harassment prevention programs.

S. 3906

At the request of Mr. ALEXANDER, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of S. 3906, a bill to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity.

SENATE CONCURRENT RESOLUTION 76

At the request of Mrs. BOXER, the names of the Senator from North Carolina [Mrs. HAGAN] and the Senator from New Jersey [Mr. MENENDEZ] were added as cosponsors of Senate Concurrent Resolution 76, a concurrent resolution to recognize and honor the commitment and sacrifices of military families of the United States.

SENATE RESOLUTION 664

At the request of Mr. SANDERS, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of Senate Resolution 664, a resolution expressing the sense of the Senate in opposition to privatizing Social Security, raising the retirement age, or other similar cuts to benefits under title II of the Social Security Act.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 1:45 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills and joint resolution:

S. 1376. An act to restore immunization and sibling age exemptions for children adopted by United States citizens under the Hague convention on Intercountry Adoption to allow their admission into the United States.

S. 3567. An act to designate the facility of the United States Postal Service located at 100 Broadway in Lynbrook, New York, as the “Navy Corpsman Jeffrey L. Wiener Post Office Building”.

S.J. Res. 40. Joint resolution appointing the day for the convening of the first session of the One Hundred Twelfth Congress.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The enrolled bills and joint resolution were subsequently signed by the PRESIDENT pro tempore.

At 3:49 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 3774. An act to extend the deadline for Social Services Block Grant expenditures of supplemental funds appropriated following disasters occurring in 2008.

H.R. 1722. An act to require the head of each executive agency to establish and implement a policy under which employees shall be authorized to telework, and for other purposes.

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the ACTING PRESIDENT pro tempore.

RECESS

By unanimous consent, on the request of Mr. MARK UDALL,

At 12:49 p.m.,

The Senate recessed, subject to the call of the chair.

AT 4:22 P.M.

The PRESIDING OFFICER (Mr. BINGAMAN in the chair) called the Senate to order.

CLAIMS RESOLUTION ACT

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on Finance be discharged from the further consideration of the bill (H.R. 4783) to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Chile, and to extend the period from which such contributions for the relief of victims of the earthquake in Haiti may be accelerated.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

On motion by Mr. REID (for Mr. BAUCUS) to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 4719, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was deemed read the third time, by unanimous consent.

The PAYGO letter of the Chairman of the Committee on the Budget was read.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The title was amended, on motion by Mr. REID for Mr. BAUCUS (for himself and Mr. DORGAN), so as to read: "A bill entitled 'The Claims Resettlement Act of 2010'."

AUTHORIZING SIGNING OF ENROLLED BILLS AND JOINT RESOLUTIONS

By unanimous consent, on the request of Mr. REID,

Ordered, That the majority leader be recognized to sign duly enrolled bills and joint resolutions on today.

AMENDMENT TO BILL S. 510 MODIFIED

By unanimous consent, on the request of Mr. REID,

Ordered, That amendment No. 4713 to bill S. 510 be modified.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 5566

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment of the Senate to the bill (H.R. 5566) to amend title 18, United States Code, to prohibit interstate commerce in animal crush videos, and for other purposes.

On motion by Mr. REID,

Resolved, That the Senate concur in the amendment of the House of Representatives to the amendment of the Senate to the bill.

HOUSE AMENDMENTS TO BILL S. 3689

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the amendments received from the House of Representatives for concurrence to the bill (S. 3689) to clarify, improve, and correct the laws relating to copyrights.

On motion by Mr. REID,

Resolved, That the Senate concur in the amendment (in the nature of a substitute) of the House of Representatives to the bill.

Resolved further, That the Senate concur in the amendment of the House of Representatives to the title of the bill.

JESSICA ANN ELLIS GOLD STAR FATHERS ACT

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (S. 3650) to amend chapter 21 of title 5, United States Code, to provide that fathers of certain permanently disabled or deceased veterans shall be included with mothers of such veterans as preference eligibles for treatment in the civil service.

The question being on the passage of the bill.

On motion by Mr. REID (for Mr. WYDEN) to amend the bill by striking section 1, and redesignating sections 2 and 3 as sections 1 and 2, respectively (being amendment No. 4717).

The amendment was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

BANKRUPTCY TECHNICAL CORRECTIONS ACT

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the bill (H.R. 6198) to amend title 11 of the United States Code to make technical corrections, and for related purposes.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill

On motion by Mr. REID (for Mr. HATCH) to amend the bill on page 3, striking lines 1 through 5, and inserting in lieu thereof other words (being amendment No. 4718).

The amendment was agreed to.

The bill, as amended, was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING AND SUPPORTING THE EFFORTS OF THE USA BID COMMITTEE TO BRING THE 2022 FIFA WORLD CUP COMPETITION TO THE UNITED STATES

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the concurrent resolution (H. Con. Res. 327) recognizing and supporting the efforts of the USA Bid Committee to bring the 2022 Federation Internationale de Football Association (FIFA) World Cup Competition to the United States, received from the House of Representatives for concurrence on yesterday, and remaining undisposed of.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CONGRATULATING THE CUMBERLAND VALLEY ATHLETIC CLUB ON THE 48TH ANNIVERSARY OF THE RUNNING OF THE JFK 50-MILE ULTRA-MARATHON

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 611) congratulating the Cumberland Valley Athletic Club on the 48th anniversary of the running of the JFK 50-Mile Ultra-Marathon.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "NATIONAL SCHOOL PSYCHOLOGY WEEK"

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 631) designating the week beginning on November 8, 2010, as "National School Psychology Week."

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING NATIONAL AMERICAN INDIAN AND ALASKA NATIVE HERITAGE MONTH

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 689) recognizing National American Indian and Alaska Native Heritage Month and celebrating the heritage and culture of American Indians and Alaska Natives and the contributions of American Indians and Alaska Natives to the United States, submitted today by Mr. DORGAN (for himself, Mr. BARRASSO, Mr. TOM UDALL, Mr. CRAPO, Mr. BAUCUS, Mr. TESTER, Mr. FRANKEN, Mr. MERKLEY, Mr. BINGAMAN, Ms. CANTWELL, Mr. AKAKA, Ms. MURKOWSKI, Mrs. MURRAY, Mr. BEGICH, Mr. JOHNSON, and Mr. MARK UDALL), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, NOVEMBER 29, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2 p.m. on Monday, November 29, 2010; that, on Monday, November 29, 2010, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 4 p.m., with Senators permitted to speak for 10 minutes each therein; and that, following morning business, the Senate resume consideration of bill S. 510, as pursuant to the order of yesterday.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 4:33 p.m.,

The Senate adjourned, under its order of today, and pursuant to the provisions of concurrent resolution H. Con. Res. 332, until 2 p.m. on Monday, November 29, 2010.

MONDAY, NOVEMBER 29, 2010

Mr. AL FRANKEN, from the State of Minnesota, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. FRANKEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, November 29, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable AL FRANKEN, a Senator from the State of Minnesota, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. FRANKEN took the chair.

THE JOURNAL

Pursuant to the order of Friday, November 19, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Friday, November 19, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Friday, November 19, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-8132. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Robert E. Rust, Jr. Model DeHavilland DH.C1 Chipmunk 21, DH.C1 Chipmunk 22, and DH.C1 Chipmunk 22A Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0632)), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8133. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce Deutschland Ltd and Co KG (RRD) Models Tay 620-15, Tay 650-15, and Tay 651-54 Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0301)), received during adjournment of the Senate in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8134. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Corporation Model MD-11 and MD-11F Airplanes Equipped with General Electric CF6-80C2 Series Engines" ((RIN2120-AA64)(Docket No. FAA-2008-0403)), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8135. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-200 and Model A340-200, -300, -500, and -600 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1215)), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8136. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls Royce plc RB211 Trent 700

and Trent 800 Series Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0364)), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8137. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Cessna Aircraft Company Model 750 Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2010-0380)), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8138. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Turbomeca S.A. ARRIEL 2B and 2B1 Turboshaft Engines" ((RIN2120-AA64)-(Docket No. FAA-2007-28077)), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8139. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier-Rotax GmbH Type 912 F, 912 S, and 914 F Series Reciprocating Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0342)), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8140. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 and 440) Airplanes; Model CL-600-2C10 (Regional Jet Series 700, 701, and 702) Airplanes; Model CL-600-2D15 (Regional Jet Series 705) and Model CL-600-2D24 (Regional Jet Series 900) Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2010-0375)), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8141. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; GROB-WERKE (Type Certificate Previously Held by BURKHART GROB Luft- und Raumfahrt) Models G115C, G115D and G115D2 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0260)), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8142. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2B16 (CL-604 Variants (Including CL-605 Marketing Variant)) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0439)), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8143. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; International Aero Engines AG V2500-A1, V2522-A5, V2524-A5, V2525-D5, V2527-A5, V2527E-A5, V2527M-A5, V2528-D5, V2530-A5, and V2533-A5 Turbofan Engines" ((RIN2120-AA64)-(Docket No. FAA-2009-1100)), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8144. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pacific Aerospace Limited Models FU24-954 and FU24A-954 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0941)), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8145. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Corporation Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30, DC-10-30F (KC-10A and KDC-10), DC-10-40, DC-10-40F, MD-10-10F, MD-10-30F, MD-11, and MD-11F Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0384)), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8146. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Corporation Model DC-10-30, DC-10-30F, DC-10-30F (KC-10A and KDC-10), DC-10-40, DC-10-40F, and MD-10-30F Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0514)), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8147. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier Inc., Model CL 600 2B19 (Regional Jet Series 100 & 440) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0276)), received during adjournment of the Senate in the Office of the President of the Senate on October 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8148. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Corporation Model DC-8-31, DC-8-32, DC-8-33, DC-8-41, DC-8-42, and DC-8-43 Airplanes; Model DC-8-50 Series Airplanes; Model DC-8F-54 and DC-8F-55 Airplanes; Model DC-8-60 Series Airplanes; Model DC-8-60F Series Airplanes; Model DC-8-70 Series Airplanes; and Model DC-8-70F Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0639)), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8149. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 747-100, 747-200B, and 747-200F Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0552)), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8150. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE SYSTEMS (Operations) Limited Model 4101 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0474)), received during adjournment of the Senate in the Office of the President of the Senate on

October 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8151. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A300 B4-600 Series Airplanes, Model A300 B4-600R Series Airplanes, Model A300 C4-605R Variant F Airplanes, and Model A300 F4-600R Series Airplanes (Collectively called A300-600 Series Airplanes)" ((RIN2120-AA64)(Docket No. FAA-2010-0644)), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8152. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model DHC-8 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0643)), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8153. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Model SA-365N, SA-365N1, AS-365N2, AS-365N3, SA-366G1, EC 155B, EC155B1, SA-365C, SA-365C1, SA-365C2, SA-360C Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-0610)), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8154. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Positive Train Control Systems" (RIN2130-AC03), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8155. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Inflation Adjustment of the Ordinary Maximum and Aggravated Maximum Civil Monetary Penalties for a Violation of the Hazardous Material Transportation Laws and Regulations" (RIN2130-ZA03), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8156. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Miscellaneous Amendments to the Federal Railroad Administration's Accident/Incident Reporting Requirements" (RIN2130-AB82), received in the Office of the President of the Senate on October 29, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8157. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Insurer Reporting Requirements; List of Insurers Required to File Reports" (RIN2127-AK69), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8158. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards; Seat Belt Assembly Anchorages, School Bus Passenger Seating and Crash Protection" (RIN2127-AK49), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8159. A communication from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Real-Time System Management Information Program" (RIN2125-AF19), received in the Office of the President of the Senate on November 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8160. A communication from the Assistant Chief Counsel for Legislation and Regulations, Maritime Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Launch Barge Waiver Program" (RIN2133-AB67), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8161. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Limiting the Use of Wireless Communication Devices" (RIN2126-AB22), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8162. A communication from the Assistant Chief Counsel for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Miscellaneous Packaging Amendments" (RIN2137-AD89), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8163. A communication from the Senior Regulations Analyst, Office of the Secretary of Transportation, Department of Transportation, transmitting, pursuant to law, a rule entitled "Procedures for Transportation Workplace Drug and Alcohol Testing Programs: Federal Drug Testing Custody and Control Form; Technical Amendment" (RIN2105-AE03), received during adjournment of the Senate in the Office of the President of the Senate on September 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8164. A communication from the Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Improving Public Safety Communications in the 800 MHz Band" ((WT Docket No. 02-55)(FCC 10-179)), received in the Office of the President of the Senate on November 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8165. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Amendment to Existing Validated End-User Authorization in the People's Republic of China: Semiconductor Manufacturing International Corporation" (RIN0694-AF02), received in the Office of the President of the Senate on November 1, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8166. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Grants Pass, Oregon)" (MB Docket No. 10-117), received during adjournment of the Senate in the Office of the President of the Senate on November 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8167. A communication from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled

"Schools and Libraries Universal Services Support Mechanism, A National Broadband Plan for Our Future" (FCC 10-175), received during adjournment of the Senate in the Office of the President of the Senate on October 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8168. A communication from the Chairman of the National Transportation Safety Board, transmitting, pursuant to law, a report relative to the Board's efforts to prevent organizational waste and mismanagement; to the Committee on Commerce, Science, and Transportation.

EC-8169. A communication from the Deputy Chief Financial Officer, Department of Homeland Security, transmitting, pursuant to law, a report relative to the transfer of funds from the Oil Spill Liability Trust Fund to the Emergency Fund, which is administered by the United States Coast Guard; to the Committee on Commerce, Science, and Transportation.

EC-8170. A communication from the Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, a report relative to certifications granted in relation to the incidental capture of sea turtles in commercial shrimping operations; to the Committee on Commerce, Science, and Transportation.

EC-8171. A communication from the Manager of the Eastern Region, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, a report relative to a Final Environmental Impact Statement for the proposed Capacity Enhancement Program at the Philadelphia International Airport; to the Committee on Commerce, Science, and Transportation.

EC-8172. A communication from the Secretary of Transportation, transmitting, the Department's Fiscal Year 2009 Annual Report as required by the Superfund Amendments and Reauthorization Act of 1986; to the Committee on Commerce, Science, and Transportation.

EC-8173. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled "The Transportation of Hazardous Materials: Insurance, Security, and Safety Costs"; to the Committee on Commerce, Science, and Transportation.

EC-8174. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled "National Plan of Integrated Airport Systems (NPIAS) 2011-2015"; to the Committee on Commerce, Science, and Transportation.

EC-8175. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Change in Disease Status of Japan Because of Foot-and-Mouth Disease" (Docket No. APHIS-2010-0077), received during adjournment of the Senate in the Office of the President of the Senate on November 22, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8176. A communication from the Director of the Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Emergency Forest Restoration Program and Emergency Conservation Program" (RIN0560-AH89), received during adjournment of the Senate in the Office of the President of the Senate on November 22, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8177. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Trade Agreements - New Thresholds" (DFARS Case 2009-D040), received during adjournment of the Senate in the Office of the President of the Senate on November 22, 2010; to the Committee on Armed Services.

EC-8178. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Safety of Facilities, Infrastructure, and Equipment for Military Operations" (DFARS Case 2009-D029), received during adjournment of the Senate in the Office of the President of the Senate on November 22, 2010; to the Committee on Armed Services.

EC-8179. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Balance of Payments Program Exemption for Commercial Information Technology - Construction Material" (DFARS Case 2009-D041), received during adjournment of the Senate in the Office of the President of the Senate on November 22, 2010; to the Committee on Armed Services.

EC-8180. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Cost and Software Data Reporting System" (DFARS Case 2008-D027), received during adjournment of the Senate in the Office of the President of the Senate on November 22, 2010; to the Committee on Armed Services.

EC-8181. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Contract Authority for Advanced Component Development or Prototype Units" (DFARS Case 2009-D034), received during adjournment of the Senate in the Office of the President of the Senate on November 22, 2010; to the Committee on Armed Services.

EC-8182. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Contractor Insurance/Pension Review" (DFARS Case 2009-D025), received during adjournment in the Office of the President of the Senate on November 22, 2010; to the Committee on Armed Services.

EC-8183. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Services of Senior Mentors" (DFARS Case 2010-D025), received during adjournment of the Senate in the Office of the President of the Senate on November 22, 2010; to the Committee on Armed Services.

EC-8184. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Carrol H. Chandler, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-8185. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Burma that was declared in Executive Order 13047 of May 20, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC-8186. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC-8187. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Operation of the Enterprise for the Americas Initiative and the Tropical Forest Conservation Act 2009 Annual Report to Congress"; to the Committee on Foreign Relations.

EC-8188. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, to include technical data, and

defense services to Saudi Arabia related to the operation and maintenance of HAWK and PATRIOT Air Defense Missile Systems in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-8189. A communication from the Program Manager, Office of Consumer Information and Insurance Oversight, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Amendment to the Interim Final Rules for Group Health Plans and Health Insurance Coverage Relating to Status as a Grandfathered Health Plan Under the Patient Protection and Affordable Care Act" (RIN0950-AA17), received in the Office of the President of the Senate on November 17, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-8190. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to transitioning to a value-based purchasing for physicians and other professional services paid under the Medicare physician fee schedule; to the Committee on Health, Education, Labor, and Pensions.

EC-8191. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to implementation of menu and vending machine labeling; to the Committee on Health, Education, Labor, and Pensions.

EC-8192. A communication from the Director, Employee Services, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Recruitment, Selection, and Placement (General)" (RIN3206-AL04), received during adjournment of the Senate in the Office of the President of the Senate on November 22, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8193. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Comparative Analysis of Actual Cash Collections to the Revised Revenue Estimate Through the 2nd Quarter of Fiscal Year 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-8194. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Comparative Analysis of Actual Cash Collections to the Revised Revenue Estimate Through the 1st Quarter of Fiscal Year 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-8195. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Commission's Fiscal Year 2010 Performance and Accountability Report; to the Committee on Homeland Security and Governmental Affairs.

EC-8196. A communication from the Chairman, Merit System Protection Board, transmitting, pursuant to law, a report entitled "Performance and Accountability Report for FY 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-8197. A communication from the Chairman, U.S. Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8198. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the Department's Performance and Accountability Report for fiscal year 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8199. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report relative to the Bureau of Prisons' compliance with the privatization requirements of the National Capital Revitalization and Self-Government Improvement Act of 1997; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. AKAKA, from the Committee on Veterans' Affairs, with an amendment in the nature of a substitute:

S. 3517. A bill to amend title 38, United States Code, to improve the processing of claims for disability compensation filed with the Department of Veterans Affairs, and for other purposes (Rept. No. 111-354).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 3302. A bill to amend title 49, United States Code, to establish new automobile safety standards, make better motor vehicle safety information available to the National Highway Traffic Safety Administration and the public, and for other purposes.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. BROWN of Ohio (for himself, Mr. DURBIN, Mr. WHITEHOUSE, Mr. MERKLEY, Mr. REED, Mr. MENENDEZ, and Mr. WYDEN):

S. 3979. A bill to amend the Emergency Economic Stabilization Act of 2008 to allow amounts under the Troubled Assets Relief Program to be used to provide legal assistance to homeowners to avoid foreclosure; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ENSIGN:

S. 3980. A bill to direct the Secretary of the Interior to transfer to the Secretary of the Navy certain Federal land in Churchill County, Nevada; to the Committee on Energy and Natural Resources.

By Mr. BAUCUS (for himself, Mr. REID, Ms. STABENOW, Mr. REED, Mr. CASEY, Mr. DURBIN, Mrs. MURRAY, Mr. DODD, Mr. KERRY, Mr. BROWN of Ohio, Mrs. BOXER, Mr. SCHUMER, Mr. LAUTENBERG, Mr. FRANKEN, Mr. ROCKEFELLER, Mr. WYDEN, Mr. WHITEHOUSE, Mr. HARKIN, Mrs. SHAHEEN, and Mr. LEVIN):

S. 3981. A bill to provide for a temporary extension of unemployment insurance provisions; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 3982. A bill to amend the limitation on liability for certain passenger rail accidents or incidents under section 28103 of title 49, United States Code, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. VOINOVICH:

S. 3983. A bill to authorize the State of Ohio to reprogram grant funds received for intercity passenger rail service pursuant to title XII of the American Recovery and Reinvestment Act of 2009 for other transportation projects; to the Committee on Commerce, Science, and Transportation.

By Mr. REED (for himself, Mr. ENZI, Mr. HARKIN, and Mr. BURR):

S. 3984. A bill to amend and extend the Museum and Library Services Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SANDERS (for himself, Mr. REID, Mr. SCHUMER, Mr. LEAHY, Mr. BROWN of Ohio, Mr. LAUTENBERG, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Ms. STABENOW, Mr. BEGICH, Mr. MENENDEZ, and Mr. CASEY):

S. 3985. A bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; read the first time.

ADDITIONAL COSPONSORS

S. 510

At the request of Mr. HARKIN, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 510, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply.

S. 1545

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 1545, a bill to expand the research and

awareness activities of the National Institute of Arthritis and Musculoskeletal and Skin Diseases and the Centers for Disease Control and Prevention with respect to scleroderma, and for other purposes.

S. 1787

At the request of Mr. BINGAMAN, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 1787, a bill to reauthorize the Federal Land Transaction Facilitation Act, and for other purposes.

S. 2747

At the request of Mr. BINGAMAN, the names of the Senator from Connecticut [Mr. DODD] and the Senator from Connecticut [Mr. LIEBERMAN] were added as cosponsors of S. 2747, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 2919

At the request of Mr. UDALL of Colorado, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 2919, a bill to amend the Federal Credit Union Act to advance the ability of credit unions to promote small business growth and economic development opportunities, and for other purposes.

S. 3184

At the request of Mrs. BOXER, the names of the Senator from Washington [Ms. CANTWELL] and the Senator from Illinois [Mr. DURBIN] were added as cosponsors of S. 3184, a bill to provide United States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes.

S. 3320

At the request of Mr. WHITEHOUSE, the name of the Senator from Illinois [Mr. DURBIN] was added as a cosponsor of S. 3320, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 3324

At the request of Mr. BROWN of Ohio, the name of the Senator from New York [Mrs. GILLIBRAND] was added as a cosponsor of S. 3324, a bill to amend the Internal Revenue Code of 1986 to extend the qualifying advanced energy project credit.

S. 3398

At the request of Mr. BAUCUS, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 3398, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans.

S. 3626

At the request of Mr. FRANKEN, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3626, a bill to encourage the implementation of thermal energy infrastructure, and for other purposes.

S. 3925

At the request of Mr. BINGAMAN, the names of the Senator from Wisconsin [Mr. KOHL] and the Senator from Washington [Mrs. MURRAY] were added as cosponsors of S. 3925, a bill to amend the Energy Policy and Conservation Act to improve the energy efficiency of, and standards applicable to, certain appliances and equipment, and for other purposes.

S. 3926

At the request of Mr. BENNET, the name of the Senator from Colorado [Mr. UDALL] was added as a cosponsor of S. 3926, a bill to amend the National Trails System Act to provide for the study of the Pike National Historic Trail.

S. 3935

At the request of Mr. BINGAMAN, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of S. 3935, a bill to amend the Internal Revenue Code of 1986 to improve and extend certain energy-related tax provisions, and for other purposes.

S. 3960

At the request of Mr. LAUTENBERG, the names of the Senator from Hawaii [Mr. AKAKA] and the Senator from Vermont [Mr. SANDERS] were added as cosponsors of S. 3960, a bill to prevent harassment at institutions of higher education, and for other purposes.

S. 3965

At the request of Ms. STABENOW, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 3965, a bill to amend title XVIII of the Social Security Act to ensure continued access to Medicare for seniors and people with disabilities and to TRICARE for America's military families.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 3:35 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House agrees to the amendments of the Senate to the bill (H.R. 5712) to provide for certain clarifications and extensions under Medicare, Medicaid, and the Children's Health Insurance Program.

At 6:14 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 3689. An act to clarify, improve, and correct the laws relating to copyrights, and for other purposes.

H.R. 5566. An act to amend title 18, United States Code, to prohibit interstate commerce in animal crush videos, and for other purposes.

H.R. 5712. An act entitled the Physician Payment and Therapy Relief Act of 2010.

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the PRESIDENT pro tempore.

FDA FOOD SAFETY MODERNIZATION ACT

The hour of 4 p.m. having passed,

Pursuant to the order of Friday, November 19, 2010, as modified,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (S. 510) to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply; and

The Senate resumed consideration of the bill.

The question being on agreeing to amendment No. 4715 (in the nature of a substitute), proposed by Mr. REID for Mr. HARKIN (for himself, Mr. ENZI, Mr. DURBIN, Mr. DODD, and Mr. GREGG), to the bill.

Pending debate,

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That the Senate vote on the question of agreeing to the motion to bring to a close debate on amendment No. 4715 (in the nature of a substitute) at 6:30 p.m. on today, as pursuant to the order of Thursday, November 18, 2010; that, if said motion is agreed to, Mr. JOHANNS be recognized to make a motion to suspend the Standing Rules of the Senate for consideration of amendment No. 4702; that Mr. BAUCUS then be recognized to make a motion to suspend the Standing Rules of the Senate for consideration of amendment No. 4713; that time for debate on the motions, pursuant to the order of Thursday, November 18, 2010, be concluded; that the Senate then vote in "stacked" sequence first on the motion by Mr. JOHANNS, and then on the motion by Mr. BAUCUS; that there be 2 minutes, equally divided and controlled, prior to each vote; that each vote following the first be 10 minutes in duration; that, upon disposition of said motions, Mr. COBURN be recognized, as pursuant to the order of November 18, 2010; and that time for debate, pursuant to said order, be concluded on today.

Ordered further, That, after the Senate convenes on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, and times for the two leaders, the Senate resume consideration of bill S. 510; that there be 2 minutes, equally divided and controlled, for debate between Mr. COBURN and Mr. INOUYE; that, upon conclusion of debate, the Senate vote on the

question of agreeing to the motion to suspend for consideration of amendment No. 4697; that, upon disposition of said motion, there be 2 minutes, equally divided and controlled in the usual form, for debate; that, upon conclusion of debate, the Senate vote on the question of agreeing to the motion to suspend for consideration of amendment No. 4696; that the second vote be 10 minutes in duration; and that remaining provisions of said order of November 18, 2010, remain in effect.

Ordered further, That, following the swearing-in of Senator-elect Mark Kirk, time until 6:30 p.m. be equally divided and controlled; and that Mr. INHOFE control 15 minutes therein.

The question being on agreeing to amendment No. 4715 (in the nature of a substitute) to the bill.

By unanimous consent, on the request of Mr. THUNE,

Ordered, That he be added as cosponsor to amendment No. 4702.

The question being on agreeing to amendment No. 4715 (in the nature of a substitute) to the bill.

Pending debate,

CREDENTIALS OF A SENATOR-ELECT FOR UNEXPIRED TERM

The VICE PRESIDENT laid before the Senate the credentials of Mark Steven Kirk, elected by the State of Illinois to represent said state in the Senate of the United States for the unexpired term ending January 3, 2011, which was read and ordered to be placed on file:

STATE OF ILLINOIS

Executive Department

CERTIFICATE OF APPOINTMENT

To the President of the Senate of the United States:

This is to Certify that on the Second day of November, Two Thousand and Ten, Mark Steven Kirk was duly chosen by the qualified electors of the State of Illinois a Senator for the unexpired term ending at noon on the third day of January, Two Thousand and Eleven, to fill the vacancy in the representation from said State in the Senate of the United States caused by the Resignation of then-Senator Barack Obama.

Witness: His Excellency Our Governor, Pat Quinn, and our seal hereto affixed at the City of Springfield, Illinois, this Twenty-Third day of November, in the year of our Lord Two Thousand and Ten.

By the Governor:

PAT QUINN,
Governor.
JESEE WHITE,
Secretary of State.

[State Seal Affixed]

Mr. KIRK appeared, and the oath of office prescribed by law having been administered by the Vice President, and subscribed by him, he took his seat in the Senate.

(Applause, Senators rising.)

FDA FOOD SAFETY MODERNIZATION ACT

The Senate resumed consideration of bill S. 510.

The question being on agreeing to amendment No. 4715 (in the nature of a substitute) to the bill.

Pending debate,

Pursuant to the order of Thursday, November 18, 2010,

The PRESIDING OFFICER (Mrs. SHAHEEN in the chair) laid before the Senate the motion, presented by Mr. REID on Thursday, November 18, 2010, to bring to a close debate on amendment No. 4715 (in the nature of a substitute) to the bill.

Pursuant to the order of Thursday, November 18, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the affirmative---
yeas... 69, nays... 26

[Rollcall Vote No. 252 Leg.]

YEAS --- 69

Akaka, Alexander, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (MA), Brown (OH), Cantwell, Cardin, Carper, Casey, Collins, Conrad, Coons, Dodd, Dorgan, Durbin, Enzi, Feingold, Feinstein, Franken, Gillibrand, Grassley, Gregg, Hagan, Harkin, Inouye, Johanns, Johnson, Kerry, Kirk, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lincoln, Lugar, Manchin, McCaskill, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS --- 26

Barrasso, Bennett, Bond, Bunning, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Graham, Hatch, Hutchison, Inhofe, Isakson, Kyl, McCain, McConnell, Risch, Roberts, Sessions, Shelby, Thune, Wicker.

So the motion was agreed to; three-fifths of Senators duly chosen and sworn having voted in the affirmative.

The question being on agreeing to amendment No. 4715 (in the nature of a substitute) to the bill.

Pursuant to the order of Thursday, November 18, 2010, as modified,

On motion by Mr. JOHANNS to suspend rule XXII of the Standing Rules of the Senate for consideration of his amendment No. 4702.

On motion by Mr. JOHANNS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

Pursuant to the order of Thursday, November 18, 2010, as modified,

On motion by Mr. BAUCUS to suspend rule XXII of the Standing Rules of the Senate for consideration of his amendment No. 4713.

On motion by Mr. BAUCUS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

Pursuant to the order of today,

The question recurring on agreeing to the motion by Mr. JOHANNS.

After debate,

The question being taken.

It was determined in the negative---
yeas... 61, nays... 35

[Rollcall Vote No. 253 Leg.]

YEAS --- 61

Alexander, Barrasso, Bayh, Bennet, Bennett, Bingaman, Bond, Brown (MA), Bunning, Cantwell, Chambliss, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kirk, Klobuchar, Kohl, Kyl, LeMieux, Lincoln, Lugar, Manchin, McCain, McCaskill, McConnell, Menendez, Murkowski, Nelson (NE), Nelson (FL), Risch, Roberts, Sessions, Shelby, Snowe, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Wicker.

NAYS --- 35

Akaka, Baucus, Begich, Boxer, Brown (OH), Cardin, Carper, Casey, Coons, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Harkin, Inouye, Johnson, Kerry, Landrieu, Lautenberg, Leahy, Levin, Merkley, Mikulski, Murray, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Whitehouse, Wyden.

So the motion was not agreed to; two-thirds of Senators, duly chosen and sworn, not having voted in the affirmative.

Pursuant to the order of today,

The question recurring on agreeing to the motion by Mr. BAUCUS.

After debate,

The question being taken.

It was determined in the negative---
yeas... 44, nays... 53

[Rollcall Vote No. 254 Leg.]

YEAS --- 44

Akaka, Baucus, Bayh, Begich, Boxer, Brown (MA), Brown (OH), Cantwell, Cardin, Casey, Coons, Dorgan, Feinstein, Franken, Gillibrand, Hagan, Inouye, Johnson, Kerry, Kirk, Klobuchar, Landrieu, Lautenberg, Leahy, Levin, Manchin, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Reed, Reid, Rockefeller, Sanders, Schumer,

Shaheen, Specter, Stabenow, Tester, Warner, Webb, Whitehouse, Wyden.

NAYS --- 53

Alexander, Barrasso, Bennet, Bennett, Bingaman, Bond, Bunning, Carper, Chambliss, Coburn, Cochran, Collins, Conrad, Corker, Cornyn, Crapo, DeMint, Dodd, Durbin, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Harkin, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kohl, Kyl, LeMieux, Lincoln, Lugar, McCain, McCaskill, McConnell, Murkowski, Nelson (FL), Pryor, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Wicker.

So the motion was not agreed to; two-thirds of Senators, duly chosen and sworn, not having voted in the affirmative.

The question being on agreeing to amendment No. 4715 (in the nature of a substitute) to the bill.

Pending debate,

By unanimous consent, on the request of Mr. COBURN,

Ordered, That, pursuant to the order of November 18, 2010, it be in order for his motions to suspend rule XXII of the Standing Rules of the Senate for consideration of amendment No. 4696 (in the nature of a substitute) and of amendment No. 4697 to be pending.

The question being on agreeing to the motion to suspend rule XXII of the Standing Rules of the Senate for consideration of amendment No. 4697.

Pending debate,

By unanimous consent, on the request of Mr. LEMIEUX,

Ordered, That he be added as cosponsor to amendment No. 4697.

The question being on agreeing to the motion to suspend rule XXII of the Standing Rules of the Senate for consideration of amendment No. 4697.

Pending debate,

SUPPORTING THE GOALS AND IDEALS OF AMERICAN DIABETES MONTH

By unanimous consent, on the request of Mr. LAUTENBERG,

Ordered, That the Committee on Health, Education, Labor, and Pensions be discharged from the further consideration of the resolution (S. Res. 676) supporting the goals and ideals of American Diabetes Month.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

COMMEMORATING THE 100TH ANNIVERSARY OF THE WEEKS LAW

By unanimous consent, on the request of Mr. LAUTENBERG,

Ordered, That the Committee on Agriculture, Nutrition, and Forestry be discharged from the further consideration of the resolution (S. Res. 679) commemorating the 100th anniversary of the Weeks Law.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

BILL READ THE FIRST TIME

On the request of Mr. LAUTENBERG,

The PRESIDING OFFICER (Mr. MERKLEY in the chair) laid before the Senate the bill (S. 3985) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes, introduced today by Mr. SANDERS (for himself, Mr. REID, Mr. SCHUMER, Mr. LEAHY, Mr. SHERROD BROWN, Mr. LAUTENBERG, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Ms. STABENOW, Mr. BEGICH, Mr. MENENDEZ, and Mr. CASEY), and at the desk; which was read the first time.

Mr. LAUTENBERG asked unanimous consent that the bill be read the second time.

Mr. LAUTENBERG objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

APPOINTMENT BY THE MAJORITY LEADER

PUBLIC SAFETY OFFICER MEDAL OF VALOR REVIEW BOARD

The PRESIDING OFFICER announced that the majority leader, pursuant to Public Law 107-12, had appointed the following individual as a member of the Public Safety Officer Medal of Valor Review Board: Albert H. Gillespie, of Nevada.

ORDERS FOR ADJOURNMENT UNTIL 9 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. LAUTENBERG,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that the Senate then resume consideration of bill S. 510, as pursuant to the order of today; and that, upon disposition of bill S. 510, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 4 p.m.

Ordered further, That, on tomorrow, Mr. DODD be recognized to speak at 4 p.m.

AUTHORITY FOR ADJOURNMENT ON TODAY

By unanimous consent, on the request of Mr. LAUTENBERG

Ordered, That the Senate adjourn, following remarks by Mr. INHOFE.

After debate,

ADJOURNMENT

Under the authority of the order of today,

At 10:01 p.m.,

The PRESIDING OFFICER declared the Senate adjourned, under its order of today, until 9 a.m. on tomorrow.

TUESDAY, NOVEMBER 30, 2010

Mr. AL FRANKEN, from the State of Minnesota, called the Senate to order at 9 a.m., the Reverend Father Gregoire J. Fluet, Pastor of St. Bridget of Kildare Catholic Church, Moodus, Connecticut, offered a prayer, and Mr. FRANKEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, November 30, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable AL FRANKEN, a Senator from the State of Minnesota, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. FRANKEN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3985) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes, introduced on yesterday by Mr. SANDERS (for himself, Mr. REID, Mr. SCHUMER, Mr. LEAHY, Mr. SHERROD BROWN, Mr. LAUTENBERG, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Ms. STABENOW, Mr. BEGICH, Mr. MENENDEZ, and Mr. CASEY), and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

FDA FOOD SAFETY MODERNIZATION ACT

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the bill (S. 510) to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply; and

The Senate resumed consideration of the bill.

The question being on agreeing to the motion, by Mr. COBURN, to suspend rule XXII of the Standing Rules of the Senate for consideration of amendment No. 4697.

After debate,

On motion by Mr. GRASSLEY,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the negative---
yeas... 39, nays... 56

[Rollcall Vote No. 255 Leg.]

YEAS --- 39

Alexander, Barrasso, Bayh, Bennet, Brown (MA), Bunning, Burr, Chambliss, Coburn, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Hutchison, Isakson, Johanns, Kirk, Kyl, LeMieux, McCain, McCaskill, McConnell, Nelson (FL), Risch, Roberts, Sessions, Snowe, Thune, Udall (CO), Vitter, Warner, Wicker.

NAYS --- 56

Akaka, Baucus, Begich, Bennett, Bingaman, Brown (OH), Cantwell, Cardin, Carper, Casey, Cochran, Collins, Conrad, Coons, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inhofe, Inouye, Johnson, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, Lugar, Manchin, Menendez, Merkley, Murkowski, Murray, Nelson (NE), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shelby, Specter, Stabenow, Tester, Udall (NM), Voinovich, Webb, Whitehouse, Wyden.

So the motion was not agreed to; two-thirds of Senators, duly chosen and sworn, not having voted in the affirmative.

Pursuant to the order of yesterday,

The question recurring on agreeing to the motion, by Mr. COBURN, to suspend rule XXII of the Standing Rules of the Senate for consideration of his amendment No. 4696 (in the nature of a substitute).

After debate,

On motion by Mr. ALEXANDER,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the negative---
yeas... 36, nays... 62

[Rollcall Vote No. 256 Leg.]

YEAS --- 36

Alexander, Barrasso, Bennett, Brown (MA), Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Wicker.

NAYS --- 62

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Cantwell, Cardin, Carper, Casey, Conrad, Coons, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kerry, Kirk, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, Lugar, Manchin, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; two-thirds of Senators, duly chosen and sworn, not having voted in the affirmative.

On motion by Mrs. BOXER to reconsider the vote disagreeing to the motion.

On motion by Mrs. BOXER,

The motion to reconsider was laid on the table.

The question being agreeing to amendment No. 4715 (in the nature of a substitute) to the bill.

Pursuant to the order of Thursday, November 18, 2010,

The amendment (in the nature of a substitute) was agreed to.

The question being on passage of the bill.

Pursuant to the order of today,

The bill, as amended, was read the third time.

The question being on passage of the bill, as amended.

OBJECTION TO CONSIDERATION OF BILL H.R. 2751

Mr. HARKIN asked unanimous consent that following the passage of bill S. 510, as amended, the Senate proceed to consider the bill (H.R. 2751) to accelerate motor fuel savings nationwide and provide incentives to registered owners of high polluting automobiles to replace such automobiles with new fuel efficient and less polluting automobiles; that all after the enacting clause be stricken and the text of bill S. 510, as amended, be inserted in lieu thereof; that no further amendment or motion to the bill, as amended, be in order; that the bill, as amended, be read the third time; that following the reading of the PAYGO letter of the Chairman of the Committee on the Budget, the Senate vote on passage of the bill, as amended; and that, upon passage, an amendment to the title be proposed and agreed to; and that a motion to reconsider be made and laid on the table.

Mr. COBURN objected.

FDA FOOD SAFETY MODERNIZATION ACT

The Senate resumed consideration of bill S. 510.

The question being on passage of the bill, as amended.

On motion by Ms. LANDRIEU,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of passage of the bill, as amended.

On the question, Shall it pass?

It was determined in the affirmative---
yeas... 73, nays... 25

[Rollcall Vote No. 257 Leg.]

YEAS --- 73

Akaka, Alexander, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (MA), Brown (OH), Burr, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Coons, Dodd, Dorgan, Durbin, Enzi, Feingold, Feinstein, Franken, Gillibrand, Grassley, Gregg, Hagan, Harkin, Inouye, Johanns, Johnson, Kerry, Kirk, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lincoln, Lugar, Manchin, McCaskill, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson

(NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS --- 25

Barrasso, Bennett, Bunning, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Graham, Hatch, Hutchison, Inhofe, Isakson, Kyl, McCain, McConnell, Risch, Roberts, Sessions, Shelby, Thune, Wicker.

So it was

Resolved, That the bill, as amended, do pass.

On motion by Mr. HARKIN to reconsider the vote on passage of the bill, as amended.

On motion by Mr. HARKIN,

The motion to reconsider was laid on the table.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

There be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

Pending debate,

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, Tuesday, November 30, 2010, she had presented to the President of the United States the following enrolled bill:

S. 3689. A bill to clarify, improve, and correct the laws relating to copyrights.

MESSAGE FROM THE PRESIDENT

The following message from the President of the United States was transmitted to the Senate by Mrs. Neiman, one of his secretaries:

NOTICE OF IMPLEMENTATION OF ALTERNATIVE LOCALITY PAY INCREASES FOR CERTAIN CIVILIAN FEDERAL EMPLOYEES -- PM 68

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

To the Congress of the United States:

The law authorizes me to implement an alternative pay plan for locality pay increases for civilian Federal employees covered by the General Schedule and certain other pay systems in January 2011, if I view the adjustments that would otherwise take effect as inappropriate due to "national emergency or serious economic conditions affecting the general welfare." Our country faces serious economic conditions affecting the general welfare. As the economic recovery continues, the time has come to put our Nation back on a sustainable fiscal course, an effort that requires tough choices and shared sacrifice. Accordingly, I have determined that it is appropriate to exercise my statutory alternative plan authority under 5 U.S.C. 5304a to set alternative January 2011 locality pay rates. This decision will not materially affect our ability to attract and retain a well-qualified Federal workforce.

Under the authority of section 5304a of title 5, United States Code, I have determined that the current locality pay percentages in Schedule 9 of Executive Order 13525 of December 23, 2009, shall not increase from their 2010 levels. Pursuant to the Non-Foreign Area Retirement Equity Assurance Act of 2009 (sections 1911-1919, Public Law 111-84), I am also establishing applicable 2011 locality pay rates for Alaska and Hawaii that are based on 2010 locality pay levels.

The locality pay rates established in 2010, and continued in 2011 under this alternative plan, are shown in the attachment.

BARACK OBAMA.

THE WHITE HOUSE, *November 30, 2010.*

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-8200. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska" (RIN0648-XZ54), received during adjournment of the Senate in the Office of the President of the Senate on November 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8201. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 of the Gulf of Alaska" (RIN0648-XZ81), received during adjournment of the Senate in the Office of the President of the Senate on November 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8202. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "List of Fisheries for 2011" (RIN0648-AY69), received in the Office of the President of the Senate on November 17, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8203. A communication from the Acting Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Correction to Cod Landing Limit for Handgear A Vessels in the Common Pool Fishery" (RIN0648-XZ44), received during adjournment of the Senate in the Office of the President of the Senate on November 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8204. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation and Establishment of Class E Airspace; St. George, UT" ((RIN2120-AA66)(Docket No. FAA-2010-0660)), received during adjournment of the Senate in the Office of the President of the Senate on November 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8205. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class E Airspace; Brunswick, ME; and Establishment of Class E Airspace; Wiscasset, ME" ((RIN2120-AA66)(Docket No. FAA-2010-0248)), received during adjournment of the Senate in the Office of the President of the Senate on November 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8206. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France Model AS350 B, BA, B1, B2, B3, and D, and Model AS355 E, F, F1, F2, and N Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-0611)), received during adjournment of the Senate in the Office of the President of the Senate on November 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8207. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Jeannette, PA" ((RIN2120-AA66)(Docket No. FAA-2010-0052)), received during adjournment of the Senate in the Office of the President of the Senate on November 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8208. A communication from the Deputy Chief Financial Officer, Department of Homeland Security, transmitting, pursuant to law, a report relative to the transfer of

funds from the Oil Spill Liability Trust Fund to the Emergency Fund, which is administered by the United States Coast Guard; to the Committee on Commerce, Science, and Transportation.

EC-8209. A communication from the Administrator, Research and Innovative Technology Administration, Department of Transportation, transmitting, pursuant to law, a report entitled "Transportation Statistics Annual Report 2009"; to the Committee on Commerce, Science, and Transportation.

EC-8210. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department of Transportation's fiscal year 2010 annual financial report; to the Committee on Commerce, Science, and Transportation.

EC-8211. A communication from the Acting Administrator of the Livestock and Seed Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Sorghum Promotion and Research Program: Procedures for the Conduct of Referenda" (Docket No. AMS-LS-10-0003), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8212. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Pistachios Grown in California, Arizona, and New Mexico; Modification of the Aflatoxin Regulations" (Docket No. AMS-FV-10-0031; FV10-983-1 FIR), received during adjournment of the Senate in the Office of the President of the Senate on November 29, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8213. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Popcorn Promotion, Research, and Consumer Information Order; Reapportionment" (Docket No. AMS-FV-10-0010), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8214. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Domestic Dates Produced or Packed in Riverside County, CA; Increased Assessment Rate" (Docket No. AMS-FV-10-0059; FV10-987-2 FR), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8215. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Dried Prunes Produced in California; Increased Assessment Rate" (Docket No. AMS-FV-10-0007; FV10-993-1 FR), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8216. A communication from the Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Kiwifruit Grown in California; Changes to District Boundaries" (Docket No. AMS-FV-08-0085; FV08-920-3 FIR), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8217. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Extension of Temporary Exemptions for Eligible Credit Default Swaps to Facilitate Operation of Central Counterparties to Clear and Settle Credit Default Swaps" (RIN3235-AK26), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8218. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Internal Agency Docket No. FEMA-8157)), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8219. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Internal Agency Docket No. FEMA-8159)), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8220. A communication from the Legal Information Assistant, Office of Thrift Supervision, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Community Reinvestment Act" (RIN1550-AC35), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8221. A communication from the Director, Financial Crimes Enforcement Network, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Financial Crimes Enforcement Network; Confidentiality of Suspicious Activity Reports" (RIN1506-AA99), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8222. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to the stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-8223. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Modification of Section 833 Treatment of Certain Health Organizations" (Notice 2010-79), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Finance.

EC-8224. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates - December 2010" (Rev. Rul. 2010-29), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Finance.

EC-8225. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Amendment to Rules Relating to Status as a Grandfathered Health Plan under PPACA" ((RIN1545-BJ91)(TD 9506)), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Finance.

EC-8226. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Tier II Issue - Interchange and Merchant Discount Fees - Directive No. 2" (LBandI-4-1110-030), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Finance.

EC-8227. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Build America Bonds and Other State and Local Bonds: Timing of Issuing Bonds" (Notice 2010-81), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Finance.

EC-8228. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting,

pursuant to law, the report of a rule entitled "Ohio Regulatory Program" (Docket No. OH-253-FOR), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Energy and Natural Resources.

EC-8229. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report prepared by the Department of State on progress toward a negotiated solution of the Cyprus question covering the periods August 1, 2010 through September 30, 2010; to the Committee on Foreign Relations.

EC-8230. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the proposed transfer of major defense equipment (235 various M113 series vehicles) from the Government of Jordan to the government of Pakistan with an original acquisition cost of $14,000,000; to the Committee on Foreign Relations.

EC-8231. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the proposed transfer of major defense equipment from the Government of Jordan to the government of Pakistan with an original acquisition cost of $14,000,000; to the Committee on Foreign Relations.

EC-8232. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, status reports relative to Iraq for the period of June 16, 2010 through August 18, 2010; to the Committee on Foreign Relations.

EC-8233. A communication from the Financial Assistance Program Manager, Office of Acquisition and Property Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Department of the Interior Implementation of OMB Guidance on Drug-Free Workplace Requirements (Financial Assistance)" (RIN1093-AA12), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-8234. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-564 "Randall School Disposition Restatement Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-8235. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-565 "Office of Cable Television Property Acquisition and Special Purpose Revenue Reprogramming Temporary Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-8236. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-566 "Automated Traffic Enforcement Fund Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-8237. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-567 "University of the District of Columbia Board of Trustees Quorum and Contracting Reform Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-8238. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-568 "Budget Support Act Clarification and Technical Amendment Temporary Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-8239. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-594 "Expanding Access to Juvenile Records Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-8240. A communication from the Deputy Archivist, National Archives and Records Administration, transmitting, pursuant to law, the report of a rule entitled "Changes to National Archives and Records' Administration Hours of Operations" (RIN3095-AB68), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8241. A communication from the Chairman of the Railroad Retirement Board, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8242. A communication from the Federal Co-Chair, Appalachian Regional Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8243. A communication from the General Counsel, Government and Accountability Office, transmitting, pursuant to law, a report relative to the number of federal agencies that did not fully implement a recommendation made by the Office in response to a bid protest during fiscal year 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8244. A communication from the Secretary of Education, transmitting, pursuant to law, a report entitled "Fiscal Year 2010 Agency Financial Report"; to the Committee on Homeland Security and Governmental Affairs.

EC-8245. A communication from the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office (USPTO), transmitting, pursuant to law, the USPTO's 2010 - 2015 Strategic Plan; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1938. A bill to establish a program to reduce injuries and deaths caused by cellphone use and texting while driving (Rept. No. 111-355).

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

H.R. 4387. A bill to designate the Federal building located at 100 North Palafox Street in Pensacola, Florida, as the "Winston E. Arnow Federal Building".

H.R. 5651. A bill to designate the Federal building and United States courthouse located at 515 9th Street in Rapid City, South Dakota, as the "Andrew W. Bogue Federal Building and United States Courthouse".

H.R. 5706. To designate the building occupied by the Government Printing Office located at 31451 East United Avenue in Pueblo, Colorado, as the "Frank Evans Government Printing Office Building".

H.R. 5773. To designate the Federal building located at 6401 Security Boulevard in Baltimore, Maryland, commonly known as the Social Security Administration Operations Building, as the "Robert M. Ball Federal Building".

By Mr. DODD, from the Committee on Banking, Housing, and Urban Affairs, with an amendment in the nature of a substitute:

S. 118. A bill to amend section 202 of the Housing Act of 1959, to improve the program under such section for supportive housing for the elderly, and for other purposes.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mrs. GILLIBRAND (for herself, Mr. CASEY, Mr. SANDERS, Mr. HARKIN, Ms. STABENOW, Mr. SPECTER, Mr. BROWN of Ohio, Mr.

CARPER, Mr. LAUTENBERG, and Mr. SCHUMER):

S. 3986. A bill to amend the Department of Agriculture Reorganization Act of 1994 to establish in the Department of Agriculture a Healthy Food Financing Initiative; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. THUNE (for himself and Mr. BEGICH):

S. 3987. A bill to amend the Fair Credit Reporting Act with respect to the applicability of identity theft guidelines to creditors; considered and passed.

By Mr. KIRK:

S. 3988. A bill to establish the Grace Commission II to review and make recommendations regarding cost control in the Federal Government, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WYDEN (for himself, Mr. SESSIONS, Mrs. MCCASKILL, and Mr. THUNE):

S. 3989. A bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for restitution and other State judicial debts that are past-due; to the Committee on Finance.

By Mr. BROWN of Massachusetts:

S. 3990. A bill to extend emergency unemployment benefits without adding to the Federal budget deficit, and for other purposes; to the Committee on Finance.

By Mr. REID:

S. 3991. A bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; read the first time.

By Mr. DURBIN:

S. 3992. A bill to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children and for other purposes; read the first time.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mrs. McCASKILL (for herself and Mr. BOND):

S. Res. 690. A resolution commemorating the 175th anniversary of the birth of Mark Twain; considered and agreed to.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 691. A resolution to permit the collection of clothing, toys, food, and housewares during the holiday season for charitable purposes in Senate buildings; considered and agreed to.

ADDITIONAL COSPONSORS

S. 332

At the request of Mrs. FEINSTEIN, the name of the Senator from Virginia [Mr. WEBB] was added as a cosponsor of S. 332, a bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner.

S. 372

At the request of Mr. AKAKA, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of S. 372, a bill to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, and for other purposes.

S. 2736

At the request of Mr. FRANKEN, the name of the Senator from Vermont [Mr. SANDERS] was added as a cosponsor of S. 2736, a bill to reduce the rape kit backlog and for other purposes.

S. 3221

At the request of Mr. KOHL, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 3221, a bill to amend the Farm Security and Rural Investment Act of 2002 to extend the suspension of limitation on the period for which certain borrowers are eligible for guaranteed assistance.

S. 3260

At the request of Mr. HARKIN, the name of the Senator from Vermont [Mr. LEAHY] was added as a cosponsor of S. 3260, a bill to enhance and further research into the prevention and treatment of eating disorders, to improve access to treatment of eating disorders, and for other purposes.

S. 3437

At the request of Mrs. LINCOLN, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 3437, a bill to amend the Child Abuse Prevention and Treatment Act to establish grant programs for the development and implementation of model undergraduate and graduate curricula on child abuse and neglect at institutions of higher education throughout the United States and to assist States in developing forensic interview training programs, to establish regional training centers and other resources for State and local child protection professionals, and for other purposes.

S. 3572

At the request of Mrs. LINCOLN, the names of the Senator from North Carolina [Mr. BURR], the Senator from Tennessee [Mr. ALEXANDER] and the Senator from Idaho [Mr. CRAPO] were added as cosponsors of S. 3572, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first law enforcement agency, the United States Marshals Service.

S. 3626

At the request of Mr. FRANKEN, the name of the Senator from Washington [Ms. CANTWELL] was added as a cosponsor of S. 3626, a bill to encourage the implementation of thermal energy infrastructure, and for other purposes.

S. 3737

At the request of Mr. BARRASSO, his name was added as a cosponsor of S. 3737, a bill to amend the Public Health Service Act and title XVIII of the Social Security Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly.

S. 3819

At the request of Mrs. LINCOLN, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 3819, a bill to amend the Internal Revenue Code of 1986 to reduce the mileage threshold for the deduction for National Guard and Reservists overnight travel expenses.

S. 3981

At the request of Mr. BAUCUS, the names of the Senator from New York [Mrs. GILLIBRAND] and the Senator from Oregon [Mr. MERKLEY] were added as cosponsors of S. 3981, a bill to provide for a temporary extension of unemployment insurance provisions.

S. 3984

At the request of Mr. REED, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 3984, a bill to amend and extend the Museum and Library Services Act, and for other purposes.

SENATE RESOLUTION 680

At the request of Mr. KERRY, the name of the Senator from New Hampshire [Mrs. SHAHEEN] was added as a cosponsor of Senate Resolution 680, a resolution supporting international tiger conservation efforts and the upcoming Global Tiger Summit in St. Petersburg, Russia.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. SANDERS,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on November 30, 2010, at 3:30 p.m. in room 253 of the Russell Senate Office Building.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works be authorized to meet during the session of the Senate on November 30, 2010.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on November 30, 2010.

SUBCOMMITTEE ON CRIME AND DRUGS

The Committee on the Judiciary, Subcommittee on Crime and Drugs, be authorized to meet during the session of the Senate, on November 30, 2010, at 10 a.m. in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Examining Enforcement of the Foreign Corrupt Practices Act."

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 11:38 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5877. An act to designate the facility of the United States Postal Service located at 655 Centre Street in Jamaica Plain, Massachusetts, as the "Lance Corporal Alexander Scott Arredondo, United States Marine Corps Post Office Building".

H.R. 6392. An act to designate the facility of the United States Postal Service located at 5003 Westfields Boulevard in Centreville, Virginia, as the "Colonel George Juskalian Post Office Building".

HOUSE BILL REFERRED

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

H.R. 5877. An act to designate the facility of the United States Postal Service located at 655 Centre Street in Jamaica Plain, Massachusetts, as the "Lance Corporal Alexander Scott Arredondo, United States Marine Corps Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

RECESS

Pursuant to the order of yesterday, as modified,

At 12:21 p.m.,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) declared the Senate recessed until 4 p.m.

AT 4 P.M.

The PRESIDING OFFICER (Mr. BENNET in the chair) called the Senate to order.

OBJECTION TO CONSIDERATION OF BILL S. 3981

Mr. REED asked unanimous consent that the Committee on Finance be discharged from further consideration of the bill (S. 3981) to provide for a temporary extension of unemployment insurance provisions; that the Senate proceed to consider the bill; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. SCOTT BROWN objected.

OBJECTION TO CONSIDERATION OF BILL H.R. 4915

Mr. SCOTT BROWN asked unanimous consent that the Committee on Finance be discharged from further consideration of the bill (H.R. 4915) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes; that the Senate proceed to consider the bill; that an amendment (in the nature of a substitute) be proposed, and agreed to; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. REED objected.

Pending debate,

RED FLAG PROGRAM CLARIFICATION ACT

On the request of Mrs. MURRAY,

The PRESIDING OFFICER (Mrs. HAGAN in the chair) laid before the Senate the bill (S. 3987) to amend the Fair Credit Reporting Act with respect to the applicability of identity theft guidelines to creditors, introduced on today by Mr. THUNE (for himself and Mr. BEGICH), and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

COIN MODERNIZATION, OVERSIGHT, AND CONTINUITY ACT

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That the Committee on Banking, Housing, and Urban Affairs be discharged from the further consideration of the bill (H.R. 6162) to provide research and development authority for alternative coinage materials to the Secretary of the Treasury, increase congressional oversight over coin production, and ensure the continuity of certain numismatic items.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AMERICAN EAGLE PALLADIUM BULLION COIN ACT

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That the Committee on Banking, Housing, and Urban Affairs be discharged from the further consideration of the bill (H.R. 6166) to authorize the production of palladium bullion coins to provide affordable opportunities for investments in precious metals, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

COMMEMORATING THE 175TH ANNIVERSARY OF THE BIRTH OF MARK TWAIN

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) laid before the Senate the resolution (S. Res. 690) commemorating the 175th anniversary of the birth of Mark Twain, submitted today by Mrs. MCCASKILL (for herself and Mr. BOND), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

PERMITTING THE COLLECTION OF CHARITABLE ITEMS DURING THE HOLIDAY SEASON IN SENATE BUILDINGS

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 691) to permit the collection of clothing, toys, food, and housewares during the holiday season for charitable purposes in Senate buildings, submitted today by Mr. REID (for himself and Mr. MCCONNELL), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RESTORE ONLINE SHOPPERS' CONFIDENCE ACT

By unanimous consent, on the request of Mrs. HAGAN,

The Senate proceeded to consider the bill (S. 3386) to protect consumers from certain aggressive sales tactics on the Internet.

The question being on agreeing to the reported amendment (in the nature of a substitute),

On motion by Mrs. HAGAN for Mr. ROCKEFELLER (for himself and Mrs. HUTCHISON) to amend the pending reported amendment (in the nature of a substitute) on various pages and lines, by striking certain words and inserting other words (being amendment No. 4721).

The amendment was agreed to.

The reported amendment (in the nature of a substitute), as amended, was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

BILL READ THE FIRST TIME

On the request of Mrs. HAGAN,

The PRESIDING OFFICER laid before the Senate the bill (S. 3991) to provide collective bargaining rights for public safety officers employed by States or their political subdivisions, introduced today by Mr. REID, and at the desk; which was read the first time.

Mrs. HAGAN asked unanimous consent that the bill be read the second time.

Mrs. HAGAN objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

BILL READ THE FIRST TIME

On the request of Mrs. HAGAN,

The PRESIDING OFFICER laid before the Senate the bill (S. 3992) to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children and for other purposes, introduced today by Mr. DURBIN, and at the desk; which was read the first time.

Mrs. HAGAN asked unanimous consent that the bill be read the second time.

Mrs. HAGAN objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mrs. HAGAN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; and that the minority control the first 30 minutes therein, and the majority control the next 30 minutes therein.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 3:30 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mrs. HAGAN,

At 8:42 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

WEDNESDAY, DECEMBER 1, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, December 1, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. TOM UDALL took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3991) to provide collective bargaining rights for public safety officers employed by States or their political subdivisions, introduced on yesterday by Mr. REID, and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 3992) to authorize the cancellation of removal and adjustment of status of certain alien students

who are long-term United States residents and who entered the United States as children and for other purposes, introduced on yesterday by Mr. DURBIN, and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-8246. A communication from the Secretary of the American Battle Monuments Commission, transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within the Commission; to the Committee on Appropriations.

EC-8247. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Kevin T. Campbell, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-8248. A communication from the Executive Secretary, Operations, Federal Financial Institutions Examination Council, transmitting, pursuant to law, the report of a rule entitled "Description of Office, Procedures, and Public Information" (12 CFR Part 1101), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8249. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Ireland; to the Committee on Banking, Housing, and Urban Affairs.

EC-8250. A communication from the Secretary of Energy, transmitting, pursuant to law, an annual report relative to the Strategic Petroleum Reserve for calendar year 2009; to the Committee on Energy and Natural Resources.

EC-8251. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance on Pre-Approved Individual Retirement Arrangements (IRAs)" (Rev. Proc. 2010-48), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Finance.

EC-8252. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010-0171 - 2010-0175); to the Committee on Foreign Relations.

EC-8253. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "New Animal Drugs for Minor Use and Minor Species" (Docket No. FDA-2010-N-0534), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-8254. A communication from the Secretary of the Department of Energy, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8255. A communication from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8256. A communication from the Special Assistant to the President and Director, Office of Administration, Executive Office of the President, transmitting, pursuant to law, a report relative to personnel employed in the White House Office, the Executive Residence at the White House, the Office of the Vice President, the Office of Policy Development (Domestic Policy Staff), and the Office of Administration; to the Committee on Homeland Security and Governmental Affairs.

EC-8257. A communication from the General Counsel, National Labor Relations Board, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8258. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries in the Western Pacific; Hawaii Bottomfish and Seamount Groundfish; Measures to Rebuild Overfished Armorhead at Hancock Seamounts" (RIN0648-AY92), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8259. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Western and Central Pacific Fisheries for Highly Migratory Species; 2010 Bigeye Tuna Longline Fishery Closure" (RIN0648-XZ39), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8260. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area" (RIN0648-XAO21), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8261. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area" (RIN0648-XAO36), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8262. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Eastern Aleutian District of the Bering Sea and Aleutian Islands Management Area" (RIN0648-XA034), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8263. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (54); Amdt.

3399" (RIN2120-AA65), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8264. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Berryville, AR" ((RIN2120-AA66)(Docket No. FAA-2010-0690)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8265. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment and Amendment of Area Navigation (RNAV) Routes; Alaska" ((RIN2120-AA66)(Docket No. FAA-2010-0397)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8266. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Kennett, MO" ((RIN2120-AA66)(Docket No. FAA-2010-0606)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8267. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "IFR Altitudes; Miscellaneous Amendments (51); Amendment No. 490" (RIN2120-AA63), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8268. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Aging Airplane Program: Widespread Fatigue Damage" ((RIN2120-AI05)(Docket No. FAA-2006-24281)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8269. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Austro Engine GmbH Model E4 Diesel Piston Engines" ((RIN2120-AA64)-(Docket No. FAA-2010-1055)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8270. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France (Eurocopter) Model SA-365N1, AS-365N2, and AS 365 N3 Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-1082)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8271. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company (GE) CT7-9C and -9C3 Turboprop Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0732)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8272. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Viking Air Limited (Type Certificate Previously Held by Bombardier, Inc.) Model DHC-7 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0699)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8273. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; MD Helicopters, Inc. Model MD900 Helicopters" ((RIN2120-AA64)-(Docket No. FAA-2010-1126)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8274. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France (Eurocopter) Model AS332L2 Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-1125)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8275. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bell Helicopter Textron Canada Model 206L, 206L-1, and 206L-3 Helicopters" ((RIN2120-AA64)(Docket No. FAA-2008-1242)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8276. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 777-200, -200LR, -300, and -300ER Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0376)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8277. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 and 440), CL-600-2C10 (Regional Jet Series 700, 701, and 702), CL-600-2D15 (Regional Jet Series 705), and CL-600-2D24 (Regional Jet Series 900) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0223)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8278. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France (Eurocopter) Model AS332C, L, L1, and L2 Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-0907)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8279. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; PIAGGIO AERO INDUSTRIES S.p.A. Model PIAGGIO P-180 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0778)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8280. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Austro Engine GmbH Model E4 Diesel Piston Engines" ((RIN2120-AA64)-(Docket No. FAA-2010-1055)), received in

the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8281. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A318, A319, A320, and A321 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0279)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8282. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model DHC-8-400 Series Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2010-1041)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8283. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; EADS CASA (Type Certificate Previously Held by Construcciones Aeronauticas, S.A.) Model CN-235, CN-235-100, CN-235-200, and CN-235-300 Airplanes, and Model C-295 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0640)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8284. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 757 and 767 Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2010-1040)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8285. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Corporation Model DC-9-14, DC-9-15, and DC-9-15F Airplanes; and Model DC-9-20, DC-9-30, DC-9-40, and DC-9-50 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0705)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8286. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-201, -202, -203, -223, -223F, -243, and -243F Airplanes, Model A330-300 Series Airplanes, and Model A340-200, A340-300, A340-500, and A340-600 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0675)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8287. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-500 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0870)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8288. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2C10 (Regional Jet Series 700, 701, and 702), CL-600-2D15 (Regional Jet Series 705), and CL-600-2D24 (Regional Jet Series 900) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0700)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8289. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 757 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0483)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8290. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2C10 (Regional Jet Series 700, 701, and 702), Model CL-600-2D15 (Regional Jet Series 705), and Model CL-600-2D24 (Regional Jet Series 900) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-1106)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8291. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A380-800 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-1102)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8292. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model BD-700-1A10 and BD-700-1A11 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0548)), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8293. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Custer and Onekama, Michigan)" (MB Docket No. 08-86), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8294. A communication from the Secretary of Transportation, transmitting, pursuant to law, an annual report relative to the Maritime Administration for fiscal year 2008; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 5758. A bill to designate the facility of the United States Postal Service located at 2 Government Center in Fall River, Massachusetts, as the "Sergeant Robert Barrett Post Office Building".

H.R. 6118. To designate the facility of the United States Postal Service located at 2 Massachusetts Avenue, NE, in Washington, D.C., as the "Dorothy I. Height Post Office".

H.R. 6237. A bill to designate the facility of the United States Postal Service located at 1351 2nd Street in Napa, California, as the "Tom Kongsgaard Post Office Building".

H.R. 6387. A bill to designate the facility of the United States Postal Service located at 337 West Clark Street in Eureka, California, as the "Sam Sacco Post Office Building".

By Mr. DORGAN, from the Committee on Indian Affairs, with amendments:

S. 2802. A bill to settle land claims within the Fort Hall Reservation.

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 3784. A bill to designate the facility of the United States Postal Service located at 4865 Tallmadge Road in Rootstown, Ohio, as the "Marine Sgt. Jeremy E. Murray Post Office".

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. WYDEN (for himself, Mr. RISCH, Mr. CRAPO, and Mr. MERKLEY):

S. 3993. A bill to expand geothermal production, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DURBIN (for himself and Mr. SCHUMER):

S. 3994. A bill to delay the effective date of the mandatory purchase requirement for new flood hazard areas, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. SNOWE (for herself and Mr. WARNER):

S. 3995. A bill to direct the Administrator of the General Services Administration to install Wi-Fi hotspots and wireless neutral host systems in all Federal buildings in order to improve in-building wireless communications coverage and commercial network capacity by offloading wireless traffic onto wireless broadband networks; to the Committee on Environment and Public Works.

By Mr. LAUTENBERG:

S. 3996. A bill to amend the Truth in Lending Act and the Higher Education Act of 1965 to require additional disclosures and protections for students and cosigners with respect to student loans, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DORGAN (for himself, Mr. JOHNSON, and Mr. CONRAD):

S. 3997. A bill to authorize appropriations for certain Native American programs; to the Committee on Indian Affairs.

By Mr. SCHUMER (for himself and Mr. HATCH):

S. 3998. A bill to extend the Child Safety Pilot Program; considered and passed.

By Mr. VITTER:

S. 3999. A bill to provide for reductions in the number of employees in Federal departments and agencies, freeze Federal employee compensation, reduce funding to the White House and Congress, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

ADDITIONAL COSPONSORS

S. 2747

At the request of Mr. BINGAMAN, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 2747, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 3934

At the request of Mr. WICKER, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 3934, a bill to provide tax relief for persons affected by the discharge of oil in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon.

S. 3950

At the request of Mr. KERRY, the name of the Senator from Maryland [Ms. MIKULSKI] was added as a cosponsor of S. 3950, a bill to amend title XVIII of the Social Security Act to provide for the application of a consistent Medicare part B premium for all Medicare beneficiaries for 2011.

S. 3981

At the request of Mr. BAUCUS, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of S. 3981, a bill to provide for a temporary extension of unemployment insurance provisions.

S. 3992

At the request of Mr. LEAHY, his name was added as a cosponsor of S. 3992, a bill to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children and for other purposes.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Ms. STABENOW,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on December 1, 2010, at 9:30 a.m., to conduct a hearing entitled, "Problems in Mortgage Servicing from Modifications to Foreclosure, Part II."

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on December 1, 2010, at 10:30 a.m., in room 253 of the Russell Senate Office Building. The Committee will hold a hearing entitled, "Transition and Implementation: The NASA Authorization Act of 2010."

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on December 1, 2010, at 2:30 p.m., in room 253 of the Russell Senate Office Building. The Committee will hold a hearing entitled, "Are Mini Med Policies Really Health Insurance?"

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on December 1, 2010, at 2:30 p.m., to hold a hearing entitled, "Latin America in 2010: Opportunities, Challenges and the Future of U.S. Policy in the Hemisphere."

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on December 1, 2010, at 9:45 a.m., in SD-430.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "Is Stronger Management and Oversight Needed?" on December 1, 2010. The hearing will commence at 10:15 a.m. in room 430 of the Dirksen Senate Office Building.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate, on December 1, 2010, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 10:16 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the amendments of the Senate to the bill (H.R. 4783) to accelerate the income tax benefits for charitable cash contributions for the relief of victims of the earthquake in Chile, and to extend the period from which such contributions for the relief victims of the earthquake in Haiti may be accelerated.

At 12:19 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5866. An act to amend the Energy Policy Act of 2005 requiring the Secretary of Energy to carry out initiatives to advance innovation in nuclear energy technologies, to

make nuclear energy systems more competitive, to increase efficiency and safety of civilian nuclear power, and for other purposes.

H.R. 5953. An act to direct the Secretary of Veterans Affairs to display in each facility of the Department of Veterans Affairs a Women Veterans Bill of Rights and to display in each prosthetics and orthotics clinic of the Department an Injured and Amputee Veterans Bill of Rights, and for other purposes.

H.R. 6398. An act to require the Federal Deposit Insurance Corporation to fully insure Interest on Lawyers Trust Accounts.

H.R. 6411. An act to provide for the approval of the Agreement Between the Government of the United States of America and the Government of Australia Concerning Peaceful Uses of Nuclear Energy.

At 3:31 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 101. Joint resolution making further continuing appropriations for fiscal year 2011, and for other purposes.

At 6:24 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6184. An act to amend the Water Resources Development Act of 2000 to extend and modify the program allowing the Secretary of the Army to accept and expend funds contributed by non-Federal public entities to expedite the evaluation of permits, and for other purposes.

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

S. 1338. An act to require the accreditation of English language training programs, and for other purposes.

S. 1421. An act to amend section 42 of title 18, United States Code, to prohibit the importation and shipment of certain species of carp.

S. 3250. An act to provide for the training of Federal building personnel, and for other purposes.

The message further announced that that House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 323. Concurrent resolution supporting the goal of ensuring that all Holocaust survivors in the United States are able to live with dignity, comfort, and security in their remaining years.

The message also announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 75. Concurrent resolution authorizing the use of the rotunda of the Capitol for an event marking the 50th anniversary of the inaugural address of President John F. Kennedy.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 5283) to provide for adjustment of status for certain Haitian orphans paroled into the United States after the earthquake of January 12, 2010.

At 6:54 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 6162. An act to provide research and development authority for alternative coinage materials to the Secretary of the Treasury, increase congressional oversight over coin production, and ensure the continuity of certain numismatic items.

H.R. 6166. An act to authorize the production of palladium bullion coins to provide affordable opportunities for investments in precious metals, and for other purposes.

HOUSE BILLS AND CONCURRENT RESOLUTION REFERRED

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

H.R. 5866. An act to amend the Energy Policy Act of 2005 requiring the Secretary of Energy to carry out initiatives to advance innovation in nuclear energy technologies, to make nuclear energy systems more competitive, to increase efficiency and safety of civilian nuclear power, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 5953. To direct the Secretary of Veterans Affairs to display in each facility of the Department of Veterans Affairs a Women Veterans Bill of Rights and to display in each prosthetics and orthotics clinic of the Department an Injured and Amputee Veterans Bill of Rights, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 6411. An act to provide for the approval of the Agreement Between the Government of the United States of America and the Government of Australia Concerning Peaceful Uses of Nuclear Energy; to the Committee on Foreign Relations.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 323. Concurrent resolution supporting the goal of ensuring that all Holocaust survivors in the United States are able to live with dignity, comfort, and security in their remaining years; to the Committee on the Judiciary.

OBJECTION TO CONSIDERATION OF BILL S. 3981

Ms. STABENOW asked unanimous consent that the Committee on Finance be discharged from further consideration of the bill (S. 3981) to provide for a temporary extension of unemployment insurance provisions; that the Senate proceed to consider the bill; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. BARRASSO objected.

Pending debate,

RECESS

Pursuant to the order of yesterday, as modified,

At 12:31 p.m.,

The PRESIDING OFFICER (Mr. MANCHIN in the chair) declared the Senate recessed until 3:30 p.m.

AT 3:30 P.M.

The PRESIDING OFFICER (Mr. MERKLEY in the chair) called the Senate to order.

OBJECTION TO CONSIDERATION OF BILL S. 3981

Mr. SHERROD BROWN asked unanimous consent that the Committee on Finance be discharged from further consideration of bill S. 3981; that the Senate proceed to consider the bill; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. BARRASSO objected.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL S. 1574

Mr. TOM UDALL asked unanimous consent that the Committee on Energy and Natural Resources be discharged from further consideration of the bill (S. 1574) to establish a Clean Energy for Homes and Buildings Program in the Department of Energy to provide financial assistance to promote residential-, commercial-, and industrial-scale energy efficiency and on-site renewable technologies; that the Senate proceed to consider the bill; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. BARRASSO objected.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL S. 3324

Ms. STABENOW asked unanimous consent that the Committee on Finance be discharged from further consideration of the bill (S. 3324) to amend the Internal Revenue Code of 1986 to extend the qualifying

advanced energy project credit; that the Senate proceed to consider the bill; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. BARRASSO objected.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL H.R. 4915

Mr. BARRASSO asked unanimous consent that the Committee on Finance be discharged from further consideration of the bill (H.R. 4915) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes; that the Senate proceed to consider the bill; that all after the enacting clause be stricken; that an amendment (in the nature of a substitute), being a fully-offset repeal of section 9006 of the Patient Protection and Affordable Care Act, the small business 1099 paperwork mandate, be proposed, and agreed to; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Ms. STABENOW objected.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL S. 3563

Mr. BEGICH asked unanimous consent that the Committee on Small Business be discharged from further consideration of the bill (S. 3563) to amend the Small Business Act to temporarily designate as a HUBZone counties that are most affected by a recession; that the Senate proceed to consider the bill; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. ALEXANDER objected.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL S. 3623

Mr. SCHUMER asked unanimous consent that the Committee on Finance be discharged from further consideration of the bill (S. 3623) to amend the Internal Revenue Code of 1986 to extend the payroll tax relief under the HIRE Act, and for other purposes; that the Senate proceed to consider the bill; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. SESSIONS objected.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL S. 3816

Mr. DURBIN asked unanimous consent that the Senate proceed to consider the bill (S. 3816) to amend the Internal Revenue Code of 1986 to create American jobs and to prevent the offshoring of such jobs overseas; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. CORKER objected.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL S. 3102

Mr. MERKLEY asked unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be discharged from further consideration of the bill (S. 3102) to amend the miscellaneous rural development provisions of the Farm Security and Rural Investment Act of 2002 to authorize the Secretary of Agriculture to make loans to certain entities that will use the funds to make loans to consumers to implement energy efficiency measures involving structural improvements and investments in cost-effective, commercial off-the-shelf technologies to reduce home energy use; that the Senate proceed to consider the bill; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. ALEXANDER objected.

CRIMINAL HISTORY BACKGROUND CHECKS PILOT EXTENSION ACT

On the request of Mr. WHITEHOUSE,

The PRESIDING OFFICER (Mr. BEGICH in the chair) laid before the Senate the bill (S. 3998) to extend the Child Safety Pilot Program, introduced on today by Mr. SCHUMER (for himself and Mr. HATCH), and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

INTERNATIONAL PROTECTING GIRLS BY PREVENTING CHILD MARRIAGE ACT

By unanimous consent, on the request of Mr. WHITEHOUSE,

The Senate proceeded to consider the bill (S. 987) to protect girls in developing countries through the prevention of child marriage, and for other purposes.

The question being on agreeing to the reported amendment (in the nature of a substitute).

On motion by Mr. WHITEHOUSE (for Mr. DURBIN) to insert, in lieu of the language proposed to be inserted by the pending reported amendment (in the nature of a substitute), other words (being amendment No. 4725, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The reported amendment (in the nature of a substitute), as amended, was agreed to.

The question being on the passage of the bill, as amended.

The bill, as amended, was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING THE "WINSTON E. ARNOW FEDERAL BUILDING"

By unanimous consent, on the request of Mr. WHITEHOUSE,

The Senate proceeded to consider the bill (H.R. 4387) to designate the Federal building located at 100 North Palafox Street in Pensacola, Florida, as the "Winston E. Arnow Federal Building".

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING THE "ANDREW W. BOGUE FEDERAL BUILDING AND UNITED STATES COURTHOUSE"

By unanimous consent, on the request of Mr. WHITEHOUSE,

The Senate proceeded to consider the bill (H.R. 5651) to designate the Federal building and United States courthouse located at 515 9th Street in Rapid City, South Dakota, as the "Andrew W. Bogue Federal Building and United States Courthouse".

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING THE "FRANK EVANS GOVERNMENT PRINTING OFFICE BUILDING"

By unanimous consent, on the request of Mr. WHITEHOUSE,

The Senate proceeded to consider the bill (H.R. 5706) to designate the building occupied by the Government Printing Office located at 31451 East United Avenue in Pueblo, Colorado, as the "Frank Evans Government Printing Office Building".

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING THE "ROBERT M. BALL FEDERAL BUILDING"

By unanimous consent, on the request of Mr. WHITEHOUSE,

The Senate proceeded to consider the bill (H.R. 5773) to designate the Federal building located at 6401 Security Boulevard in Baltimore, Maryland, commonly known as the Social Security Administration Operations Building, as the "Robert M. Ball Federal Building".

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING "WREATHS ACROSS AMERICA DAY"

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the resolution (S. Res. 686) designating December 11, 2010, as "Wreaths Across America Day".

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. WHITEHOUSE,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein; and that the majority control the first 30 minutes therein, and the minority control the second 30 minutes therein.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 3:30 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mr. WHITEHOUSE,

At 7:32 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

THURSDAY, DECEMBER 2, 2010

Mrs. KIRSTEN E. GILLIBRAND, from the State of New York, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mrs. GILLIBRAND led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, December 2, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mrs. GILLIBRAND took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-8295. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within the Department of the Air Force and was assigned case number 09-03; to the Committee on Appropriations.

EC-8296. A communication from the Deputy to the Chairman, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Deposit Insurance Regulations; Unlimited Coverage for Noninterest-Bearing Transaction Accounts" (RIN3064-AD65), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8297. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Belarus Sanctions Regulations" (31 CFR Part 548), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8298. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report entitled "Audit of the Exchange Stabilization Fund's Fiscal Years 2009 and 2008 Financial Statements; to the Committee on Banking, Housing, and Urban Affairs.

EC-8299. A communication from the Assistant Secretary of Land and Minerals Management, Bureau of Ocean Energy Management, Regulation, and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Renewable Energy Alternate Uses of Existing Facilities on the Outer Continental Shelf - Acquire a Lease Noncompetitively" (RIN1010-AD71), received in the Office of the President of the Senate on November 30,

2010; to the Committee on Energy and Natural Resources.

EC-8300. A communication from the Chief, Listing Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Revised Critical Habitat for Santa Ana Sucker" (RIN1018-AW23), received in the Office of the President of the Senate on December 1, 2010; to the Committee on Energy and Natural Resources.

EC-8301. A communication from the Chief, Listing Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Vermilion Darter" (RIN1018-AW52), received in the Office of the President of the Senate on December 1, 2010; to the Committee on Environment and Public Works.

EC-8302. A communication from the Chief, Listing Branch, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Polar Bear (Ursus maritimus)" (RIN1018-AW56), received in the Office of the President of the Senate on December 1, 2010; to the Committee on Environment and Public Works.

EC-8303. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Salvage Discount Factors for 2010" (Rev. Proc. 2010-50), received in the Office of the President of the Senate on December 1, 2010; to the Committee on Finance.

EC-8304. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Unpaid Loss Discount Factors for 2010" (Rev. Proc. 2010-49), received in the Office of the President of the Senate on December 1, 2010; to the Committee on Finance.

EC-8305. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance on In-Plan Roth Rollovers" (Notice 2010-84), received in the Office of the President of the Senate on December 1, 2010; to the Committee on Finance.

EC-8306. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Funding Relief for Multiemployer Defined Benefit Plans Under Pension Relief Act 2010" (Notice 2010-83), received in the Office of the President of the Senate on December 1, 2010; to the Committee on Finance.

EC-8307. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Branded Prescription Drug Sales" (Notice 2010-71), received in the Office of the President of the Senate on December 1, 2010; to the Committee on Finance.

EC-8308. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2010 National Pool" (Notice 2010-74), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Finance.

EC-8309. A communication from the Program Manager, Center for Medicaid, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid Program; Cost Limit for Providers Operated by Units of Government and Provisions to Ensure the Integrity of Federal-State Financial Partnership" (RIN0938-AQ40), received in the Office of the President of the Senate on December 1, 2010; to the Committee on Finance.

EC-8310. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report on the Child Support Enforcement Program for fiscal year 2008; to the Committee on Finance.

EC-8311. A communication from the Principal Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, to include technical data, and defense services to Canada related to design, manufacture, and delivery of the Anik G1 Commercial Communication Satellite in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-8312. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; General and Plastic Surgery Devices; Classification of Tissue Adhesive with Adjunct Wound Closure Device Intended for Topical Approximation of Skin" (Docket No. FDA-2010-N-0512), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-8313. A communication from the Deputy Director for Operations, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Debt Collection" (RIN1212-AB21), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-8314. A communication from the Deputy Director for Operations, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits" (29 CFR Part 4022), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-8315. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-595 "Pre-k Acceleration and Clarification Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-8316. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-596 "University of the District of Columbia Board of Trustees Quorum and Contracting Reform Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-8317. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 18-160 "Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-8318. A communication from the General Counsel, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, the report of a rule entitled "Correction of Administrative Errors" (5 CFR Part 1605), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8319. A communication from the Director, National Science Foundation, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Agency's Financial Report; to the Committee on Homeland Security and Governmental Affairs.

EC-8320. A communication from the Chairman, Federal Communications Commission, transmitting, pursuant to law, the Commission's Fiscal Year 2010 Agency Financial Report; to the Committee on Homeland Security and Governmental Affairs.

EC-8321. A communication from the Secretary of the Department of Veterans

Affairs, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8322. A communication from the Secretary of Labor, transmitting, pursuant to law, the Semiannual Report of the Office of Inspector General of the Department of Labor for the period from April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8323. A communication from the Chief Executive Officer, Corporation for National and Community Service, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DORGAN, from the Committee on Indian Affairs:

Report to accompany S. 2802, A bill to settle land claims within the Fort Hall Reservation (Rept. No. 111-356).

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, with amendments:

S. 3817. A bill to amend the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and the Abandoned Infants Assistance Act of 1988 to reauthorize the Acts, and for other purposes.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Ms. COLLINS:

S. 4000. A bill to provide for improvements to the United States Postal Service, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WEBB (for himself and Mr. THUNE):

S. 4001. A bill to require the Secretary of the Treasury to mint coins in commemoration of the Centennial of Marine Corps Aviation, and to support construction of the Marine Corps Heritage Center; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BUNNING:

S. 4002. A bill to require the Secretary of Agriculture to issue expeditiously special use permits regarding the use of houseboats on Laurel Lake in the Daniel Boone National Forest in the State of Kentucky, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DEMINT (for himself and Mrs. MCCASKILL):

S. 4003. A bill to authorize the International Trade Commission to develop and recommend legislation for temporarily suspending duties and for other purposes; to the Committee on Finance.

By Mr. ENSIGN (for himself, Mr. LIEBERMAN, and Mr. BROWN of Massachusetts):

S. 4004. A bill to amend section 798 of title 18, United States Code, to provide penalties for disclosure of classified information related to certain intelligence activities and for other purposes; to the Committee on the Judiciary.

By Mr. WHITEHOUSE (for himself and Mr. CORNYN):

S. 4005. A bill to amend title 28, United States Code, to prevent the proceeds or instrumentalities of foreign crime located in the United States from being shielded from foreign forfeiture proceedings; to the Committee on the Judiciary.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. Res. 692. A resolution congratulating the San Francisco Giants on winning the 2010 World Series Championship; to the Committee on Commerce, Science, and Transportation.

By Mr. WEBB (for himself, Mr. MCCAIN, Mr. BOND, Mr. INHOFE, Mr. BROWN of Massachusetts, Mr. BEGICH, Mr. LIEBERMAN, Mr. RISCH, Mr. SCHUMER, Mr. MENENDEZ, Mr. LUGAR, Mr. NELSON of Florida, Mr. VOINOVICH, Mr. WICKER, Mr. AKAKA, Mr. INOUYE, Mr. WARNER, Mr. KYL, Mr. GREGG, Mr. LEMIEUX, Mr. ISAKSON, Mr. CASEY, Mrs. SHAHEEN, Mrs. FEINSTEIN, Mrs. MCCASKILL, Mr. TESTER, and Mr. DURBIN):

S. Res. 693. A resolution condemning the attack by the Democratic People's Republic of Korea against the Republic of Korea, and affirming support for the United States-Republic of Korea alliance; considered and agreed to.

ADDITIONAL COSPONSORS

S. 3237

At the request of Mr. HARKIN, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 3237, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 3255

At the request of Mrs. LINCOLN, the name of the Senator from Connecticut [Mr. DODD] was added as a cosponsor of S. 3255, a bill to amend title XVIII of the Social Security Act to provide coverage for custom fabricated breast prostheses following a mastectomy.

S. 3756

At the request of Mr. ROCKEFELLER, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 3756, a bill to amend the Communications Act of 1934 to provide public safety providers an additional 10 megahertz of spectrum to support a national, interoperable wireless broadband network and authorize the Federal Communications Commission to hold incentive auctions to provide funding to support such a network, and for other purposes.

S. 3773

At the request of Mr. MCCONNELL, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of S. 3773, a bill to permanently extend the 2001 and 2003 tax relief provisions and to provide permanent AMT relief and estate tax relief, and for other purposes.

S. 3853

At the request of Mr. CARPER, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of S. 3853, a bill to modernize and refine the requirements of the Government Performance and Results Act of 1993, to require quarterly performance reviews of Federal policy and management priorities, to establish Chief Operating Officers, Performance Improvement Officers, and the Performance Improvement Council, and for other purposes.

S. 3925

At the request of Mr. BINGAMAN, the names of the Senator from New Hampshire [Mrs. SHAHEEN] and the Senator from Colorado [Mr. UDALL] were added as cosponsors of S. 3925, a bill to amend the Energy Policy and Conservation Act to improve the energy efficiency of, and standards applicable to, certain appliances and equipment, and for other purposes.

S. 3950

At the request of Mr. KERRY, the name of the Senator from Hawaii [Mr. AKAKA] was added as a cosponsor of S. 3950, a bill to amend title XVIII of the Social Security Act to provide for the application of a consistent Medicare part B premium for all Medicare beneficiaries for 2011.

S. 3984

At the request of Mr. REED, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of S. 3984, a bill to

amend and extend the Museum and Library Services Act, and for other purposes.

S. 3990

At the request of Mr. BROWN of Massachusetts, the names of the Senator from Florida [Mr. LEMIEUX], the Senator from Maine [Ms. SNOWE] and the Senator from Georgia [Mr. CHAMBLISS] were added as cosponsors of S. 3990, a bill to extend emergency unemployment benefits without adding to the Federal budget deficit, and for other purposes.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. LEAHY,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on December 2, 2010, at 9 a.m.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on December 2, 2010, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Tax Reform: Historical Trends in Income and revenue."

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on December 2, 2010, at 3 p.m.

SUBCOMMITTEE ON AVIATION OPERATIONS, SAFETY, AND SECURITY

The Subcommittee on Aviation Operations, Safety, and Security of the Committee on Commerce, Science, and Transportation be authorized to hold a meeting during the session of the Senate on December 2, 2010, at 2:15 p.m. in room 253 of the Russell Senate Office Building. The Subcommittee will hold a hearing entitled "International Aviation Screening Standards."

SUBCOMMITTEE ON CONSUMER PROTECTION, PRODUCT SAFETY, AND INSURANCE

The Subcommittee on Consumer Protection, Product Safety, and Insurance of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on December 2, 2010, at 10 a.m., in room 253 of the Russell Senate Office Building. The Committee will hold a hearing entitled, "Oversight of the Consumer Product Safety Commission: Product Safety in the Holiday Season."

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

The Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on December 2, 2010, at 10 a.m. to conduct a hearing entitled, "Finding Solutions to the Challenges Facing the U.S. Postal Service."

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 3:28 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6473. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

At 4:45 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks announced that the House has passed the following bill, without amendment:

S. 3307. An act to reauthorize child nutrition programs, and for other purposes.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6469. An act to amend section 17 of the Richard B. Russell National School Lunch Act to include a condition of receipt of funds under the child and adult care food program.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 4853) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes, with an amendment.

At 6:21 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks announced that the Speaker has signed the following enrolled bills:

S. 1338. An act to require the accreditation of English language training programs, and for other purposes.

S. 1421. An act to amend section 42 of title 18, United States Code, to prohibit the importation and shipment of certain species of carp.

S. 3250. An act to provide for the training of Federal building personnel, and for other purposes.

H.R. 4387. An act to designate the Federal building located at 100 North Palafox Street in Pensacola, Florida, as the "Winston E. Arnow Federal Building".

H.R. 5283. An act to provide for adjustment of status for certain Haitian orphans paroled into the United States after the earthquake of January 12, 2010.

H.R. 5651. An act to designate the Federal building and United States courthouse located at 515 9th Street in Rapid City, South Dakota, as the "Andrew W. Bogue Federal Building and United States Courthouse".

H.R. 5706. An act to designate the building occupied by the Government Printing Office located at 31451 East United Avenue in Pueblo, Colorado, as the "Frank Evans Government Printing Office Building".

H.R. 5773. An act to designate the Federal building located at 6401 Security Boulevard in Baltimore, Maryland, commonly known as the Social Security Administration Operations Building, as the "Robert M. Ball Federal Building".

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the PRESIDENT pro tempore.

At 8:51 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks announced that the Speaker has signed the following enrolled bill:

H.R. 4783. This Act may be cited as "The Claims Resettlement Act of 2010".

HOUSE BILL REFERRED

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

H.R. 6469. An act to amend section 17 of the Richard B. Russell National School Lunch Act to include a condition of receipt of funds under the child and adult care food program; to the Committee on Agriculture, Nutrition, and Forestry.

ENROLLED BILLS SIGNED

The PRESIDENT pro tempore reported that he had signed the following enrolled bills, which were previously signed by the Speaker of the House:

H.R. 6162. An act to provide research and development authority for alternative coinage materials to the Secretary of the Treasury, increase congressional oversight over coin production, and ensure the continuity of certain numismatic items.

H.R. 6166. An act to authorize the production of palladium bullion coins to provide affordable opportunities for investments in precious metals, and for other purposes.

OBJECTION TO CONSIDERATION OF BILL S. 3976

Mr. WHITEHOUSE asked unanimous consent that the Committee on Finance be discharged from further consideration of the bill (S. 3976) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes; that the Senate proceed to consider the bill; that there be four hours, equally divided and controlled, for debate between Mr. SANDERS and the minority leader, or his designee; that no amendment or motion be in order; that, upon conclusion of debate, the bill be read the third time; and that the Senate vote on passage of the bill.

Mr. BARRASSO objected.

OBJECTION TO EXECUTIVE SESSION

Mr. LEAHY asked unanimous consent that at a time to be determined by the majority leader, after consultation with the minority leader, the Senate proceed to executive session to consider the nomination of James Michael Cole, of the District of Columbia, to be Deputy Attorney General; that there be 2 hours, equally divided and controlled, for debate thereon between the chairman and the ranking member of the Committee on the Judiciary; that, upon conclusion of debate, the Senate vote on confirmation of the nomination; that, after the vote, a motion to reconsider be made and laid on the table; that the President be immediately notified of the Senate's action; and that the Senate then resume its legislative session.

Mr. SESSIONS objected.

RECESS

Pursuant to the order of yesterday, as modified,

At 12:44 p.m.,

The PRESIDING OFFICER (Mrs. HAGAN in the chair) declared the Senate recessed until 3:30 p.m.

AT 3:30 P.M.

The PRESIDING OFFICER (Mr. FRANKEN in the chair) called the Senate to order.

OBJECTION TO CONSIDERATION OF BILL S. 3981

Mrs. BOXER asked unanimous consent that the Committee on Finance be discharged from further consideration of the bill (S. 3981) to provide for a temporary extension of unemployment insurance provisions; that the Senate proceed to consider the bill; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. BARRASSO objected.

Pending debate,

Mr. CASEY asked unanimous consent that the Committee on Finance be discharged from further consideration of bill S. 3981; that the Senate proceed to consider the bill; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. ENSIGN objected.

Pending debate,

RECESS

By unanimous consent, on the request of Mr. LEMIEUX,

Ordered, That the Senate stand in recess, subject to the call of the chair.

Pursuant to the foregoing order,

At 7:19 p.m.,

The PRESIDING OFFICER (Mr. MANCHIN in the chair) declared the Senate recessed, subject to the call of the chair.

AT 9:38 P.M.

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) called the Senate to order.

MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2011

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the joint resolution (H.J. Res. 101) making further continuing appropriations for fiscal year 2011, and for other purposes, received from the House of Representatives for concurrence on yesterday, and remaining undisposed of; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the joint resolution.

The question being on passage of the joint resolution; and

No amendment being proposed,

The joint resolution was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4853

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 4853) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

On motion by Mr. REID that the Senate concur in the amendment of the House to the amendment of the Senate to the bill, with an amendment (Numbered 4727).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

Mr. REID presented a motion to bring to a close debate on the pending motion to concur; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur, with amendment, in the House amendment to the Senate amendment to bill H.R. 4853:

HARRY REID, CHUCK SCHUMER, BEN CARDIN, BARBARA BOXER, AL FRANKEN, JEANNE SHAHEEN, MARK R. WARNER, DEBBIE STABENOW, SHELDON WHITEHOUSE, MARK UDALL, TOM UDALL, BYRON L. DORGAN, PATTY MURRAY, ROBERT P. CASEY JR., PAT LEAHY, TOM HARKIN, J. A. MERKLEY.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

On motion by Mr. REID for Mr. SCHUMER (for himself, Ms. STABENOW, and Mr. MENENDEZ) to amend (perfect) the amendment (Numbered 4727) contained in the pending motion to concur in the amendment of the House to the amendment of the Senate to the bill by striking all after the first word and inserting in lieu thereof other words (being amendment No. 4728).

Mr. REID presented a motion to bring to a close debate on amendment No. 4728; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on amendment No. 4728 to amendment No. 4727 contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to bill H.R. 4853:

HARRY REID, CHUCK SCHUMER, BEN CARDIN, BARBARA BOXER, AL FRANKEN, JEANNE SHAHEEN, MARK R. WARNER, DEBBIE STABENOW, SHELDON WHITEHOUSE, MARK UDALL, TOM UDALL, ROBERT P. CASEY JR., FRANK LAUTENBERG, DIANNE FEINSTEIN, MARK PRYOR, DICK DURBIN.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

On motion by Mr. REID to refer the pending House amendment to the Committee on Finance with instructions to report back forthwith with an amendment (Numbered 4729).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

On motion by Mr. REID to amend the instructions (designated amendment No. 4729) contained in the pending motion to refer with instructions, at the end thereof, by adding certain words (being amendment No. 4730).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

On motion by Mr. REID to amend the pending amendment, at the end thereof, by adding certain words (being amendment No. 4731).

Pending debate,

ENACTING CERTAIN LAWS RELATING TO PUBLIC CONTRACTS

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the bill (H.R. 1107) to enact certain laws relating to public contracts as title 41, United States Code, "Public Contracts.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

On motion by Mr. DURBIN for Mr. SESSIONS (for himself and Mr. LEAHY) to amend the pending bill on various pages and lines, by striking certain words and inserting other words (being amendment No. 4726).

The amendment was agreed to.

The bill, as amended, was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CONSIDERATION OF CERTAIN BILLS ON THE CALENDAR, EN BLOC

By unanimous consent, on the request of Mr. DURBIN,

The Senate proceeded to consider, en bloc, the following bills on the calendar:

S. 3784. A bill to designate the facility of the United States Postal Service located at 4865 Tallmadge Road in Rootstown, Ohio, as the "Marine Sgt. Jeremy E. Murray Post Office";

H.R. 5758. A bill to designate the facility of the United States Postal Service located at 2 Government Center in Fall River, Massachusetts, as the "Sergeant Robert Barrett Post Office Building";

H.R. 6118. A bill to designate the facility of the United States Postal Service located at 2 Massachusetts Avenue, NE, in Washington, D.C., as the "Dorothy I. Height Post Office";

H.R. 6237. A bill to designate the facility of the United States Postal Service located at 1351 2nd Street in Napa, California, as the "Tom Kongsgaard Post Office Building";

H.R. 6387. A bill to designate the facility of the United States Postal Service located at 337 West Clark Street in Eureka, California, as the "Sam Sacco Post Office Building".

The bills, en bloc, were read the third time, by unanimous consent.

Resolved, That the bills, en bloc, do pass.

A motion to reconsider the vote on the passage of the bills, en bloc, was deemed made and laid on the table, by unanimous consent.

CONDEMNING THE ATTACK BY THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA AGAINST THE REPUBLIC OF KOREA, AND AFFIRMING SUPPORT FOR THE UNITED STATES-REPUBLIC OF KOREA ALLIANCE

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 693) condemning the attack by the Democratic People's Republic of Korea against the Republic of Korea, and affirming support for the United States-Republic of Korea alliance, submitted today by Mr. WEBB (for himself, Mr. MCCAIN, Mr. BOND, Mr. INHOFE, Mr. SCOTT BROWN, Mr. BEGICH, Mr. LIEBERMAN, Mr. RISCH, Mr. SCHUMER, Mr. MENENDEZ, Mr. LUGAR, Mr. BILL NELSON, Mr. VOINOVICH, Mr. WICKER, Mr. AKAKA, Mr. INOUYE, Mr. WARNER, Mr. KYL, Mr. GREGG, Mr. LEMIEUX, Mr. ISAKSON, Mr. CASEY, Mrs. SHAHEEN, Mrs. FEINSTEIN, Mrs. MCCASKILL, and Mr. TESTER), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That he be added as cosponsor of the pending resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that there then be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

ADJOURNMENT

By unanimous consent, on the request of Mr. DURBIN,

At 9:50 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

FRIDAY, DECEMBER 3, 2010

Mr. JEFF MERKLEY, from the State of Oregon, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. MERKLEY led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, December 3, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF MERKLEY, a Senator from the State of Oregon, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. MERKLEY took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, Friday, December 3, 2010, she had presented to the President of the United States the following enrolled bills:

S. 1338. A bill to require the accreditation of English language training programs, and for other purposes.

S. 1421. A bill to amend section 42 of title 18, United States Code, to prohibit the importation and shipment of certain species of carp.

S. 2847. A bill to regulate the volume of audio on commercials.

S. 3250. A bill to provide for the training of Federal building personnel, and for other purposes.

REPORT OF A COMMITTEE

The following report of committee was submitted:

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 3984. A bill to amend and extend the Museum and Library Services Act, and for other purposes.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. BURR (for himself and Mr. COBURN):

S. 4006. A bill to provide for the use of unobligated discretionary stimulus dollars to address AIDS Drug Assistance Program waiting lists and other cost containment measures impacting State ADAP programs; read the first time.

By Mr. AKAKA:

S. 4007. A bill to amend the Humane Methods of Livestock Slaughter Act of 1958 to ensure the humane slaughter of nonambulatory livestock, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CASEY (for himself and Mr. BROWN of Massachusetts):

S. 4008. A bill to enhance United States diplomatic efforts with respect to Iran by imposing additional economic sanctions against Iran, and for other purposes; to the Committee on Finance.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. BROWNBACK (for himself, Mr. WHITEHOUSE, Ms. MURKOWSKI, Mr. LEAHY, Mr. KYL, Mr. CASEY, Mr. JOHANNS, Mr. WYDEN, and Mr. LIEBERMAN):

S. Res. 694. A resolution condemning the Government of Iran for its state-sponsored persecution of religious minorities in Iran and its continued violation of the International Covenant on Human Rights; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 3390

At the request of Mr. FRANKEN, the name of the Senator from Colorado [Mr. BENNET] was added as a cosponsor of S. 3390, a bill to end the discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 3946

At the request of Mr. BAUCUS, the name of the Senator from Delaware [Mr. COONS] was added as a cosponsor of S. 3946, a bill to repeal the expansion of information reporting requirements for payments of $600 or more to corporations, and for other purposes.

S. 3973

At the request of Mr. VOINOVICH, the name of the Senator from Alaska [Ms. MURKOWSKI] was added as a cosponsor of S. 3973, a bill to amend the Energy Policy Act of 2005 to reauthorize and modify provisions relating to the diesel emissions reduction program.

S. 3990

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Missouri [Mr. BOND] was added as a cosponsor of S. 3990, a bill to extend emergency unemployment benefits without adding to the Federal budget deficit, and for other purposes.

AUTHORITY FOR A COMMITTEE TO MEET

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the following committee be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on Friday, December 3, 2010, at 9 a.m.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 10:22 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 325. Concurrent resolution supporting the goals and ideals of National Homeless Persons' Memorial Day.

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

S. 2847. An act to regulate the volume of audio on commercials.

ENROLLED BILL SIGNED

The PRESIDENT pro tempore reported that he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 4783. This Act may be cited as "The Claims Resettlement Act of 2010".

HOUSE CONCURRENT RESOLUTION REFERRED

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 325. Concurrent resolution supporting the goals and ideals of National Homeless Persons' Memorial Day; to the Committee on Health, Education, Labor, and Pensions.

ORDER RELATIVE TO BILL H.R. 4853

By unanimous consent, on the request of Mr. REID,

Ordered, That, at 10:30 a.m. on tomorrow, the Senate vote on the question of agreeing to the motion to bring to a close debate on the motion to concur in the House amendment (in the nature of a substitute) to the Senate amendment (in the nature of a substitute) to bill H.R. 4853, with amendment No. 4727 (in the nature of a substitute); and that the time from 8:30 a.m. to 10:30 a.m. be equally divided and controlled for debate thereon between the two leaders, or their designees.

Pending debate,

ENACTING CERTAIN LAWS RELATING TO NATIONAL AND COMMERCIAL SPACE PROGRAMS

By unanimous consent, on the request of Mr. DURBIN,

The Senate proceeded to consider the bill (H.R. 3237) to enact certain laws relating to national and commercial space programs as title 51, United States Code, "National and Commercial Space Programs".

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CAPTA REAUTHORIZATION ACT

By unanimous consent, on the request of Mr. DURBIN,

The Senate proceeded to consider the bill (S. 3817) to amend the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and the Abandoned Infants Assistance Act of 1988 to reauthorize the Acts, and for other purposes.

The question being on agreeing to the reported amendments.

The reported amendments were agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

REMOVAL CLARIFICATION ACT

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the bill (H.R. 5281) to amend title 28, United States Code, to clarify and improve certain provisions relating to the removal of litigation against Federal officers or agencies to Federal courts, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

On motion by Mr. DURBIN (for Mr. LEAHY) to amend the pending bill on various pages and lines, striking certain words and inserting other words (being amendment No. 4732).

The amendment was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

The PAYGO letter of the Chairman of the Committee on the Budget was read.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

BILL READ THE FIRST TIME

On the request of Mr. DURBIN,

The PRESIDING OFFICER (Mr. MENENDEZ in the chair) laid before the Senate the bill (S. 4006) to provide for the use of unobligated discretionary stimulus dollars to address AIDS Drug Assistance Program waiting lists and other cost containment measures impacting State ADAP programs, introduced today by Mr. BURR (for himself and Mr. COBURN), and at the desk; which was read the first time.

Mr. DURBIN asked unanimous consent that the bill be read the second time.

Mr. DURBIN objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

RELIEF OF SHIGERU YAMADA

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the bill (S. 124) for the relief of Shigeru Yamada.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RELIEF OF HOTARU NAKAMA FERSCHKE

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the bill (S. 1774) for the relief of Hotaru Nakama Ferschke.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

On motion by Mr. DURBIN (for Mr. WEBB) to amend the pending bill, at the end thereof, by adding certain words (being amendment No. 4733).

The amendment was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

The PAYGO letter of the Chairman of the Committee on the Budget was read.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDER RELATIVE TO BILL H.R. 4853

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, on tomorrow, when the Senate resumes consideration of the House amendment to the Senate amendment to bill H.R. 4853, the time of the majority be equally divided and controlled for debate between Mr. SCHUMER and Mr. BAUCUS, or their designees.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

UNITED STATES COMMISSION ON CIVIL RIGHTS

The PRESIDING OFFICER announced that the President pro tempore, upon the recommendation of the majority leader, pursuant to Public Law 98-183, as amended by Public Law 103-419, had appointed the following individual to the United States Commission on Civil Rights: Alice C. "Dina" Titus, of Nevada.

ORDERS FOR ADJOURNMENT UNTIL 8:15 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 8:15 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate resume consideration of the House amendment to the Senate amendment to bill H.R. 4853, as pursuant to the order of today.

AUTHORIZING SIGNING OF ENROLLED BILLS AND JOINT RESOLUTIONS

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, on today, the majority leader be authorized to sign duly enrolled bills and joint resolutions.

ADJOURNMENT

By unanimous consent, on the request of Mr. DURBIN,

At 3:31 p.m.,

The Senate adjourned, under its order of today, until 8:15 a.m. on tomorrow.

SATURDAY, DECEMBER 4, 2010

Mr. MARK BEGICH, from the State of Alaska, called the Senate to order at 8:15 a.m., the Chaplain offered a prayer, and Mr.

BEGICH led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, December 4, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK BEGICH, a Senator from the State of Alaska, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. BEGICH took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 4006) to provide for the use of unobligated discretionary stimulus dollars to address AIDS Drug Assistance Program waiting lists and other cost containment measures impacting State ADAP programs, introduced on yesterday by Mr. BURR (for himself and Mr. COBURN), and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the bill.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4853

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment of the Senate to the bill (H.R. 4853) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes; and

The Senate resumed consideration of the House amendment.

The question being on agreeing to amendment No. 4731, proposed by Mr. REID, to amendment No. 4730, proposed by Mr. REID, to the instructions (designated amendment No. 4729) contained in the motion, by Mr. REID, to refer the pending House amendment to the Committee on Finance with instructions.

Pending debate,

The PRESIDING OFFICER (Mrs. HAGAN in the chair) laid before the Senate the motion, presented by Mr. REID on Thursday, December 2, 2010, to bring to a close debate on the motion to concur, with amendment, in the House amendment to the Senate amendment to bill H.R. 4853.

Pursuant to the order of Thursday, December 2, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the negative---
yeas... 53, nays... 36

[Rollcall Vote No. 258 Leg.]

YEAS --- 53

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Cantwell, Cardin, Carper, Casey, Conrad, Coons, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Whitehouse, Wyden.

NAYS --- 36

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Coburn, Cochran, Collins, Corker, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Hatch, Johanns, Kirk, Kyl, LeMieux, Lieberman, Lugar, Manchin, McCain, McConnell, Murkowski, Nelson (NE), Risch, Roberts, Shelby, Snowe, Thune, Webb, Wicker.

So the motion was not agreed to; three-fifths of Senators duly chosen and sworn not having voted in the affirmative.

Pending debate,

The PRESIDING OFFICER laid before the Senate the motion, presented by Mr. REID on Thursday, December 2, 2010, to bring to a close debate on amendment No. 4728 to amendment No. 4727 (in the nature of a substitute) contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to bill H.R. 4853.

Pursuant to the order of Thursday, December 2, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the negative---
yeas... 53, nays... 37

[Rollcall Vote No. 259 Leg.]

YEAS --- 53

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Cantwell, Cardin, Carper, Casey, Conrad, Coons, Dodd, Dorgan, Feinstein, Franken, Gillibrand, Hagan, Inouye, Johnson, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lincoln, Manchin, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 37

Alexander, Barrasso, Bennett, Bond, Brown (MA), Brownback, Coburn, Cochran, Collins, Corker, Crapo, DeMint, Durbin, Ensign, Enzi, Feingold, Graham, Grassley, Harkin, Hatch, Johanns, Kirk, Kyl, LeMieux, Lieberman, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Rockefeller, Shelby, Snowe, Thune, Voinovich, Wicker.

So the motion was not agreed to; three-fifths of Senators duly chosen and sworn not having voted in the affirmative.

The question being on agreeing to amendment No. 4731 to amendment No. 4730 to the instructions (designated amendment No. 4729) contained in the motion to refer the pending House amendment to the Committee on Finance with instructions.

Pending debate,

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

Pending debate,

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under authority of the order of the Senate of January 5, 2009, the Secretary of the Senate, on December 3, 2010, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills and joint resolution:

S. 2847. An act to regulate the volume of audio on commercials.

S. 3307. An act to reauthorize child nutrition programs, and for other purposes.

H.R. 5758. An act to designate the facility of the United States Postal Service located at 2 Government Center in Fall River, Massachusetts, as the "Sergeant Robert Barrett Post Office Building".

H.R. 6118. An act to designate the facility of the United States Postal Service located at 2 Massachusetts Avenue, NE, in Washington, D.C., as the "Dorothy I. Height Post Office".

H.R. 6237. An act to designate the facility of the United States Postal Service located at 1351 2nd Street in Napa, California, as the "Tom Kongsgaard Post Office Building".

H.R. 6387. An act to designate the facility of the United States Postal Service located at 337 West Clark Street in Eureka, California, as the "Sam Sacco Post Office Building".

H.J. Res. 101. Joint resolution making further continuing appropriations for fiscal year 2011, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Under authority of the order of the Senate of December 3, 2010, the enrolled bills and joint resolution were signed on December 3, 2010, during the adjournment of the Senate, by the ACTING PRESIDENT pro tempore (Mr. REID).

INTRODUCTION OF A BILL

The following bill was introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mrs. HUTCHISON (for herself and Mr. CORNYN):

S. 4009. A bill to provide an alternate distribution of education jobs funds for Texas; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 3981

At the request of Mr. BAUCUS, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 3981, a bill to provide for a temporary extension of unemployment insurance provisions.

ENROLLED BILL SIGNED

The PRESIDENT pro tempore reported that he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

S. 3307. An act to reauthorize child nutrition programs, and for other purposes.

REQUIRING REPORTS ON THE MANAGEMENT OF ARLINGTON NATIONAL CEMETERY

By unanimous consent, on the request of Mrs. MCCASKILL,

Ordered, That the Committee on Veterans Affairs be discharged from the further consideration of the bill (S. 3860) to require reports on the management of Arlington National Cemetery.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

On motion by Mrs. MCCASKILL (for herself, Mr. SCOTT BROWN, and Mr. COONS) to strike all after the enacting clause and insert in lieu thereof other words (being amendment No. 4734, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RELATIVE TO IMPROVING CERTAIN ADMINISTRATIVE OPERATIONS OF THE OFFICE OF THE ARCHITECT OF THE CAPITOL

By unanimous consent, on the request of Mrs. MCCASKILL,

Ordered, That the Committee on Rules and Administration be discharged from the further consideration of the bill (H.R. 6399) to improve certain administrative operations of the Office of the Architect of the Capitol, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, DECEMBER 6, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mrs. MCCASKILL,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2 p.m. on Monday, December 6, 2010; that, on Monday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that there then be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

ADJOURNMENT

By unanimous consent, on the request of Mrs. MCCASKILL,

At 12:18 p.m.,

The Senate adjourned, under its order of today, until 2 p.m. on Monday, December 6, 2010.

MONDAY, DECEMBER 6, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, December 6, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of Saturday, December 4, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Saturday, December 4, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of Saturday, December 4, 2010,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, Monday, December 6, 2010, she had presented to the President of the United States the following enrolled bill:

S. 3307. An original bill to reauthorize child nutrition programs, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-8324. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Tristyrylphenol ethoxylates; Exemption from the Requirement of a Tolerance" (FRL No. 8836-5), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8325. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska" (RIN0648-XZ61), received in the Office of the President of the Senate on December 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8326. A communication from the Assistant Chief Counsel for General Law, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Pipeline Safety: Updates to Pipeline and Liquefied Natural Gas Reporting Requirements" (RIN2137-AE33), received in the Office of the President of the Senate on December 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8327. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Closure of the 2010 Gulf of Mexico Commercial Sector for Greater Amberjack" (RIN0648-XY49), received in the Office of the President of the Senate on December 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8328. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch by Vessels in the Amendment 80 Limited Access Fishery in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area" (RIN0648-XA033), received in the Office of the President of the Senate on December 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8329. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Central Aleutian District of the Bering Sea and Aleutian Islands Management Area" (RIN0648-XA035), received in the Office of the President of the Senate on December 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8330. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sikorsky Aircraft Corporation (Sikorsky) Model S-70A and S-70C Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-0490)), received in the Office of the President of the Senate on December 6, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8331. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants, State of Delaware; Control of Emissions from Existing Hospital/Medical/Infectious Waste Incinerator (HMIWI) Units, Negative Declaration and Withdrawal of EPA Plan Approval" (FRL No. 9233-4), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Environment and Public Works.

EC-8332. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Determinations of Attainment by the Applicable Attainment Date for the Hayden, Nogales, Paul Spur/Douglas PM10 Nonattainment Areas, Arizona; Withdrawal of Direct Final Rule" (FRL No. 9233-1), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Environment and Public Works.

EC-8333. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Federal Requirements Under the Underground Injection Control (UIC) Program for Carbon Dioxide (CO2) Geologic Sequestration (GS) Wells" (FRL No. 9232-7), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Environment and Public Works.

EC-8334. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Withdrawal of Direct Final Exclusion" (FRL No. 9231-4), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Environment and Public Works.

EC-8335. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Mandatory Reporting of Greenhouse Gases: Injection and Geologic Sequestration of Carbon Dioxide" (FRL No. 9232-6), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Environment and Public Works.

EC-8336. A communication from the Director, Office of Administration, Executive Office of the President, transmitting, pursuant to law, a report relative to transactions from the Unanticipated Needs Account for Fiscal Year 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8337. A communication from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, the Commission's Performance and Accountability Report for fiscal year 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8338. A communication from the Administrator of the Agency for International Development (USAID), transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

H.R. 2941. A bill to reauthorize and enhance Johanna's Law to increase public awareness and knowledge with respect to gynecologic cancers.

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute and an amendment to the title:

S. 3036. A bill to establish the National Alzheimer's Project.

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 3199. A bill to amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss.

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 3728. A bill to amend title 17, United States Code, to extend protection to fashion design, and for other purposes.

INTRODUCTION OF A BILL

The following bill was introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mrs. FEINSTEIN:

S. 4010. A bill for the relief of Shigeru Yamada; considered and passed.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Ms. MIKULSKI (for herself, Ms. SNOWE, Ms. STABENOW, and Mrs. BOXER):

S. Res. 695. A resolution recognizing the 20th anniversary of the National Institutes of Health Office of Research on Women's Health and the continuing leadership and achievements of the Office on Women's Health in conducting and supporting biomedical research to improve women's health; considered and agreed to.

ADDITIONAL COSPONSORS

S. 1204

At the request of Mrs. MURRAY, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 1204, a bill to amend the Department of Veterans Affairs Health Care Programs Enhancement Act of 2001 to require the provision of chiropractic care and services to veterans at all Department of Veterans Affairs medical centers, and for other purposes.

S. 1334

At the request of Mrs. GILLIBRAND, the name of the Senator from Louisiana [Ms. LANDRIEU] was added as a cosponsor of S. 1334, a bill to amend the Public Health Service Act to extend and improve protections and services to individuals directly impacted by the terrorist attack in New York City on September 11, 2001, and for other purposes.

S. 3486

At the request of Mr. BROWN of Ohio, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 3486, a bill to amend title 38, United States Code, to repeal the prohibition on collective bargaining with respect to matters and questions regarding compensation of employees of the Department of Veterans Affairs other than rates of basic pay, and for other purposes.

S. 3572

At the request of Mrs. LINCOLN, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 3572, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first law enforcement agency, the United States Marshals Service.

S. 3929

At the request of Mr. TESTER, the name of the Senator from Wyoming [Mr. ENZI] was added as a cosponsor of S. 3929, a bill to revise the Forest Service Recreation Residence Program as it applies to units of the National Forest System derived from the public domain by implementing a simple, equitable, and predictable procedure for determining cabin user fees, and for other purposes.

S. 3972

At the request of Mr. CARDIN, the name of the Senator from Minnesota [Ms. KLOBUCHAR] was added as a cosponsor of S. 3972, a bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

S. 3982

At the request of Mrs. FEINSTEIN, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 3982, a bill to amend the limitation on liability for certain passenger rail accidents or incidents under section 28103 of title 49, United States Code, and for other purposes.

S. 3989

At the request of Mr. WYDEN, the name of the Senator from South Carolina [Mr. GRAHAM] was added as a cosponsor of S. 3989, a bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for restitution and other State judicial debts that are past-due.

SENATE CONCURRENT RESOLUTION 71

At the request of Mr. FEINGOLD, the names of the Senator from Colorado [Mr. BENNET] and the Senator from California [Mrs. BOXER] were added as cosponsors of Senate Concurrent Resolution 71, a concurrent resolution recognizing the United States national interest in helping to prevent and mitigate acts of genocide and other mass atrocities against civilians, and supporting and encouraging efforts to develop a whole of government approach to prevent and mitigate such acts.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 2:03 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that pursuant to section 1002 of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107-306) as amended by section 701(a)(3) of the Intelligence Authorization Act for Fiscal Year 2010 (Public Law 111-259), and the order of the House of January 6, 2009, the Speaker appoints the following member on the part of the House of Representatives to the National Commission for the Review of the Research and Development Programs of the United States Intelligence Community: Dr. Shirley Ann Jackson of Bridgewater, New Jersey.

The message also announced that pursuant to section 1 of the Library of Congress Trust Fund Board Act (2 U.S.C. 154 note), and the order of the House of January 5, 2009, the Speaker appoints the following members on the part of the House of Representatives to the Library of Congress Trust Fund Board for a 5-year term: Mr. Richard Fredericks of San Francisco, California, Ms. Barbara Guggenheim of Los Angeles, California, and Mr. James Kimsey of McLean, Virginia.

MOTION TO PROCEED TO CONSIDER BILL S. 3991

On motion by Mr. REID that the Senate proceed to consider the bill (S. 3991) to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

The question being on agreeing to the motion.

Mr. REID presented a motion to bring to a close debate on the motion to proceed to consider bill S. 3991; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to consider bill S. 3991:

HARRY REID, PATRICK LEAHY, TOM HARKIN, CARL LEVIN, D.K. INOUYE, DICK DURBIN, BYRON L. DORGAN, JACK REED, JEFF BINGAMAN, DIANNE FEINSTEIN, MARK BEGICH, ROBERT MENENDEZ, DANIEL K. AKAKA, SHERROD BROWN, S. WHITEHOUSE, PATTY MURRAY, DEBBIE STABENOW, BARBARA BOXER.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

Mr. REID thereupon withdrew the motion to proceed.

MOTION TO PROCEED TO CONSIDER BILL S. 3985

On motion by Mr. REID that the Senate proceed to consider the bill (S. 3985) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, and for other purposes.

The question being on agreeing to the motion.

Mr. REID presented a motion to bring to a close debate on the motion to proceed to consider bill S. 3985; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to consider bill S. 3985:

HARRY REID, DICK DURBIN, BERNARD SANDERS, SHERROD BROWN, DEBBIE STABENOW, S. WHITEHOUSE, PATRICK LEAHY, BYRON L. DORGAN, JAY ROCKEFELLER, CHUCK SCHUMER, AL FRANKEN, B. A. MIKULSKI, JACK REED, FRANK R. LAUTENBERG, KIRSTEN E. GILLIBRAND, MARK BEGICH, ROBERT P. CASEY, JR., TOM UDALL.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

Mr. REID thereupon withdrew the motion to proceed.

MOTION TO PROCEED TO CONSIDER BILL S. 3992

On motion by Mr. REID that the Senate proceed to consider the bill (S. 3992) to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children and for other purposes.

The question being on agreeing to the motion.

Mr. REID presented a motion to bring to a close debate on the motion to proceed to consider bill S. 3992; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to consider bill S. 3992:

HARRY REID, DICK DURBIN, TOM HARKIN, CARL LEVIN, D.K. INOUYE, DIANNE FEINSTEIN, BYRON L. DORGAN, JACK REED, JEFF BINGAMAN, PATRICK LEAHY, MARK BEGICH, BLANCHE L. LINCOLN, ROBERT MENENDEZ, DANIEL K. AKAKA, SHERROD BROWN, S. WHITEHOUSE, PATTY MURRAY, DEBBIE STABENOW, BARBARA BOXER.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

Mr. REID thereupon withdrew the motion to proceed.

MOTION TO PROCEED TO CONSIDER BILL H.R. 847

On motion by Mr. REID that the Senate proceed to consider the bill (H.R. 847) to amend the Public Health Service Act to extend and improve protections and services to individuals directly impacted by the terrorist attack in New York City on September 11, 2001, and for other purposes.

The question being on agreeing to the motion.

Mr. REID presented a motion to bring to a close debate on the motion to proceed to consider bill H.R. 847; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to consider bill H.R. 847:

HARRY REID, KIRSTEN E. GILLIBRAND, CHUCK SCHUMER, ROBERT P. CASEY, JR., PATTY MURRAY, AL FRANKEN, JEFF BINGAMAN, BEN CARDIN, JOE MANCHIN, D.K. INOUYE, MICHAEL F. BENNET, JEANNE SHAHEEN, ROBERT MENENDEZ, BARBARA BOXER, FRANK R. LAUTENBERG, CHRISTOPHER DODD, DICK DURBIN.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

ORDER FOR FURTHER CONSIDERATION OF MOTION TO PROCEED TO CONSIDER BILL S. 3991

By unanimous consent, on the request of Mr. REID,

Ordered, That, upon conclusion of the proceedings of the impeachment trial of Judge G. Thomas Porteous, Jr., and resuming its legislative session, the Senate resume consideration of the motion to proceed to consider bill S. 3991; there be 1 hour, equally divided and controlled, for debate between the leaders, or their designees, on said motion; and that, upon conclusion of debate, the Senate vote on the motion.

ORDER FOR FURTHER CONSIDERATION OF ARTICLES OF IMPEACHMENT AGAINST JUDGE G. THOMAS PORTEOUS, JR., ON TOMORROW

By unanimous consent, on the request of Mr. REID,

Ordered, That, at 10 a.m. on tomorrow, the Senate resume its consideration of the Articles of Impeachment against Judge G. Thomas Porteous, Jr. of the Eastern District of Louisiana, for the purpose of hearing arguments by the House Managers and counsel for Judge Porteous on motions filed by Judge Porteous with regard to the impeachment articles; and that the Secretary be instructed to so notify the House of Representatives.

Ordered further, That that there be one hour for each side for argument on all motions, that counsel for Judge Porteous open and close the motions argument; and that the parties be permitted to divide their argument on the motions as they wish.

Ordered further, That, at 2:30 p.m., the Senate reconvene on the articles of impeachment for the parties' final arguments on the merits of the articles; that there be 1 ½ hours for each side to present argument on all four articles; that said period for argument be opened and closed by the House managers, as pursuant to the impeachment rules; and that no more than two individuals may speak for each side.

Ordered further, That, upon conclusion of said period for final arguments, the Senate then meet in closed session to begin its deliberations on the articles of impeachment and the related motions, as pursuant to impeachment Rule XX.

Ordered further, That the following be granted the privilege of the floor during all open sessions during consideration of the articles of impeachment against Judge Porteous:

THE JUDGE AND HIS COUNSEL

1. Judge Gabriel Thomas Porteous, Jr.
2. Jonathan Turley
3. Daniel Schwartz
4. P.J. Meitl
5. Daniel O'Connor
6. Ian Barlow

THE HOUSE OF REPRESENTATIVES MANAGERS

7. Adam Schiff (D-CA)
8. Bob Goodlatte (R-VA)
9. Henry C. "Hank" Johnson, Jr. (D-GA)
10. Jim Sensenbrenner (R-WI)
11. Zoe Lofgren (D-CA)

SPECIAL IMPEACHMENT COUNSEL TO THE HOUSE MANAGERS

12. Alan Baron
13. Harold Damelin
14. Mark Dubester
15. Kirsten Konar

STAFF TO THE HOUSE MANAGERS

16. Jeffrey Lowenstein (Schiff)
17. Branden Ritchie (Goodlatte)
18. Elisabeth Stein (Johnson)
19. Michael Lenn (Sensenbrenner)
20. Ryan Clough (Lofgren)

SENATE LEGAL COUNSEL

21. Morgan Frankel
22. Pat Bryan
23. Grant R. Vinik
24. Thomas E. Caballero

SENATE STAFF

25. Derron R. Parks
26. Thomas L. Jipping
27. Justin Kim
28. Rebecca Seidel
29. Erin P. Johnson
30. Paul Lake Dishman, IV
31. Susan Smelcer
32. Stephen Hedger
33. Chris Campbell
34. Paige Herwig
35. Stephen C.N. Lilley
36. Justin G. Florence
37. Matthew T. Nelson
38. Thomas J. Maloney
39. Nhan Nguyen
40. Erica Suares
41. Bryn Stewart
42. Emily Ferris
43. Michelle Weber
44. Jason Bohrer
45. Lori Hamamoto
46. Van Luong
47. Marie Blanco
48. Leadership Staff
49. Floor Staff

FOR THE RELIEF OF SHIGERU YAMADA

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the bill (S. 4010) for the relief of Shigeru Yamada, introduced on today by Mrs. FEINSTEIN, and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

By unanimous consent, on the request of Mr. REID,

Ordered, That the bill be read the third time; that a PAYGO letter of the Chairman of the Committee on the Budget be read; that the bill be passed; and that a motion to reconsider be made and laid on the table.

RECOGNIZING THE 500TH ANNIVERSARY OF THE BIRTH OF ITALIAN ARCHITECT ANDREA PALLADIO

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the concurrent resolution (H. Con. Res. 259) recognizing the 500th anniversary of the birth of Italian architect Andrea Palladio.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE 20TH ANNIVERSARY OF THE NATIONAL INSTITUTES OF HEALTH OFFICE OF RESEARCH ON WOMEN'S HEALTH

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 695) recognizing the 20th anniversary of the National Institutes of Health Office of Research on Women's Health and the continuing leadership and achievements of the Office on Women's Health in conducting and supporting biomedical research to improve women's health, submitted today by Ms. MIKULSKI (for herself, Ms. SNOWE, Ms. STABENOW, and Mrs. BOXER), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume consideration of the Articles of Impeachment, as pursuant to the order of today.

Ordered further, That, at 12:30 p.m. on tomorrow, the Senate resume its legislative session; that there be a period for the transaction of morning business; that Mr. LEMIEUX be recognized to speak therein for 15 minutes; and that, following remarks by him, the Senate recess until 2:30 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 5:51 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

TUESDAY, DECEMBER 7, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 10:01 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, December 7, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. UDALL took the chair.

IMPEACHMENT OF JUDGE G. THOMAS PORTEOUS, JR.

Pursuant to the order of yesterday,

The Senate sitting for the trial of the impeachment of G. Thomas Porteous, Jr., Judge of the United States District Court for the Eastern District of Louisiana, resumed its session.

After proceedings had therein, as stated in the Impeachment Journal.

LEGISLATIVE SESSION

Pursuant to the order of yesterday,

The Senate resumed its legislative session.

RECOGNITION OF MR. LEMIEUX

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business, with Mr. LEMIEUX permitted to speak for 15 minutes therein.

Pending debate.

RECESS

Pursuant to the order of yesterday, as modified,

At 12:49 p.m.,

The PRESIDING OFFICER (Mrs. SHAHEEN in the chair) declared the Senate recessed until 2:30 p.m.

AT 2:30 P.M.

The PRESIDING OFFICER (Mr. BEGICH in the chair) called the Senate to order.

IMPEACHMENT OF JUDGE G. THOMAS PORTEOUS, JR.

Pursuant to the order of yesterday,

The Senate sitting for the trial of the impeachment of G. Thomas Porteous, Jr., Judge of the United States District Court for the Eastern District of Louisiana, resumed its session.

After proceedings had therein, as stated in the Impeachment Journal.

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. REID,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-8339. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the continuation of a national emergency declared in Executive Order 13222 with respect to the lapse of the Export Administration Act of 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC-8340. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Spiroxamine; Pesticide Tolerances" (FRL No. 8850-9), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8341. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Metrafenone; Pesticide Tolerances" (FRL No. 8854-6A), received in the Office of the President of the Senate on December 1, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8342. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "N,N,N',N,'-Tetrakis-(2-Hydroxypropyl) Ethylenediamine (NTHE); Exemption from the Requirement of a Tolerance" (FRL No. 8851-8), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8343. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Polyoxyalkylated Glycerol Fatty Acid Esters; Tolerance Exemption" (FRL No. 8852-2), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8344. A communication from the Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Establishment of New Agency; Revision of Delegations of Authority" (RIN0524-AA63), received in the Office of the President of the Senate on December 6, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8345. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, five Selected Acquisition Reports (SARs) for the quarter ending September 30, 2010; to the Committee on Armed Services.

EC-8346. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 10-113, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-8347. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Extension of Attainment Date for the Atlanta, Georgia 1997 8-Hour Ozone Moderate Nonattainment Area" (FRL No. 9234-2), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Environment and Public Works.

EC-8348. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Georgia: Stage II Vapor Recovery" (FRL No. 9234-4), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Environment and Public Works.

EC-8349. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; North Carolina: Hickory-Morganton-Lenoir; Determination of Attaining Data for the 1997 Fine Particulate Matter Standard; Correction" (FRL No. 9235-5), received in the Office of the President of the Senate on December 1, 2010; to the Committee on Environment and Public Works.

EC-8350. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; North Carolina: Greensboro-Winston-Salem-High Point; Determination of Attaining Data for the 1997 Fine Particulate Matter Standard; Correction" (FRL No. 9235-4), received in

the Office of the President of the Senate on December 1, 2010; to the Committee on Environment and Public Works.

EC-8351. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Addition of National Toxicology Program Carcinogens; Community Right-to-Know Toxic Chemical Release Reporting" (FRL No. 9231-5), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Environment and Public Works.

EC-8352. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Quality Designations for the 2008 Lead (Pb) National Ambient Air Quality Standards" (FRL No. 9230-4), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Environment and Public Works.

EC-8353. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New Mexico; Interstate Transport of Pollution" (FRL No. 9230-3), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Environment and Public Works.

EC-8354. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Control of Volatile Organic Compound Emissions From Industrial Solvent Cleaning Operations; Withdrawal of Direct Final Rule" (FRL No. 9231-9), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Environment and Public Works.

EC-8355. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Ohio; Ohio Portion of the Cincinnati-Hamilton Area; 8-hour Ozone Maintenance Plan" (FRL No. 9232-2), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Environment and Public Works.

EC-8356. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Indiana; Clean Air Interstate Rule" (FRL No. 9232-3), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Environment and Public Works.

EC-8357. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Idaho" (FRL No. 9231-1), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Environment and Public Works.

EC-8358. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Oklahoma; State Implementation Plan Revisions for Interstate Transport of Pollution, Prevention of Significant Deterioration, Nonattainment New Source Review, Source Registration and Emissions Reporting and Rules of Practice and Procedure" (FRL No. 9230-2), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Environment and Public Works.

EC-8359. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Disapproval and Promulgation of Air Quality Implementation Plans; Indiana; Addition of Incentive for Regulatory Flexibility for its Environmental Stewardship Program" (FRL No. 9231-8), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Environment and Public Works.

EC-8360. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Idaho" (FRL No. 9231-2), received in the Office of the President of the Senate on November 29, 2010; to the Committee on Environment and Public Works.

EC-8361. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Regulation of Fuels and Fuel Additives: 2011 Renewable Fuel Standards" (FRL No. 9234-6), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Environment and Public Works.

EC-8362. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Mandatory Reporting of Greenhouse Gases" (FRL No. 9234-7), received in the Office of the President of the Senate on November 30, 2010; to the Committee on Environment and Public Works.

EC-8363. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, the Department's Office of Inspector General's Semiannual Report for the period of April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

H.R. 2142. To require quarterly performance assessments of Government programs for purposes of assessing agency performance and improvement, and to establish agency performance improvement officers and the Performance Improvement Council.

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 1275. A bill to establish a National Foundation on Physical Fitness and Sports to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. MENENDEZ (for himself, Mr. LUGAR, and Mr. LEAHY):

S. 4011. A bill to establish the Western Hemisphere Drug Policy Commission; to the Committee on Foreign Relations.

By Mr. KOHL:

S. 4012. A bill to improve the employability of older Americans; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself, Mr. THUNE, and Ms. STABENOW):

S. 4013. A bill to direct the Secretary of Transportation to promulgate a rule to improve the daytime and nighttime visibility of agricultural equipment that may be operated on a public road; to the Committee on Commerce, Science, and Transportation.

By Ms. CANTWELL (for herself, Mrs. MURRAY, Ms. MURKOWSKI, and Mr. BEGICH):

S. 4014. A bill to provide for the replacement or rebuilding of a vessel for the Non-American Fisheries Act trawl catcher processors that comprise the Amendment 80 fleet; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. McCONNELL:

S. Res. 696. A resolution making minority party appointments for certain committees for the 111th Congress; considered and agreed to.

ADDITIONAL COSPONSORS

S. 2982

At the request of Mr. KERRY, the name of the Senator from Delaware [Mr. COONS] was added as a cosponsor of S. 2982, a bill to combat international violence against women and girls.

S. 3039

At the request of Mr. UDALL of New Mexico, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of S. 3039, a bill to prevent drunk driving injuries and fatalities, and for other purposes.

S. 3797

At the request of Mrs. GILLIBRAND, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 3797, a bill to amend the Foreign Assistance Act of 1961 to provide assistance for developing countries to promote quality basic education and to establish the achievement of quality universal basic education in all developing countries as an objective of United States foreign assistance policy, and for other purposes.

S. 3881

At the request of Mr. CARDIN, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of S. 3881, a bill to require the Secretary of State to identify individuals responsible for the detention, abuse, or death of Sergei Magnitsky or for the conspiracy to defraud the Russian Federation of taxes on corporate profits through fraudulent transactions and lawsuits against Hermitage, and to impose a visa ban and certain financial measures with respect to such individuals, until the Russian Federation has thoroughly investigated the death of Sergei Magnitsky and brought the Russian criminal justice system into compliance with international legal standards, and for other purposes.

S. 3919

At the request of Mr. HATCH, the names of the Senator from Utah [Mr. BENNETT] and the Senator from Arizona [Mr. MCCAIN] were added as cosponsors of S. 3919, a bill to remove the gray wolf from the list of threatened species or the list of endangered species published under the Endangered Species Act of 1973, and for other purposes.

S. 3978

At the request of Mr. JOHNSON, the name of the Senator from Oregon [Mr. WYDEN] was added as a cosponsor of S. 3978, a bill to ensure that home health agencies can assign the most appropriate skilled service to make the initial assessment visit for home health services for Medicare beneficiaries requiring rehabilitation therapy under a home health plan of care, based upon physician referral.

S. 3984

At the request of Mr. REED, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of S. 3984, a bill to amend and extend the Museum and Library Services Act, and for other purposes.

SENATE CONCURRENT RESOLUTION 63

At the request of Mr. JOHNSON, the name of the Senator from Maine [Ms. COLLINS] was added as a cosponsor of Senate Concurrent Resolution 63, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

SENATE RESOLUTION 680

At the request of Mr. KERRY, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of Senate Resolution 680, a resolution supporting international tiger conservation efforts and the upcoming Global Tiger Summit in St. Petersburg, Russia.

ORDER FOR FURTHER CONSIDERATION OF MOTION TO PROCEED TO CONSIDER BILL S. 3991

By unanimous consent, on the request of Mr. REID,

Ordered, That, on tomorrow, upon conclusion of the impeachment trial of Judge G. Thomas Porteous, Jr., the Senate recess subject to the call of the Chair; that, upon reconvening, the Senate resume consideration of the motion to proceed to consider the bill (S. 3991) to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; that the time until 12:30 p.m. be equally divided and controlled for debate between the leaders, or their designees; that, at 12:30 p.m., the Senate recess until 3:30 p.m.; that, at 3:30 p.m., there be 30 minutes equally divided and controlled for debate between the leaders, or their designees; and that, upon conclusion of debate, the Senate vote on the question of agreeing to the motion to bring to a close debate on the motion to proceed to consider bill S. 3991.

Ordered further, That, if the Senate votes in "stacked" sequence, there be 4 minutes, equally divided and controlled, for debate between the votes.

EARLY HEARING DETECTION AND INTERVENTION ACT

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (S. 3199) to amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss.

The question being on agreeing to the reported amendment (in the nature of a substitute).

The reported amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

MUSEUM AND LIBRARY SERVICES ACT

By unanimous consent on the request of Mr. REID,

The Senate proceeded to consider the bill (S. 3984) to amend and extend the Museum and Library Services Act, and for other purposes.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

TRUTH IN FUR LABELING ACT

By unanimous consent, on the request of Mr. REID,

Ordered, That the Committee on Commerce, Science, and Transportation be discharged from the further consideration of the bill (H.R. 2480) to improve the accuracy of fur product labeling, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RELATIVE TO EXPENDING OF CERTAIN FUNDS BY SECRETARY OF THE ARMY

On the request of Mr. REID,

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) laid before the Senate the bill (H.R. 6184) to amend the Water Resources Development Act of 2000 to extend and modify the program allowing the Secretary of the Army to accept and expend funds contributed by non-Federal public entities to expedite the evaluation of permits, and for other purposes, received from the House of Representatives for concurrence on Wednesday, December 1, 2010, and remaining undisposed of; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

MAKING MINORITY PARTY APPOINTMENTS FOR CERTAIN COMMITTEES

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 696) making minority party appointments for certain committees for the 111th Congress, submitted today by Mr. MCCONNELL, and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume the Court of Impeachment of Judge G. Thomas Porteous, Jr.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 3:30 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 8:17 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

WEDNESDAY, DECEMBER 8, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 9:31 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, December 8, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. UDALL took the chair.

QUESTION OF A QUORUM

Mr. REID raised a question as to the presence of a quorum.

Whereupon,

The ACTING PRESIDENT pro tempore directed the roll to be called.

Pending ascertainment of a quorum.

When

Eighty-three Senators answered to their names, as follows:

[Quorum No. 8]

Akaka, Alexander, Barrasso, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Bunning, Burr, Cantwell, Cardin, Casey, Chambliss, Coburn, Cochran, Collins, Conrad, Coons, Corker, Cornyn, Crapo, DeMint, Dorgan, Durbin, Ensign, Enzi, Feingold, Feinstein, Franken, Gillibrand, Graham, Grassley, Gregg, Hagan, Harkin, Inhofe, Inouye, Isakson, Johanns, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Leahy, LeMieux, Levin, Lieberman, Lugar, Manchin, McCain, McCaskill, McConnell, Menendez, Merkley, Murkowski, Murray, Nelson (NE), Nelson (FL), Reed, Reid, Risch, Roberts, Schumer, Shaheen, Shelby, Snowe, Specter, Tester, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Webb, Whitehouse, Wicker, Wyden.

The PRESIDENT pro tempore announced that a quorum was present.

IMPEACHMENT OF JUDGE G. THOMAS PORTEOUS, JR.

A quorum having been established,

At 9 o'clock and 55 minutes a.m.,

Pursuant to the order of yesterday,

The Senate sitting for the trial of the impeachment of G. Thomas Porteous, Jr., Judge of the United States District Court for the Eastern District of Louisiana, resumed its session.

After proceedings had therein (involving six rollcall Votes), as stated in the Impeachment Journal.

LEGISLATIVE SESSION

Pursuant to the order of yesterday,

The Senate resumed its (regular) legislative session.

VITIATION OF ORDER FOR RECESS

By unanimous consent, on the request of Mr. REID,

Ordered, That, the order of yesterday, that the Senate recess subject to the call of the chair following the impeachment trial of Judge G. Thomas Porteous, Jr., be vitiated.

Pending debate,

MOTION TO PROCEED TO CONSIDER BILL S. 3991

Pursuant to the order of yesterday,

The PRESIDING OFFICER (Mr. BENNET in the chair) laid before the Senate the motion, made by Mr. REID on Monday, December 6, 2010, that the Senate proceed to consider the bill (S. 3991) to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; and

The Senate resumed consideration of the motion to proceed.

The question being on agreeing to the motion.

Pending debate,

RECESS

Pursuant to the order of yesterday, as modified,

At 12:31 p.m.,

The PRESIDING OFFICER (Mr. FRANKEN in the chair) declared the Senate recessed until 3:30 p.m.

AT 3:30 P.M.

The PRESIDING OFFICER (Mr. MERKLEY in the chair) called the Senate to order.

MOTION TO PROCEED TO CONSIDER BILL S. 3991

The Senate resumed consideration of the motion to proceed to consider bill S. 3991.

The question being on agreeing to the motion.

Pending debate,

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, following the remarks of Mr. MCCONNELL, and notwithstanding the order of yesterday that the Senate vote at 4 p.m., he be recognized to speak for 10 minutes; and that, upon conclusion of remarks by him, the Senate vote.

The question being on agreeing to the motion to proceed to consider bill S. 3991.

Pending debate,

Pursuant to the order of yesterday, as modified,

The PRESIDING OFFICER (Mr. MANCHIN in the chair) laid before the Senate the motion, presented by Mr. REID on Monday, December 6, 2010, to bring to a close debate on the motion to proceed to consider bill S. 3991.

Pursuant to the order of Monday, December 6, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the negative---

yeas... 55, nays... 43

[Rollcall Vote No. 266 Leg.]

YEAS --- 55

Akaka, Baucus, Bayh, Begich, Bingaman, Boxer, Brown (OH), Cantwell, Cardin, Carper, Casey, Conrad, Coons, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Harkin, Inouye, Johnson, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, Manchin, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Webb, Whitehouse, Wyden.

NAYS --- 43

Alexander, Barrasso, Bennet, Bennett, Bond, Brown (MA), Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Hagan, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kirk, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Warner, Wicker.

So the motion was not agreed to; three-fifths of Senators duly chosen and sworn not having voted in the affirmative.

MOTION TO PROCEED TO CONSIDER BILL H.R. 3985

Pursuant to the order of yesterday,

After debate,

The PRESIDING OFFICER laid before the Senate the motion, presented by Mr. REID on Monday, December 6, 2010, to bring to a close debate on the motion to proceed to consider the bill (H.R. 3985) to amend the Internal Revenue Code of 1986 to provide for a second generation biofuel producer credit, and for other purposes.

Pursuant to the order of Monday, December 6, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the negative---

yeas... 53, nays... 45

[Rollcall Vote No. 267 Leg.]

YEAS --- 53

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Cantwell, Cardin, Carper, Casey, Conrad, Coons, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Harkin, Inouye, Johnson, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lincoln, Manchin, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (NM), Webb, Whitehouse, Wyden.

NAYS --- 45

Alexander, Barrasso, Bennett, Bond, Brown (MA), Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Hagan, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kirk, Kyl, LeMieux, Lieberman, Lugar, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Udall (CO), Vitter, Voinovich, Warner, Wicker.

So the motion was not agreed to; three-fifths of Senators duly chosen and sworn not having voted in the affirmative.

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. REID,

Ordered, That, effective immediately, there be a period for the transaction of morning business until 6:30 p.m., with Senators permitted to speak for 10 minutes each therein.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-8364. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Restrictions on the Use of Mandatory Arbitration Agreements" (DFARS Case 2010-D004), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Armed Services.

EC-8365. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Restriction on Ball and Roller Bearings" (DFARS Case 2006-D029), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Armed Services.

EC-8366. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to the expenditure of funds to design the OHIO Replacement SSBN with the flexibility to accommodate female crew members; to the Committee on Armed Services.

EC-8367. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Indonesia; to the Committee on Banking, Housing, and Urban Affairs.

EC-8368. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Electronic Funds Transfer of Depository Taxes" (RIN1545-BJ13), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Finance.

EC-8369. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Modification to the Relief and Guidance on Corrections of Certain Failures of a Nonqualified Deferred

Compensation Plan to Comply with Section 409A(a)" (Notice 2010-80), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Finance.

EC-8370. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Extension of Deadline to Adopt Certain Retirement Plan Amendments" (Notice 2010-77), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Finance.

EC-8371. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Cost Limitations for Expensing IRC Section 179 Property" (Rev. Proc. 2010-47), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Finance.

EC-8372. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed permanent export license for the export of defense articles, to include technical data, related to the export of discontinued rifles to be returned to the manufacturer in Brazil in the amount of $1,000,000 or more; to the Committee on Foreign Relations.

EC-8373. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, to include technical data, and defense services for the design, manufacture, marketing and sale of High-G Military Accelerometers; to the Committee on Foreign Relations.

EC-8374. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, to include technical data, and defense services to the Netherlands for the Manufacture of Dayside CCD Cameras, Lower Arm Support Assemblies and CCA Test Stations; to the Committee on Foreign Relations.

EC-8375. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, to include technical data, and defense services to Kuwait for the manufacture, assembly, test and sale of 25mm weapon stations for integration with Pandur 6x6 vehicles in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-8376. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, to include technical data, and defense services to Israel for the manufacture of F-15 parts, spares, and associated tooling for end use by the Republic of Korea and the United States in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-8377. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, to include technical data, and defense services for the manufacture of select T700 engine components for the SH-60 Helicopter for the Armed Forces of Japan in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-8378. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, to include technical data, and defense services for the manufacture of Control Actuation Systems for the Guided Multiple Launch Rocket System (GMLRS) Program in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-8379. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, to include technical data, and defense services to support military and security training activities for the Government of Afghanistan in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-8380. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, to include technical data, and defense services for the Programmable Display Generator for the F-2 aircraft of the Japanese Ministry of Defense in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-8381. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, to include technical data, and defense services relating to the development and demonstration of lightweight small arms technologies for the United Kingdom Ministry of Defence in the amount of $1,000,000 or more; to the Committee on Foreign Relations.

EC-8382. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, to include technical data, and defense services to support the nuclear-based Flash Radiography Sources for the United Kingdom in support of its nuclear weapons program in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-8383. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, to include technical data, and defense services for the development, production and test of the APS-508 Radar System for the CP-140 Aircraft Program in the amount of $100,000,000 or more; to the Committee on Foreign Relations.

EC-8384. A communication from the Director, Employee Services, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Absence and Leave; Sick Leave" (RIN3206-AL91), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8385. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report relative to unvouchered expenditures; to the Committee on Homeland Security and Governmental Affairs.

EC-8386. A communication from the Board Members, Railroad Retirement Board, transmitting, pursuant to law, a report entitled "Railroad Retirement Board's Performance and Accountability Report for Fiscal Year 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-8387. A communication from the Director of Administration, National Labor Relations Board, transmitting, pursuant to law, a report entitled "Performance and Accountability Report Fiscal Year 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-8388. A communication from the Director, Congressional Affairs, Federal

Election Commission, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8389. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2010 through September 30, 2010 and the 43rd report on audit final action by management; to the Committee on Homeland Security and Governmental Affairs.

EC-8390. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2010 through September 30, 2010 and the Attorney General's Semi-Annual Management Report; to the Committee on Homeland Security and Governmental Affairs.

EC-8391. A communication from the Chairman of the Consumer Product Safety Commission, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8392. A communication from the Chair of the U.S. Election Assistance Commission, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8393. A communication from the Chairman, Board of Governors, U.S. Postal Service, transmitting, pursuant to law, the Semiannual Report on the Audit, Investigative, and Security Activities of the U.S. Postal Service for the period of April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8394. A communication from the Secretary of the Department of Education, transmitting, pursuant to law, the Semiannual Report from the Office of the Inspector General for the period from April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8395. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, a report relative to expenditures from the Pershing Hall Revolving Fund; to the Committee on Veterans' Affairs.

EC-8396. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Implementation of Regional Fishery Management Organizations' Measures Pertaining to Vessels That Engaged in Illegal, Unreported, or Unregulated Fishing Actives" (RIN0648-AW09), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8397. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries in the Western Pacific; Community Development Program Process" (RIN0648-AX76), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8398. A communication from the Deputy Assistant Administrator for Operations, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Pacific Coast Groundfish Fishery Management Plan; Amendments 20 and 21; Trawl Rationalization Program; Correction" (RIN0648-AY68), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DORGAN, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 3648. A bill to establish a commission to conduct a study and provide recommendations on a comprehensive resolution of impacts caused to certain Indian tribes by the Pick-Sloan Program (Rept. No. 111-357).

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. 4016. An original bill to amend the Federal Water Pollution Control Act to establish within the Environmental Protection Agency a Columbia Basin Restoration Program (Rept. No. 111-358).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 2902. A bill to improve the Federal Acquisition Institute.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. VITTER (for himself and Mr. BARRASSO):

S. 4015. A bill to provide for the establishment, on-going validation, and utilization of an official set of data on the historical temperature record, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. BOXER:

S. 4016. An original bill to amend the Federal Water Pollution Control Act to establish within the Environmental Protection Agency a Columbia Basin Restoration Program; from the Committee on Environment and Public Works; placed on the calendar.

By Mr. LEMIEUX:

S. 4017. A bill to amend the CDBG service cap; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. BROWN of Ohio:

S. Res. 697. A resolution recognizing the 15th anniversary of the Dayton Peace Accords; considered and agreed to.

ADDITIONAL COSPONSORS

S. 2900

At the request of Mrs. GILLIBRAND, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 2900, a bill to establish a research, development, and technology demonstration program to improve the efficiency of gas turbines used in combined cycle and simple cycle power generation systems.

S. 3234

At the request of Mrs. MURRAY, the name of the Senator from Delaware [Mr. COONS] was added as a cosponsor of S. 3234, a bill to improve employment, training, and placement services furnished to veterans, especially those serving in Operation Iraqi Freedom and Operation Enduring Freedom, and for other purposes.

S. 3398

At the request of Mr. BAUCUS, the name of the Senator from Delaware [Mr. COONS] was added as a cosponsor of S. 3398, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans.

S. 3572

At the request of Mrs. LINCOLN, the names of the Senator from New Mexico [Mr. UDALL], the Senator from Iowa [Mr. HARKIN] and the Senator from Hawaii [Mr. AKAKA] were added as cosponsors of

S. 3572, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first law enforcement agency, the United States Marshals Service.

S. 3737

At the request of Mr. HARKIN, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3737, a bill to amend the Public Health Service Act and title XVIII of the Social Security Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly.

S. 3860

At the request of Mrs. MCCASKILL, the name of the Senator from Delaware [Mr. COONS] was added as a cosponsor of S. 3860, a bill to require reports on the management of Arlington National Cemetery.

S. 3959

At the request of Mrs. MCCASKILL, the name of the Senator from Delaware [Mr. CARPER] was added as a cosponsor of S. 3959, a bill to eliminate the preferences and special rules for Alaska Native Corporations under the program under section 8(a) of the Small Business Act.

S. 3960

At the request of Mr. LAUTENBERG, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 3960, a bill to prevent harassment at institutions of higher education, and for other purposes.

S. 3979

At the request of Mr. BROWN of Ohio, the name of the Senator from Michigan [Ms. STABENOW] was added as a cosponsor of S. 3979, a bill to amend the Emergency Economic Stabilization Act of 2008 to allow amounts under the Troubled Assets Relief Program to be used to provide legal assistance to homeowners to avoid foreclosure.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mrs. MCCASKILL,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS AND THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Banking, Housing, and Urban Affairs and the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on December 8, 2010, at 3:30 p.m., to conduct a joint hearing entitled "Examining the Efficiency, Stability, and Integrity of the U.S. Capital Markets."

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary be authorized to meet during the session of the Senate on December 8, 2010, at 10 a.m. in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 12:31 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6400. An act to designate the facility of the United States Postal Service located at 111 North 6th Street in St. Louis, Missouri, as the "Earl Wilson, Jr. Post Office".

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

S. 3789. An act to limit access to Social Security account numbers.

S. 3987. An act to amend the Fair Credit Reporting Act with respect to the applicability of identity theft guidelines to creditors.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 267. Concurrent resolution congratulating the Baltic nations of Estonia, Latvia, and Lithuania on the 20th anniversary of their declarations on the restoration of independence from the Soviet Union.

At 3:30 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 3817. An act to amend the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and the Abandoned Infants Assistance Act of 1988 to reauthorize the Acts, and for other purposes.

At 5:32 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 2480. An act to improve the accuracy of fur product labeling, and for other purposes.

H.R. 3237. An act to enact certain laws relating to national and commercial space programs as title 51, United States Code, "National and Commercial Space Programs".

H.R. 6184. An act to amend the Water Resources Development Act of 2000 to extend and modify the program allowing the Secretary of the Army to accept and expend funds contributed by non-Federal public entities to expedite the evaluation of permits, and for other purposes.

H.R. 6399. An act to improve certain administrative operations of the Office of the Architect of the Capitol, and for other purposes.

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the PRESIDENT pro tempore.

HOUSE BILL AND CONCURRENT RESOLUTION REFERRED

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

H.R. 6400. An act to designate the facility of the United States Postal Service located at 111 North 6th Street in St. Louis, Missouri, as the "Earl Wilson, Jr. Post Office"; to the Committee on Homeland Security and Governmental Affairs.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 267. Congratulating the Baltic nations of Estonia, Latvia, and Lithuania on the 20th anniversary of their declarations on the restoration of independence from the Soviet Union; to the Committee on Foreign Relations.

MEDICARE AND MEDICAID EXTENDERS ACT

By unanimous consent, on the request of Mr. BENNET,

Ordered, That the Committee on Finance be discharged from the further consideration of the bill (H.R. 4994) to amend the Internal Revenue Code of 1986 to reduce taxpayer burdens and enhance taxpayer protections, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on passage of the bill.

On motion by Mr. BENNET for Mr. REID (for himself, Mr. MCCONNELL, Mr. BAUCUS, and Mr. GRASSLEY) to strike all after the enacting clause and insert, in lieu thereof, other words (being amendment No. 4742, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was deemed read the third time, by unanimous consent.

The PAYGO letter of the Chairman of the Committee on the Budget was read.

The question being on passage of the bill, as amended.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The title was amended, on motion by Mr. BENNET (for Mr. REID), so as to read: "An

act to extend certain expiring provisions of the Medicare and Medicaid programs, and for other purposes."

ORDER FOR FURTHER CONSIDERATION OF MOTION TO PROCEED TO CONSIDER BILL S. 3992 ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, following the times for the two leaders, on tomorrow, Mr. DURBIN be recognized to speak for 10 minutes; that, following remarks by Mr. DURBIN, the Senate resume consideration of the motion to proceed to consider the bill (S. 3992) to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children and for other purposes; that time until 11 a.m. be equally divided and controlled for debate between the two leaders, or their designees; and that, at 11 a.m., the Senate vote on the question of agreeing to the motion to bring to a close debate on the motion to proceed to consider bill S. 3992.

Ordered further, That, on tomorrow, following votes, Mr. BENNETT be recognized to speak for 20 minutes; that, at 1 p.m., Mr. BUNNING be recognized to speak for 30 minutes; and that, at 2 p.m., Mr. DORGAN be recognized to speak for 20 minutes.

REGULATED INVESTMENT COMPANY MODERNIZATION ACT

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (H.R. 4337) to amend the Internal Revenue Code of 1986 to modify certain rules applicable to regulated investment companies, and for other purposes.

The question being on the passage of the bill.

On motion by Mr. REID for Mr. BINGAMAN (for himself, Mr. CRAPO, and Mr. KERRY) to strike all after the enacting clause and insert, in lieu thereof, other words (being amendment No. 4744, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CENSUS OVERSIGHT EFFICIENCY AND MANAGEMENT REFORM ACT

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (S. 3167) to amend title 13 of the United States Code to provide for a 5-year term of office for the Director of the Census and to provide for the authority and duties of the Director and Deputy Director of the Census, and for other purposes.

The question being on agreeing to the reported amendments.

The reported amendments were agreed to.

The question being on passage of the bill, as amended.

On motion by Mr. REID (for Mr. CARPER) to further amend the bill on page 5, by striking all beginning on line 7 through page 6, line 23, and inserting in lieu thereof other words (being amendment No. 4745).

The amendment was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

NATIONAL ALZHEIMER'S PROJECT ACT

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (S. 3036) to establish the Office of the National Alzheimer's Project.

The question being on agreeing to the reported amendment (in the nature of a substitute).

The reported amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The title was amended, as reported by the Committee, so as to read: "A bill to establish the National Alzheimer's Project."

RECOGNIZING THE 15TH ANNIVERSARY OF THE DAYTON PEACE ACCORDS

On the request of Mr. REID,

The PRESIDING OFFICER (Mr. BEGICH in the chair) laid before the Senate the resolution (S. Res. 697) recognizing the 15th anniversary of the Dayton Peace Accords, submitted today by Mr. SHERROD BROWN, and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDER FOR PRINTING AS SENATE DOCUMENT TRIBUTES TO RETIRING SENATORS

By unanimous consent, on the request of Mr. REID,

Ordered, That a compilation of tributes to retiring Senators from the Congressional Record be printed as a Senate document; and that Senators be authorized to submit tributes to retiring Senators until Thursday, December 16, 2010.

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

UNITED STATES – CHINA ECONOMIC SECURITY REVIEW COMMISSION

The PRESIDING OFFICER announced that the PRESIDENT pro tempore, pursuant to Public Law 106-398, as amended by Public Law 108-7, and upon the recommendation of the minority leader, in consultation with the ranking members of the Committee on Armed Services and the Committee on Finance, had reappointed the following individuals to the United States – China Economic Security Review Commission: Robin Cleveland, of Virginia; and Dennis Shea, of Virginia.

The PRESIDING OFFICER announced that the PRESIDENT pro tempore, pursuant to Public Law 106-398, as amended by Public Law 108-7, and upon the recommendation of the majority leader, in consultation with the ranking members of the Committee on Armed Services and the Committee on Finance, had appointed the following individual to the United States – China Economic Security Review Commission: C. Richard D'Amato of Maryland.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that, following the remarks by Mr. DURBIN, the Senate resume consideration of the motion to proceed to consider bill S. 3992, as pursuant to the order of today.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 7:09 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

THURSDAY, DECEMBER 9, 2010

Mrs. KIRSTEN E. GILLIBRAND, from the State of New York, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mrs. GILLIBRAND led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, December 9, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mrs. GILLIBRAND took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

OBJECTION TO VITIATION OF VOTE

Mr. REID asked unanimous consent that the vote ordered on the question of agreeing to motion to bring to a close debate on the motion to proceed to consider bill S. 3992 be vitiated.

Mr. ISAKSON objected.

Pending debate,

MOTION TO PROCEED TO CONSIDER BILL S. 3992

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate the motion, made by Mr. REID on Monday, December 6, 2010, that the Senate proceed to consider the bill (S. 3992) to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children and for other purposes; and

The Senate resumed consideration of the motion to proceed.

The question being on agreeing to the motion.

Pending debate,

Mr. REID asked unanimous consent that the vote ordered on the question of agreeing to motion to bring to a close debate on the motion to proceed to consider bill S. 3992 be vitiated.

Mr. MCCAIN objected.

After debate,

On motion by Mr. REID to lay the pending motion on the table.

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---
yeas... 59, nays... 40

[Rollcall Vote No. 268 Leg.]

YEAS --- 59

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Cantwell, Cardin, Carper, Casey, Conrad, Coons, Corker, Crapo, Dodd, Dorgan, Durbin, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, Manchin, McCaskill, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Reed, Reid, Risch, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Vitter, Warner, Webb, Whitehouse, Wyden.

NAYS --- 40

Alexander, Barrasso, Bennett, Bond, Brown (MA), Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Cornyn, DeMint, Ensign, Enzi, Feingold, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kirk, Kyl, LeMieux, Lugar, McCain, McConnell, Menendez, Merkley, Pryor, Roberts, Sessions, Shelby, Snowe, Thune, Voinovich, Wicker.

So the motion was agreed to.

The motion to table the motion to proceed to consider bill S. 3992 having been agreed to, the motion to bring to a close debate on said motion to proceed was vitiated.

MOTION TO BRING TO A CLOSE DEBATE ON MOTION TO PROCEED TO CONSIDER BILL H.R. 847

Pursuant to the order of yesterday,

The PRESIDING OFFICER (Mr. BINGAMAN in the chair) laid before the Senate the motion, presented by Mr. REID on Monday, December 6, 2010, to bring to a close debate on the motion to proceed to consider the bill (H.R. 847) to amend the Public Health Service Act to extend and improve protections and services to individuals directly impacted by the terrorist attack in New York City on September 11, 2001, and for other purposes.

Pursuant to the order of Monday, December 6, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the negative---
yeas... 57, nays... 42

[Rollcall Vote No. 269 Leg.]

YEAS --- 57

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Cantwell, Cardin, Carper, Casey, Conrad, Coons, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, Manchin, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 42

Alexander, Barrasso, Bennett, Bond, Brown (MA), Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kirk, Kyl, LeMieux, Lugar, McCain, McConnell, Murkowski, Reid, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So the motion was not agreed to; three-fifths of Senators duly chosen and sworn not having voted in the affirmative.

Mr. REID, having voted on the prevailing side, entered a motion to reconsider the vote disagreeing to the motion to bring to a close debate on the motion to proceed to consider bill H.R. 847.

Pending debate,

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. REID,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

Pending debate,

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, Thursday, December 9, 2010, she

had presented to the President of the United States the following enrolled bills:

S. 3789. A bill to limit access to social security account numbers

S. 3987. A bill to amend the Fair Credit Reporting Act with respect to the applicability of identity theft guidelines to creditors.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-8399. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Surfclam and Ocean Quahog Fisheries; Suspension of Minimum Atlantic Surfclam Size Limit for Fishing Year 2011" (RIN0648-XZ16), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8400. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XA038), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8401. A communication from the Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Section 90.617 Frequencies in the 809.750-824.750.750-869 MHz Bands Available for Trunked, Conventional or Cellular System Use in Non-border Areas; Section 90.677 Reconfiguration of the 806-824/851-869 Band in Order to Separate Cellular Systems From Non-cellular Systems" ((DA10-695)-(WT Docket No. 02-55)), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8402. A communication from the Deputy Assistant General Counsel for Regulations, Office of the Secretary of Transportation, Department of Transportation, transmitting, pursuant to law, a rule entitled "Relocation of Standard Time Zone Boundary in the State of North Dakota: Mercer County" (RIN2105-AD98), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8403. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (25); Amdt. 3398" (RIN2120-AA65), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8404. A communication from the Policy Advisor/Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amateur Service Rules" (FCC 10-189), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8405. A communication from the Chief of the Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Unlicensed Operation in the TV Broadcast Bands; ET Docket No. 04-186; Additional Spectrum for Unlicensed Devices Below 900 MHz and in the 3 GHz Band; ET Docket No. 02-380" (FCC 10-174), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8406. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 10-429, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DORGAN, from the Committee on Indian Affairs, without amendment:

H.R. 5811. A bill to amend the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act to allow the Ysleta del Sur Pueblo Tribe to determine blood quantum requirement for membership in that tribe (Rept. No. 111-359).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 2782. A bill to provide personal jurisdiction in causes of action against contractors of the United States performing contracts abroad with respect to members of the Armed Forces, civilian employees of the United States, and United States citizen employees of companies performing work for the United States in connection with contractor activities, and for other purposes.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. CASEY:

S. 4018. A bill to amend the Internal Revenue Code of 1986 to provide incentives for life sciences research; to the Committee on Finance.

By Mr. CASEY:

S. 4019. A bill to clarify the applicability of the Buy American Act to products purchased for the use of the legislative branch, to prohibit the application of any of the exceptions to the requirements of such Act to products bearing an official Congressional insignia, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WICKER (for himself and Mr. BARRASSO):

S. 4020. A bill to protect 10th Amendment rights by providing special standing for State government officials to challenge proposed regulations, and for other purposes; to the Committee on the Judiciary.

By Mr. CARDIN (for himself and Mr. WHITEHOUSE):

S. 4021. A bill to reduce the ability of terrorists, spies, criminals, and other malicious actors to compromise, disrupt, damage, and destroy computer networks, critical infrastructure, and key resources, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. UDALL of Colorado, and Mrs. GILLIBRAND):

S. 4022. A bill to provide for the repeal of the Department of Defense policy concerning homosexuality in the Armed Forces known as "Don't Ask, Don't Tell"; to the Committee on Armed Services.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mrs. SHAHEEN (for herself and Mr. GRAHAM):

S. Res. 698. A resolution expressing the sense of the Senate with respect to the territorial integrity of Georgia and the situation within Georgia's internationally

recognized borders; to the Committee on Foreign Relations.

By Mr. REID (for himself and Mr. MCCONNELL):

S. Res. 699. A resolution to authorize testimony and legal representation in City of St. Paul v. Irene Victoria Andrews, Bruce Jerome Berry, John Joseph Braun, David Eugene Luce, and Elizabeth Ann McKenzie; considered and agreed to.

ADDITIONAL COSPONSORS

S. 602

At the request of Mr. BROWN of Ohio, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 602, a bill to direct the Secretary of Homeland Security to conduct a survey to determine the level of compliance with national voluntary consensus standards and any barriers to achieving compliance with such standards, and for other purposes.

S. 738

At the request of Ms. LANDRIEU, the name of the Senator from Florida [Mr. LEMIEUX] was added as a cosponsor of S. 738, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes.

S. 1221

At the request of Mr. SPECTER, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 1221, a bill to amend title XVIII of the Social Security Act to ensure more appropriate payment amounts for drugs and biologicals under part B of the Medicare Program by excluding customary prompt pay discounts extended to wholesalers from the manufacturer's average sales price.

S. 2885

At the request of Ms. LANDRIEU, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 2885, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide adequate benefits for public safety officers injured or killed in the line of duty, and for other purposes.

S. 3424

At the request of Mr. DURBIN, the name of the Senator from New York [Mr. SCHUMER] was added as a cosponsor of S. 3424, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 3447

At the request of Mr. AKAKA, the names of the Senator from Colorado [Mr. UDALL] and the Senator from Delaware [Mr. COONS] were added as cosponsors of S. 3447, a bill to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes.

S. 3739

At the request of Mr. CASEY, the name of the Senator from Illinois [Mr. KIRK] was added as a cosponsor of S. 3739, a bill to amend the Safe and Drug-Free Schools and Communities Act to include bullying and harassment prevention programs.

S. 3925

At the request of Mr. BINGAMAN, the names of the Senator from Arkansas [Mr. PRYOR] and the Senator from Alaska [Mr. BEGICH] were added as cosponsors of S. 3925, a bill to amend the Energy Policy and Conservation Act to improve the energy efficiency of, and standards applicable to, certain appliances and equipment, and for other purposes.

SENATE RESOLUTION 694

At the request of Mr. BROWNBACK, the name of the Senator from Oklahoma [Mr. INHOFE] was added as a cosponsor of Senate Resolution 694, a resolution condemning the Government of Iran for its state-sponsored persecution of religious minorities in Iran and its continued violation of the International Covenant on Human Rights.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on December 9, 2010, at 10 a.m. in room 328A of the Russell Senate Office Building.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on December 9, 2010, at 10 a.m., to conduct a hearing entitled "The State of Credit Union Industry."

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on December 9, 2010, at 10:15 a.m., in room 215 of the Dirksen Senate Office Building.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on December 9, 2010, at 9:30 a.m.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on December 9, 2010, at 2:30 p.m.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 9:33 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agreed to the amendment of the Senate to the bill (H.R. 3082) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes, with an amendment.

ENROLLED BILLS SIGNED

At 10:47 a.m., a message from the House of Representatives, delivered by Mr. Novotny, announced that the Speaker has signed the following enrolled bills:

S. 3789. An act to limit access to Social Security account numbers.

S. 3987. An act to amend the Fair Credit Reporting Act with respect to the applicability of identity theft guidelines to creditors.

The enrolled bills were subsequently signed by the PRESIDENT pro tempore (Mr. INOUYE).

A message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3353. An act to provide for American Samoa and the Commonwealth of the Northern Marianas to be treated as States for certain criminal justice programs.

H.R. 4501. An act to require certain return policies from businesses that purchase precious metals from consumers and solicit such transactions through an Internet website.

H.R. 5012. An act to amend the Richard B. Russell National School Lunch Act to establish a weekend and holiday feeding program to provide nutritious food to at-risk school children on weekends and during extended school holidays during the school year.

H.R. 5470. An act to exclude an external power supply for certain security or life safety alarms and surveillance system components from the application of certain energy efficiency standards under the Energy Policy and Conservation Act.

The message also announced that the House agree to the amendments numbered 1 and 2 of the Senate to the bill (H.R. 5282) to amend title 28, United States Code, to clarify and improve certain provisions relating to the removal of litigation against Federal officers or agencies to Federal courts, and for other purposes; and, further, that the House agree to the amendment numbered 3 of the Senate to the aforementioned bill, with an amendment.

The message further announced that the House agreed to the bill (S. 3998) to extend

the Child Safety Pilot Program, without amendment.

At 4:17 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 4612. An act to amend title 28, United States Code, to require the Attorney General to share criminal records with State sentencing commissions, and for other purposes.

The message also announced that the House has agreed to the amendments of the Senate to the bill (H.R. 4994) to amend the Internal Revenue Code of 1986 to reduce taxpayer burdens and enhance taxpayer protections, and for other purposes.

HOUSE BILLS REFERRED

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

H.R. 3353. An act to provide for American Samoa and the Commonwealth of the Northern Marianas to be treated as States for certain criminal justice programs; to the Committee on the Judiciary.

H.R. 4501. An act to require certain return policies from businesses that purchase precious metals from consumers and solicit such transactions through an Internet website; to the Committee on Commerce, Science, and Transportation.

H.R. 5012. To amend the Richard B. Russell National School Lunch Act to establish a weekend and holiday feeding program to provide nutritious food to at-risk school children on weekends and during extended school holidays during the school year; to the Committee on Agriculture, Nutrition, and Forestry.

H.R. 6412. An act to amend title 28, United States Code, to require the Attorney General to share criminal records with State sentencing commissions, and for other purposes; to the Committee on the Judiciary.

OBJECTION RELATIVE TO BILL S. 3454

Mr. REID asked unanimous consent that a motion to proceed to consider the motion, entered by him, on Tuesday, September 21, 2010, to reconsider the vote by which the Senate disagreed to the motion to bring to a close debate on the motion to proceed to consider bill S. 3454, be considered made and agreed to; that the motion to reconsider be agreed to; and that the Senate then vote on the question of agreeing to the motion to bring to a close debate on the motion to proceed to consider the bill.

Ms. COLLINS objected.

MOTION TO BRING TO A CLOSE DEBATE ON MOTION TO PROCEED TO CONSIDER BILL S. 3454

By unanimous consent, on the request of Mr. REID,

Ordered, That a motion to proceed to consider the motion, entered by him, on Tuesday, September 21, 2010, to reconsider the vote by which the Senate disagreed to the motion to bring to a close debate on the motion to proceed to consider bill S. 3454 be considered made and agreed to; that the motion to reconsider be agreed to; and that the Senate then vote on the question of agreeing to the motion to bring to a close debate on the motion to proceed to consider the bill.

Pursuant to the foregoing order,

The PRESIDING OFFICER (Mr. FRANKEN in the chair) laid before the Senate the motion, presented by Mr. REID on September 16, 2010, to bring to a close debate on the motion to proceed to consider the bill (S. 3454) to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the negative---

yeas... 57, nays... 40

[Rollcall Vote No. 270 Leg.]

YEAS --- 57

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (OH), Cantwell, Cardin, Carper, Casey, Collins, Conrad, Coons, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, McCaskill, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 40

Alexander, Barrasso, Bennett, Bond, Brown (MA), Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kirk, Kyl, LeMieux, Lugar, Manchin, McCain, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Vitter, Voinovich, Wicker.

So, upon consideration, the motion was not agreed to; three-fifths of Senators duly chosen and sworn not having voted in the affirmative.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL S. 3463

Mr. LEAHY asked unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from the further consideration of the bill (S. 3463) to amend chapter 303 of title 46, United States Code, to provide fair treatment for the families of those killed on the high seas; that the Senate proceed to consider the bill; that an amendment (in the nature of a substitute) be proposed on behalf of Mr. ROCKEFELLER (for himself and Mr. LEAHY), and agreed to; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. DEMINT objected.

Pending debate,

DESIGNATING THE "RAY DAVES AIRPORT TRAFFIC CONTROL TOWER"

By unanimous consent, on the request of Mr. WYDEN,

Ordered, That the Committee on Commerce, Science, and Transportation be discharged from the further consideration of the bill (H.R. 5591) to designate the airport traffic control tower located at Spokane International Airport in Spokane, Washington, as the "Ray Daves Airport Traffic Control Tower".

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

PEDESTRIAN SAFETY ENHANCEMENT ACT

By unanimous consent, on the request of Mr. WYDEN,

Ordered, That the Committee on Commerce, Science, and Transportation be discharged from the further consideration of the bill (S. 841) to direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

On motion by Mr. WYDEN (for Mr. KERRY) to strike all after the enacting clause and insert, in lieu thereof, other words (being amendment No. 4750, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

NATIONAL FOUNDATION ON FITNESS, SPORTS, AND NUTRITION ESTABLISHMENT ACT

By unanimous consent, on the request of Mr. WYDEN,

The Senate proceeded to consider the bill (S. 1275) to establish a National Foundation on Physical Fitness and Sports to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports.

The question being on agreeing to the reported amendment (in the nature of a substitute).

The reported amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORIZING TESTIMONY AND LEGAL REPRESENTATION

On the request of Mr. WYDEN,

The PRESIDING OFFICER (Mr. MANCHIN in the chair) laid before the Senate the resolution (S. Res. 699) to authorize testimony and legal representation in City of St. Paul v. Irene Victoria Andrews, Bruce Jerome Berry, John Joseph Braun, David Eugene Luce, and Elizabeth Ann McKenzie, submitted today by Mr. REID (for himself and Mr. MCCONNELL), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

NATIONAL COMMITTEE ON VITAL AND HEALTH STATISTICS

The PRESIDING OFFICER announced that the PRESIDENT pro tempore, pursuant to Public Law 104-191, had appointed the following individual to the National Committee on Vital and Health Statistics for a four-year term: Dr. Raj Chanderraj, of Nevada.

DOMESTIC MINOR SEX TRAFFICKING DETERRENCE AND VICTIMS SUPPORT ACT

By unanimous consent, on the request of Mr. WYDEN,

The Senate proceeded to consider the bill (S. 2925) to establish a grant program to benefit victims of sex trafficking, and for other purposes.

The question being on agreeing to the reported amendment (in the nature of a substitute).

On motion by Mr. WYDEN, by unanimous consent, to amend the pending reported amendment (in the nature of a substitute) on various pages and lines, by striking certain words and inserting other words (being amendments considered en bloc and designated Nos. 4751 and 4752).

The amendments, en bloc, were agreed to, by unanimous consent.

The reported amendment (in the nature of a substitute), as amended, was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

The PAYGO letter of the Chairman of the Committee on the Budget was read.

The question being on passage of the bill, as amended.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4853

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment of the Senate to the bill (H.R. 4853) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

The Senate resumed consideration of the House amendment.

The question being on agreeing to amendment No. 4731, proposed by Mr. REID, to amendment No. 4730, proposed by Mr. REID, to the instructions (designated amendment No. 4729) contained in the motion, by Mr. REID, to refer the pending House amendment to the Committee on Finance with instructions.

On motion by Mr. REID to lay the pending motion to refer the House amendment to the Committee on Finance with instructions, on the table.

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative--- yeas... 65, nays... 11

[Rollcall Vote No. 271 Leg.]

YEAS --- 65

Akaka, Barrasso, Baucus, Bennet, Bennett, Bingaman, Bond, Brown (MA), Cantwell, Cardin, Carper, Casey, Chambliss, Coburn, Cochran, Collins, Conrad, Corker, Dorgan, Durbin, Enzi, Feinstein, Franken, Gillibrand, Grassley, Hagan, Hatch, Inouye, Isakson, Johanns, Kerry, Kirk, Klobuchar, Kohl, Lautenberg, Leahy, Levin, Lieberman, Lincoln, Lugar, Manchin, McCain, McCaskill, McConnell, Mikulski, Murkowski, Murray, Nelson (NE), Pryor, Reed, Reid, Risch, Roberts, Rockefeller, Schumer, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Thune, Whitehouse, Wicker, Wyden.

NAYS --- 11

Brown (OH), DeMint, Ensign, Harkin, Landrieu, Menendez, Merkley, Sanders, Udall (CO), Udall (NM), Voinovich.

So the motion to table the motion to refer with instructions was agreed to (and amendments Numbered 4730 and 4731 thereto fell).

The question being on agreeing to amendment No. 4728, proposed by Mr. REID, to amendment No. 4727 (in the nature of a substitute) contained in the motion, by Mr. REID, that the Senate concur, with amendment, in the House amendment to the Senate amendment to the bill.

By unanimous consent, on the request of Mr. REID,

Ordered, That the pending motion to concur with amendment be withdrawn (taking with it amendment No. 4728 thereto).

The question being on agreeing to the House amendment to the Senate amendment to the bill.

On motion by Mr. REID to concur in the House amendment to the Senate amendment with an amendment (Numbered 4753, in the nature of a substitute).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

On motion by Mr. REID to amend the amendment contained in the motion to concur, at the end thereof, by adding certain words (being amendment No. 4754).

Mr. REID presented a motion to bring to a close debate on the pending motion to concur with amendment; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to bill H.R. 4853, with an amendment (Numbered 4753, in the nature of a substitute):

MAX BAUCUS, J. LIEBERMAN, JAY ROCKEFELLER, BYRON L. DORGAN, JOHN KERRY, S. WHITEHOUSE, MARK PRYOR, ROBERT P. CASEY, JR., DICK DURBIN, MARK R. WARNER, JEANNE SHAHEEN, BEN NELSON, EVAN BAYH, CHRISTOPHER DODD, KENT CONRAD, JIM WEBB, BILL NELSON, AMY KLOBUCHAR.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

On motion by Mr. REID to refer the House amendment to the Committee on Finance with instructions to report back forthwith with an amendment (Numbered 4755).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

On motion by Mr. REID to amend the instructions (Numbered 4755) contained in the motion to refer, at the end thereof, by adding certain words (being amendment No. 4756).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

On motion by Mr. REID to amend the pending amendment, at the end thereof, by adding certain words (being amendment No. 4757).

By unanimous consent, on the request of Mr. REID,

Ordered, That the Senate vote on the question of agreeing to the motion to bring to a close debate on the motion to concur with amendment at 3 p.m. on Monday, December 13, 2010; and that the quorum under the rule be waived.

The question being on agreeing to amendment No. 4757 to amendment No. 4756 to the instructions (designated No. 4755) contained in the pending motion to refer the House amendment to the Committee on Finance.

Pending debate,

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. MERKLEY,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business; and that, at 10:15 a.m., Mr. SANDERS be recognized to speak therein.

ADJOURNMENT

By unanimous consent, on the request of Mr. MERKLEY,

At 9:23 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

FRIDAY, DECEMBER 10, 2010

Mr. MARK R. WARNER, from the Commonwealth of Virginia, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, December 10, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, Friday, December 10, 2010, she had presented to the President of the United States the following enrolled bill:

S. 3998. A bill to extend the Child Safety Pilot Program.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-8407. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pesticide Tolerance Crop Grouping Program II; Revisions to General Tolerance Regulations" (FRL No. 8853-8), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8408. A communication from the Director of the Policy Issuances Division, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Permission to Use Air Inflation of Meat Carcasses and Parts" (RIN0583-AD33), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8409. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a six-month periodic report relative to the national emergency that was declared in Executive Order 12938 with respect to the proliferation of weapons of mass destruction; to the Committee on Banking, Housing, and Urban Affairs.

EC-8410. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Global Terrorism Sanctions Regulations; Terrorism Sanctions Regulations; Foreign Terrorist Organizations Sanctions Regulations" (31 CFR Parts 594, 595, and 597), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8411. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Regulation Z (Truth in Lending) - Interim Final Rule; Request for Public Comment" (Docket No. R-1394), received in the Office of the President of the Senate on December 7,

2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8412. A communication from the Attorney, Office of the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "System Personnel Training Reliability Standards" (Docket No. RM09-25-000), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Energy and Natural Resources.

EC-8413. A communication from the Assistant Secretary of Land and Minerals Management, Bureau of Ocean Energy Management, Regulation, and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Increased Safety Measures for Energy Development on the Outer Continental Shelf (OCS)" (RIN1010-AD68), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Energy and Natural Resources.

EC-8414. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Conduct of Employees and Former Employees; Exemption From Post-Employment Restrictions for Communications Furnishing Scientific or Technological Information" (RIN1990-AA31), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Energy and Natural Resources.

EC-8415. A communication from the Director of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Regulations Regarding Income-Related Monthly Adjustment Amounts to Medicare Beneficiaries' Prescription Drug Coverage Premiums" (RIN0960-AH22), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Finance.

EC-8416. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Withdrawal of Regulatory Guide 1.39" (NRC-2010-0354), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Environment and Public Works.

EC-8417. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Miscellaneous Administrative Changes" ((RIN3150-AH49)(NRC-2009-0085)), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Environment and Public Works.

EC-8418. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Notice of Availability of Model Application and Safety Evaluation for Plant-Specific Adoption of TSTF-431, 'Change in Technical Specifications End States (BAW-2441)'" (NUREG-1430), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Environment and Public Works.

EC-8419. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Action to Ensure Authority to Issue Permits under the Prevention of Significant Deterioration Program to Sources of Greenhouse Gas Emissions: Finding of Substantial Inadequacy and SIP Call" (FRL No. 9236-3), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Environment and Public Works.

EC-8420. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Methods for Measurement of Filterable PM10 and PM2.5 and Measurement of Condensable PM Emissions from Stationary Sources" (FRL No. 9236-2), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Environment and Public Works.

EC-8421. A communication from the Railroad Retirement Board, transmitting, pursuant to law, the 2010 Annual Actuarial Report Required by Section 22 of the Railroad Retirement Act of 1974 and Section 502 of the Railroad Retirement Solvency Act of 1983; to the Committee on Health, Education, Labor, and Pensions.

EC-8422. A communication from the Director, Office of Labor-Management Standards, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Rescission of Form T-1, Trust Annual Report; Requiring Subsidiary Organization Reporting on the Form LM-2, Labor Organization Annual Report; Modifying Subsidiary Organization Reporting on the Form LM-3, Labor Organization Annual Report; LMRDA Coverage of Intermediate Labor Organizations; Final Rule" (RIN1215-AB75; RIN1245-AA02), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-8423. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Department's Fiscal Year 2007 Low Income Home Energy Assistance Program (LIHEAP) Report; to the Committee on Health, Education, Labor, and Pensions.

EC-8424. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; General and Plastic Surgery Devices; Classification of Non-Powered Suction Apparatus Device Intended for Negative Pressure Wound Therapy" (Docket No. FDA-2010-N-0513), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-8425. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, the semiannual report on the continued compliance of Azerbaijan, Kazakhstan, Moldova, the Russian Federation, Tajikistan, and Uzbekistan with the 1974 Trade Act's freedom of emigration provisions, as required under the Jackson-Vanik Amendment; to the Committee on Foreign Relations.

EC-8426. A communication from the Chief Financial Officer, Farm Credit System Insurance Corporation, transmitting, pursuant to law, a report relative to the requirements of the Federal Managers' Financial Integrity Act and the Inspector General Act of 1978; to the Committee on Homeland Security and Governmental Affairs.

EC-8427. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Comparative Analysis of Actual Cash Collections to the Revised Revenue Estimate Through the 3rd Quarter of Fiscal Year 2010"; to the Committee on Homeland Security and Governmental Affairs.

EC-8428. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8429. A communication from the Chairman of the Broadcasting Board of Governors, transmitting, pursuant to law, the Semiannual Report of the Board's Inspector General for the period from April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8430. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Department of Health and Human Services Office of Inspector General's Semiannual Report for the period of April 1, 2010 through September 30, 2010; to the Committee on

Homeland Security and Governmental Affairs.

EC-8431. A communication from the Chairman of the Federal Maritime Commission, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8432. A communication from the Chair of the U.S. Equal Employment Opportunity Commission, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2010 through September 30, 2010 and the Semi-Annual Management Report for the period ending September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8433. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from April 1, 2010 through September 30, 2010 and the Management Response for the period ending September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8434. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Kentucky Advisory Committee; to the Committee on the Judiciary.

EC-8435. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XA051), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8436. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Big Skate in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XA066), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8437. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Longnose Skate in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XA067), received in the Office of the President of the Senate on December 7, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8438. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zones; Sabine Bank Channel, Sabine Pass Channel and Sabine-Neches Waterway, TX" ((RIN1625-AA87)-(Docket No. USCG-2009-0316)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8439. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone, in the vicinity of the Michoud Slip Position...." ((RIN1625-AA87)(Docket No. USCG-2010-0846)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8440. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zones; Captain of the Port Buffalo Zone; Technical Amendment" ((RIN1625-AA87)(Docket No. USCG-2010-0821)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8441. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments, Sector Puget Sound, WA; Correction" ((RIN1625-ZA25)-(Docket No. USCG-2010-0351)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8442. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Ledge Removal Project, Bass Harbor, Maine" ((RIN1625-AA00)(Docket No. USCG-2010-0806)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8443. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Blue Angels at Kaneohe Bay Air Show, Oahu, HI" ((RIN1625-AA00)(Docket No. USCG-2010-0705)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8444. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Monte Foundation Firework Display, Monterey, CA" ((RIN1625-AA00)(Docket No. USCG-2010-0620)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8445. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Interstate 5 Bridge Repairs, Columbia River, Portland, OR" ((RIN1625-AA00)(Docket No. USCG-2010-0895)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8446. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; IJSBA World Finals, Lower Colorado River, Lake Havasu, AZ" ((RIN1625-AA00)(Docket No. USCG-2010-0509)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8447. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; New York Air Show at Jones Beach State Park, Atlantic Ocean Off of Jones Beach, Wantagh, NY" ((RIN1625-AA00)(Docket No. USCG-2010-0138)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8448. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Natchez Fireworks Safety Zone; Lower Mississippi River, Mile Marker 365.5 to Mile Marker 363, Natchez, MS" ((RIN1625-AA00)(Docket No. USCG-2010-0872)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8449. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Shipping; Technical, Organizational, and Conforming

Amendments" ((RIN1625-ZA27)(Docket No. USCG-2010-0759)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8450. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Reserved Channel, Boston Harbor, Boston, MA" ((RIN1625-AA00)(Docket No. USCG-2010-0886)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8451. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Atlantic Intracoastal Waterway, Beufort, SC" ((RIN1625-AA09)(Docket No. USCG-2009-1075)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8452. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Notification of Arrival in U.S. Ports; Certain Dangerous Cargoes" ((RIN1625-AA93)(Docket No. USCG-2004-19963)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

Special Report entitled "Activities of the Committee on Homeland Security and Governmental Affairs" (Rept. No. 111-360).

By Mrs. BOXER, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 787. A bill to amend the Federal Water Pollution Control Act to clarify the jurisdiction of the United States over waters of the United States (Rept. No. 111-361).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1748. A bill to establish a program of research, recovery, and other activities to provide for the recovery of the southern sea otter (Rept. No. 111-362).

S. 3605. A bill to invest in innovation through research and development, to improve the competitiveness of the United States, and for other purposes (Rept. No. 111-363).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 3806. A bill to protect Federal employees and visitors, improve the security of Federal facilities and authorize and modernize the Federal Protective Service.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. LIEBERMAN (for himself, Mr. UDALL of Colorado, Mrs. GILLIBRAND, Ms. COLLINS, Mrs. LINCOLN, Mrs. FEINSTEIN, Mr. LEAHY, Mr. REID, Mr. FRANKEN, Mr. BINGAMAN, Mrs. MURRAY, Mr. LAUTENBERG, Mr. COONS, Mr. KERRY, Mr. DODD, Mr. AKAKA, Mr. CARDIN, Mr. WHITEHOUSE, Mrs. BOXER, Mr. UDALL of New Mexico, Mr. BENNET, Mr. HARKIN, Mr. MENENDEZ, Mr. LEVIN, Mr. MERKLEY, Mr. DURBIN, Mr. WYDEN, and Mr. BROWN of Ohio):

S. 4023. A bill to provide for the repeal of the Department of Defense policy concerning homosexuality in the Armed Forces known as "Don't Ask, Don't Tell"; read the first time.

By Mr. WYDEN (for himself and Ms. SNOWE):

S. 4024. A bill to reduce the costs of prescription drugs for Medicare beneficiaries and to guarantee access to comprehensive prescription drug coverage under part D of the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. MENENDEZ (for himself, Mr. HARKIN, Mr. KERRY, Mr. LEVIN, Mr. LIEBERMAN, Ms. STABENOW, Ms. MIKULSKI, and Mr. DODD):

S.J. Res. 41. A joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent and Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. SCHUMER (for himself and Mr. BENNETT):

S. Res. 700. A resolution to provide for the approval of final regulations issued by the Office of Compliance to implement the Veterans Employment Opportunities Act of 1998 that apply to the Senate and employees of the Senate; considered and agreed to.

By Mr. SCHUMER (for himself and Mr. BENNETT):

S. Con. Res. 77. A concurrent resolution to provide for the approval of final regulations issued by the Office of Compliance to implement the Veterans Employment Opportunities Act of 1998 that apply to certain legislative branch employing offices and their covered employees; considered and agreed to.

ADDITIONAL COSPONSORS

S. 167

At the request of Mr. KOHL, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 167, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, and for other purposes.

S. 3073

At the request of Mr. LEVIN, the name of the Senator from Illinois [Mr. KIRK] was added as a cosponsor of S. 3073, a bill to amend the Federal Water Pollution Control Act to protect and restore the Great Lakes.

S. 4020

At the request of Mr. WICKER, the name of the Senator from Oklahoma [Mr. COBURN] was added as a cosponsor of S. 4020, a bill to protect 10th Amendment rights by providing special standing for State government officials to challenge proposed regulations, and for other purposes.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 10:03 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 3998. An act to extend the Child Safety Pilot Program.

H.R. 4994. An act to extend certain expiring provisions of the Medicare and Medicaid programs, and for other purposes.

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the PRESIDENT pro tempore.

EXECUTIVE SESSION

By unanimous consent, on the request of Mrs. GILLIBRAND,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mrs. GILLIBRAND,

The Senate resumed its legislative session.

HOUSE AMENDMENT TO BILL S. 3817

On the request of Mrs. GILLIBRAND,

The PRESIDING OFFICER (Mr. SANDERS in the chair) laid before the Senate the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the bill (S. 3817) to amend the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and the Abandoned Infants Assistance Act of 1988 to reauthorize the Acts, and for other purposes.

On motion by Mrs. GILLIBRAND,

Resolved, That the Senate concur in the amendment of the House of Representatives to the bill.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

REAUTHORIZING AND ENHANCING JOHANNA'S LAW

By unanimous consent, on the request of Mrs. GILLIBRAND,

The Senate proceeded to consider the bill (H.R. 2941) to reauthorize and enhance Johanna's Law to increase public awareness and knowledge with respect to gynecologic cancers.

The question being on agreeing to the reported amendment (in the nature of a substitute).

The reported amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

WHISTLEBLOWER PROTECTION ENHANCEMENT ACT

By unanimous consent, on the request of Mrs. GILLIBRAND,

The Senate proceeded to consider the bill (S. 372) to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, and for other purposes.

The question being on agreeing to the reported amendment (in the nature of a substitute).

On motion by Mrs. GILLIBRAND for Mr. AKAKA (for himself, Ms. COLLINS, Mr. GRASSLEY, Mr. LIEBERMAN, and Mr. VOINOVICH) to insert, in lieu of the language proposed to be inserted by the pending reported amendment (in the nature of a substitute), other words (being amendment No. 4760, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The reported amendment (in the nature of a substitute), as amended, was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

PROVIDING FOR THE APPROVAL OF CERTAIN REGULATIONS IMPLEMENTING VETERANS PREFERENCE REQUIREMENTS TO CERTAIN LEGISLATIVE BRANCH EMPLOYEES

On the request of Mrs. GILLIBRAND,

The PRESIDING OFFICER laid before the Senate the concurrent resolution (S. Con. Res. 77) to provide for the approval of final regulations issued by the Office of Compliance to implement the Veterans Employment Opportunities Act of 1998 that apply to certain legislative branch employing offices and their covered employees, submitted today by Mr. SCHUMER (for himself and Mr. BENNETT), and at the desk; and

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

PROVIDING FOR THE APPROVAL OF CERTAIN REGULATIONS IMPLEMENTING VETERANS PREFERENCE REQUIREMENTS TO THE SENATE AND ITS EMPLOYEES

On the request of Mrs. GILLIBRAND,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 700) to provide for the approval of final regulations issued by the Office of Compliance to implement the Veterans Employment Opportunities Act of 1998 that apply to the Senate and employees of the Senate, submitted today by Mr. SCHUMER (for himself and Mr. BENNETT), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

BILL READ THE FIRST TIME

On the request of Mrs. GILLIBRAND,

The PRESIDING OFFICER laid before the Senate the bill (S. 4023) to provide for the repeal of the Department of Defense policy concerning homosexuality in the Armed Forces known as "Don't Ask, Don't Tell", introduced today by Mr. LIEBERMAN (for himself, Mr. MARK UDALL, Mrs. GILLIBRAND, Ms. COLLINS, Mrs. LINCOLN, Mrs. FEINSTEIN, Mr. LEAHY, Mr. REID, Mr. FRANKEN, Mr. BINGAMAN, Mrs. MURRAY, Mr. LAUTENBERG, Mr. COONS, Mr. KERRY, Mr. DODD, Mr. AKAKA, Mr. CARDIN, Mr. WHITEHOUSE, Mrs. BOXER, Mr. TOM UDALL, Mr. BENNET, Mr. HARKIN, Mr. MENENDEZ, Mr. LEVIN, Mr. MERKLEY, Mr. DURBIN, Mr. WYDEN, and Mr. SHERROD BROWN), and at the desk; which was read the first time.

Mrs. GILLIBRAND asked unanimous consent that the bill be read the second time.

Mrs. GILLIBRAND objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would lie over awaiting its second reading on the next legislative day.

ORDER FOR RECOGNITION OF CERTAIN SENATORS ON CERTAIN DAYS

By unanimous consent, on the request of Mrs. GILLIBRAND,

Ordered, That the following Senators be recognized to speak to deliver farewell addresses for the following times on the following dates:

Mr. GREGG, for 25 minutes, at 2:15 p.m. on Tuesday, December 14, 2010;

Mr. BAYH, for 20 minutes, at 10 a.m. on Wednesday, December 15, 2010;

Mrs. LINCOLN, for 30 minutes, at 2:30 p.m. on Wednesday, December 15, 2010.

Ordered further, That time be counted under rule XXII of the Standing Rules of the Senate if the parliamentary situation is such.

ORDERS FOR ADJOURNMENT UNTIL 2 P.M. ON MONDAY, DECEMBER 13, 2010, AND FOR PROGRAM

By unanimous consent, on the request of Mrs. GILLIBRAND,

Ordered, That, when the Senate concludes its business on today, it adjourn until 2 p.m. on Monday, December 13, 2010; that, on Monday next, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of

the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that, following the remarks of the two leaders, the Senate resume consideration of the House amendment to the Senate amendment to bill H.R. 4853; that the time until 3 p.m. be equally divided and controlled for debate between the leaders, or their designees; and that, at 3 p.m., the Senate vote, as pursuant to the order of yesterday.

ADJOURNMENT

By unanimous consent, on the request of Mrs. GILLIBRAND,

At 7:12 p.m.,

The Senate adjourned, under its order of today, until 2 p.m. on Monday, December 13, 2010.

MONDAY, DECEMBER 13, 2010

Mr. MAX BAUCUS, from the State of Montana, called the Senate to order at 2 p.m., the Chaplain offered a prayer, and Mr. WARNER led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, December 13, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. WARNER took the chair.

THE JOURNAL

Pursuant to the order of Friday, December 10, 2010,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of Friday, December 10, 2010,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4853

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 4853) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes; and

The Senate resumed consideration of the House amendment.

The question being on agreeing to amendment No. 4757, proposed by Mr. REID, to amendment No. 4756, proposed by Mr. REID, to the instructions (designated No. 4755) contained in the motion, by Mr. REID, to refer the House amendment to the Committee on Finance with instructions to report back forthwith with an amendment.

By unanimous consent, on the request of Mr. REID,

Ordered, That second-degree amendments to amendment No. 4753 (in the nature of a substitute) contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to bill H.R. 4853, be "filed" until 2:30 p.m. on today.

The question being on agreeing to amendment No. 4757 to amendment No. 4756 to the instructions (designated No. 4755) contained in the motion to refer the House amendment to the Committee on Finance with instructions to report back forthwith with an amendment.

Pending debate,

Pursuant to the order of Thursday, December 9, 2010,

The ACTING PRESIDENT pro tempore laid before the Senate the motion, presented by Mr. REID on that day, to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to bill H.R. 4853 with an amendment (Numbered 4753).

Pursuant to the order of Thursday, December 9, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The ACTING PRESIDENT pro tempore stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the affirmative--- yeas... 83, nays... 15

[Rollcall Vote No. 272 Leg.]

YEAS --- 83

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bennett, Bond, Boxer, Brown (MA), Brownback, Bunning, Burr, Cantwell, Cardin, Carper, Casey, Chambliss, Cochran, Collins, Conrad, Coons, Corker, Cornyn, Crapo, Dodd, Dorgan, Durbin, Enzi, Feinstein, Franken, Graham, Grassley, Gregg, Harkin, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kerry, Kirk, Klobuchar, Kohl, Kyl, Landrieu, LeMieux, Lieberman, Lincoln, Lugar, Manchin, McCain, McCaskill, McConnell, Menendez, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Risch, Roberts, Rockefeller, Schumer, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall (NM), Vitter, Warner, Webb, Whitehouse, Wicker.

NAYS --- 15

Bingaman, Brown (OH), Coburn, DeMint, Ensign, Feingold, Gillibrand, Hagan, Lautenberg, Leahy, Levin, Sanders, Sessions, Udall (CO), Voinovich.

So the motion was agreed to; three-fifths of Senators duly chosen and sworn having voted in the affirmative.

The motion having been agreed to,

The pending motion to refer with instructions (designated No. 4755), and amendments Numbered 4756 and 4757 thereto, being inconsistent with cloture, fell.

The question being on agreeing to amendment No. 4754 to amendment No. 4753 (in the nature of a substitute), contained in the motion to concur, with amendment, in the House amendment (in the nature of a substitute) to the Senate amendment (in the nature of a substitute) to bill H.R. 4853.

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, notwithstanding rule XXII of the Standing Rules of the Senate, amendment No. 4753 (in the nature of a substitute), contained in the motion to concur in the House amendment to the Senate amendment to bill H.R. 4853 with amendment, be modified.

The question being on agreeing to amendment No. 4754 to amendment No. 4753 (in the nature of a substitute), as modified, contained in the motion to concur, with amendment, in the House amendment (in the nature of a substitute) to the Senate amendment (in the nature of a substitute) to bill H.R. 4853.

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-8453. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Bulk Solid Hazardous Materials: Harmonization with the International Maritime Solid Bulk Cargoes (IMSBC) Code" ((RIN1625-AB47)(Docket No. USCG-2009-0091)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8454. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Greenville Bridge Demolition, Lower Mississippi River Mile 531.3, AR, MS" ((RIN1625-AA11)(Docket No. USCG-2010-0693)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8455. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations for Marine Events; Wrightsville Channel, Wrightsville Beach, NC" ((RIN1625-AA08)-(Docket No. USCG-2010-0813)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8456. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Arkansas Waterway, Pine Bluff, AR" ((RIN1625-AA09)(Docket No. USCG-2010-0441)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8457. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Vessel Traffic Service Lower Mississippi River" ((RIN1625-AA58)-(Docket No. USCG-1998-4399)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8458. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone: Passenger Vessels, Sector Southeastern New England Captain of the Port Zone" ((RIN1625-AA87)-(Docket No. USCG-2010-0864)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8459. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Great Mississippi Balloon Race and Fireworks Safety Zone; Lower Mississippi River, Mile Marker 365.5 to Mile Marker 363, Natchez, MS" ((RIN1625-AA00)(Docket No. USCG-2010-0873)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8460. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations for Marine Events; Patuxent River, Solomons, MD" ((RIN1625-AA08)(Docket No. USCG-2010-0383)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8461. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Monongahela River, Pittsburgh, PA" ((RIN1625-AA08)(Docket No. USCG-2010-0534)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8462. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; CLS Fall Championship Hydroplane Race, Lake Sammamish, WA" ((RIN1625-AA00)-(Docket No. USCG-2010-0842)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8463. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fireworks for USS GRAVELY Commissioning Ceremony, Cape Fear River, Wilmington, NC" ((RIN1625-AA00)(Docket No. USCG-2010-0917)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8464. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone: Epic Roasthouse Private Party Firework Display, San Francisco, CA" ((RIN1625-AA00)(Docket No. USCG-2010-0901)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8465. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Temporary Change of Date for Recurring Fireworks Display within the Fifth Coast Guard District, Wrightsville Beach, NC" ((RIN1625-AA00)-(Docket No. USCG-2010-0927)), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8466. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the Commission's sixth annual report on ethanol market concentration; to the Committee on Commerce, Science, and Transportation.

EC-8467. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Oregon; Correction of Federal Authorization of the State's Hazardous Waste Management Program" (FRL No. 9236-8), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Environment and Public Works.

EC-8468. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Delaware; Limiting Emissions of Volatile Organic Compounds from Portable Fuel Containers" (FRL No. 9237-9), received in the Office of the President of the Senate on December 9, 2010; to the Committee on Environment and Public Works.

EC-8469. A communication from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the annual report of the Fish and Wildlife Service on reasonably identifiable expenditures for the conservation of endangered and threatened species for fiscal year 2009; to the Committee on Environment and Public Works.

EC-8470. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to revision of U.S. Munitions List Category VII; to the Committee on Foreign Relations.

EC-8471. A communication from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8472. A communication from the Officer for Civil Rights and Civil Liberties, Department of Homeland Security, transmitting, pursuant to law, a report entitled "Report to Congress on the Department of Homeland Security Office for Civil Rights and Civil Liberties Fiscal Year 2009 and Fourth Quarter 2009"; to the Committee on Homeland Security and Governmental Affairs.

EC-8473. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Technical Amendments" (FAC 2005-47), received in the Office of the President of the Senate on December 10, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8474. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Limitation on Pass-Through Charges" (RIN9000-AL27), received in the Office of the President of the Senate on December 10, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8475. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Uniform Suspension and Debarment Requirement" (RIN9000-AL75), received in the Office of the President of the Senate on December 10, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8476. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Small Disadvantaged Business Self-Certification" (RIN9000-AL77), received in the Office of the President of the Senate on December 10, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8477. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Preventing Abuse of Interagency Contracts" (RIN9000-AL69), received in the Office of the President of the Senate on December 10, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8478. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; HUBZone Program Revisions" (RIN9000-AL18), received in the Office of the President of the Senate on December 10, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8479. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-47; Small Entity Compliance Guide" (FAC 2005-47), received in the Office of the President of the Senate on December 10, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8480. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-47; Introduction" (FAC 2005-47), received in the Office of the President of the Senate on December 10, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8481. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Notification of Employee Rights under the National Labor Relations Act" (RIN9000-AL76), received in the Office of the President of the Senate on December 10, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8482. A communication from the Secretary of Education, transmitting, pursuant to law, the Semiannual Report from the Office of the Inspector General for the period from April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8483. A communication from the Administrator of the Small Business Administration, transmitting, pursuant to law, the Semiannual Report from the Office of the Inspector General for the period from April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8484. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2010 through September 30, 2010 and the Semi-Annual Report of the Treasury Inspector General for Tax Administration; to the Committee on Homeland Security and Governmental Affairs.

EC-8485. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Interim Final Rule for Reporting Pre-Enactment Swap Transactions" ((17 CFR Part 44)-(RIN3038-AD24)), received in the Office of the President of the Senate on December 10, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8486. A communication from the Chief Counsel of the Fiscal Service, Bureau of Public Debt, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Regulations Governing Book-Entry Treasury Bonds, Notes and Bills Held in Legacy Treasury Direct" (31 CFR Part 363), received in the Office of the President of the Senate on December 10, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8487. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Implementation of Section 203 of the Satellite Television Extension and Localism Act of 2010 (STELA)" (MB Docket No. 08-148 and 05-49), received in the Office of the President of the Senate on December 10, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8488. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Tier I Issue - Industry Director Directive No. 2 Proper Treatment of Upfront Fees, Milestone Payments, Royalties and Deferred Income upon entering into a Collaboration Agreement in the Biotech and Pharmaceutical Industries" (Uniform List No. 263.13-02), received in the Office of the President of the Senate on December 10, 2010; to the Committee on Finance.

EC-8489. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice 2010-93), received in the Office of the President of the Senate on December 10, 2010; to the Committee on Finance.

EC-8490. A communication from the Chief of the Publications and Regulations Branch,

Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Source of Income from Qualified Fails Charges" (RIN1545-BJ85), received in the Office of the President of the Senate on December 10, 2010; to the Committee on Finance.

EC-8491. A communication from the Director of the Policy Issuances Division, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Uniform Compliance Date for Food Labeling Regulations" (RIN0583-AD33), received in the Office of the President of the Senate on December 10, 2010; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 1709

At the request of Ms. STABENOW, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 1709, a bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to establish a grant program to promote efforts to develop, implement, and sustain veterinary services, and for other purposes.

S. 3269

At the request of Mrs. GILLIBRAND, the name of the Senator from New Jersey [Mr. LAUTENBERG] was added as a cosponsor of S. 3269, a bill to provide driver safety grants to States with graduated driver licensing laws that meet certain minimum requirements.

S. 3819

At the request of Mrs. LINCOLN, the name of the Senator from Alaska [Mr. BEGICH] was added as a cosponsor of S. 3819, a bill to amend the Internal Revenue Code of 1986 to reduce the mileage threshold for the deduction for National Guard and Reservists overnight travel expenses.

S. 4023

At the request of Mr. LIEBERMAN, the names of the Senator from North Carolina [Mrs. HAGAN], the Senator from New York [Mr. SCHUMER], the Senator from Maryland [Ms. MIKULSKI], the Senator from Washington [Ms. CANTWELL], the Senator from Pennsylvania [Mr. CASEY], the Senator from Vermont [Mr. SANDERS], the Senator from Wisconsin [Mr. FEINGOLD], the Senator from Louisiana [Ms. LANDRIEU], the Senator from Michigan [Ms. STABENOW], the Senator from Minnesota [Ms. KLOBUCHAR], the Senator from New Hampshire [Mrs. SHAHEEN], the Senator from Pennsylvania [Mr. SPECTER] and the Senator from Wisconsin [Mr. KOHL] were added as cosponsors of S. 4023, a bill to provide for the repeal of the Department of Defense policy concerning homosexuality in the Armed Forces known as "Don't Ask, Don't Tell".

At the request of Mr. LEVIN, the name of the Senator from North Dakota [Mr. DORGAN] was added as a cosponsor of S. 4023, supra.

SENATE RESOLUTION 680

At the request of Mr. KERRY, the name of the Senator from New Jersey [Mr. MENENDEZ] was added as a cosponsor of Senate Resolution 680, a resolution supporting international tiger conservation efforts and the upcoming Global Tiger Summit in St. Petersburg, Russia.

NOTICE OF INTENT TO MOVE TO SUSPEND

Mr. COBURN, in accordance with rule V of the Standing Rules of the Senate, submitted notice in writing of his intent to move to suspend rule XXII for the purpose of proposing amendments Nos. 4764 and 4765 to amendment No. 4753 (in the nature of a substitute) to the amendment of the House to amendment of the Senate to bill H.R. 4853.

ORDER FOR RECOGNITION OF CERTAIN SENATORS ON TOMORROW

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, at 11:30 a.m. on tomorrow, Mr. BOND, be recognized to speak for 20 minutes; that, at 3:15 p.m., Mr. HARKIN be recognized to speak for 45 minutes; that Mr. KIRK be recognized to speak at 5 p.m.; and that time be counted against the time for debate pursuant to rule XXII of the Standing Rules of the Senate.

ESTABLISHING A PILOT PROGRAM IN CERTAIN UNITED STATES DISTRICT COURTS TO ENCOURAGE ENHANCEMENT OF EXPERTISE IN PATENT CASES AMONG DISTRICT JUDGES

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the bill (H.R. 628) to establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

On motion by Mr. DURBIN for Mr. LEAHY (for himself and Mr. HATCH) to strike all after the enacting clause and insert, in lieu thereof, other words (being amendment No. 4801, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

FEDERAL ACQUISITION INSTITUTE ACT

By unanimous consent, on the request of Mr. DURBIN,

The Senate proceeded to consider the bill (S. 2902) to improve the Federal Acquisition Institute.

The question being on agreeing to the reported amendment (in the nature of a substitute).

The reported amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

POST-9/11 VETERANS EDUCATIONAL ASSISTANCE IMPROVEMENTS ACT

By unanimous consent, on the request of Mr. DURBIN,

The Senate proceeded to consider the bill (S. 3447) to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes.

The question being on agreeing to the reported amendment (in the nature of a substitute).

On motion by Mr. DURBIN (for Mr. AKAKA) to amend the pending reported amendment (in the nature of a substitute) on various pages and lines, by striking certain words and sums and inserting other words and sums (being amendment No. 4802).

The amendment was agreed to.

The reported amendment (in the nature of a substitute), as amended, was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

The PAYGO letter of the Chairman of the Committee on the Budget was read.

The question being on passage of the bill, as amended.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

KINGMAN AND HERITAGE ISLANDS ACT

On the request of Mr. DURBIN,

The PRESIDING OFFICER (Mrs. SHAHEEN in the chair) laid before the Senate the bill (H.R. 6278) to amend the National Children's Island Act of 1995 to expand allowable uses

for Kingman and Heritage Islands by the District of Columbia, and for other purposes, received from the House of Representatives for concurrence on November 17, 2010, and remaining undisposed of; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

BILL READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The PRESIDING OFFICER laid before the Senate the bill (S. 4023) to provide for the repeal of the Department of Defense policy concerning homosexuality in the Armed Forces known as "Don't Ask, Don't Tell", introduced on Friday, December 10, 2010, by Mr. LIEBERMAN (for himself, Mr. MARK UDALL, Mrs. GILLIBRAND, Ms. COLLINS, Mrs. LINCOLN, Mrs. FEINSTEIN, Mr. LEAHY, Mr. REID, Mr. FRANKEN, Mr. BINGAMAN, Mrs. MURRAY, Mr. LAUTENBERG, Mr. COONS, Mr. KERRY, Mr. DODD, Mr. AKAKA, Mr. CARDIN, Mr. WHITEHOUSE, Mrs. BOXER, Mr. TOM UDALL, Mr. BENNET, Mr. HARKIN, Mr. MENENDEZ, Mr. LEVIN, Mr. MERKLEY, Mr. DURBIN, Mr. WYDEN, Mr. SHERROD BROWN, Mrs. HAGAN, Mr. SCHUMER, Ms. MIKULSKI, Ms. CANTWELL, Mr. CASEY, Mr. SANDERS, Mr. FEINGOLD, Ms. LANDRIEU, Ms. STABENOW, Ms. KLOBUCHAR, Mrs. SHAHEEN, Mr. SPECTER, Mr. KOHL, and Mr. DORGAN), and read the first time on that day; which was read the second time.

Mr. DURBIN objected to the further proceedings on the bill.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the bill would be placed on the calendar.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that the Senate then resume consideration of the House amendment to the Senate amendment to bill H.R. 4853; and that time in morning business, recess, or adjournment, be counted against time for debate, pursuant to rule XXII of the Standing Rules of the Senate.

Ordered further, That, on tomorrow, the Senate recess from 12:30 p.m. until 2:15 p.m.

ADJOURNMENT

By unanimous consent, on the request of Mr. DURBIN,

At 6:36 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

TUESDAY, DECEMBER 14, 2010

Mrs. JEANNE SHAHEEN, from the State of New Hampshire, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mrs. SHAHEEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, December 14, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mrs. SHAHEEN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R 4853

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 4853) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes; and

The Senate resumed consideration of the House amendment.

The question being on agreeing to amendment No. 4754, proposed by Mr. REID, to amendment No. 4753 (in the nature of a substitute), proposed by Mr. REID, contained in the motion, by Mr. REID, to concur, with amendment, in the House amendment (in the nature of a substitute) to the Senate amendment (in the nature of a substitute) to the bill.

Mr. SHERROD BROWN asked unanimous consent that the pending amendments be laid aside; and that it be in order for him to propose amendment No. 4763.

Mr. ISAKSON objected.

The question being on agreeing to amendment No. 4754 to amendment No. 4753 (in the nature of a substitute), contained in the motion to concur, with amendment, in the House amendment (in the nature of a substitute) to the Senate amendment (in the nature of a substitute) to the bill.

RECESS

Pursuant to the order of yesterday, as modified,

At 12:44 p.m.,

The PRESIDING OFFICER (Mr. TOM UDALL in the chair) declared the Senate recessed until 2:15 p.m.

AT 2:15 P.M.

The PRESIDING OFFICER (Mr. BEGICH in the chair) called the Senate to order.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R 4853

The Senate resumed consideration of the House amendment to the Senate amendment to bill H.R. 4853.

The question being on agreeing to amendment No. 4754 to amendment No. 4753 (in the nature of a substitute), contained in the motion to concur, with amendment, in the amendment of the House to the amendment of the Senate to the bill.

Pending debate,

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate resumes consideration of the House amendment to the Senate amendment to bill H.R. 4853 at 11 a.m. on tomorrow, there be 1 hour remaining for debate thereon; that the following each control 10 minutes therein: the majority and minority leaders, or their designees, Mr. DEMINT, Mr. COBURN, Ms. LANDRIEU, Mr. SANDERS.

Ordered further, That, upon conclusion of the aforementioned hour, time for debate, pursuant to rule XXII of the Standing Rules of Senate, be concluded; and that the following be the only motions to suspend in order:

A motion, by Mr. COBURN, to suspend for consideration of amendment No. 4765;

A motion, by Mr. DEMINT, to suspend for consideration of amendment No. 4804;

A motion, by Mr. SANDERS, to suspend for consideration of amendment No. 4809.

Ordered further, That, upon conclusion of said time for debate, the Senate vote on the question of agreeing to the motions in the above order; that, upon disposition of said motions, no further motion or amendment be in order; that, if a motion is agreed to, amendment No. 4754 be withdrawn; that the Senate then vote on the question of agreeing to the amendment for which the motion to suspend was agreed to; that, if no motion is agreed to, amendment No. 4754 be withdrawn; that the Senate then vote on the question of agreeing to the motion to concur in the House amendment to the Senate amendment to bill H.R. 4853 with an amendment (No. 4753, in the nature of a substitute); and that, upon disposition of said motion, there be a period for the transaction of morning business until 2:15 p.m., with Senators permitted to speak for 10 minutes each therein..

The question being on agreeing to amendment No. 4754 to amendment No. 4753 (in the nature of a substitute), contained in the motion to concur, with amendment, in the amendment of the House to the amendment of the Senate to the bill.

Pending debate,

ORDER FOR RECOGNITION OF CERTAIN SENATORS

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That, at 10:30 a.m. on tomorrow, Mr. VOINOVICH be recognized to speak for 20 minutes; that, on tomorrow, following the vote on the question of agreeing to the motion to proceed to executive session, the Senate resume its legislative session; that Mrs. LINCOLN be recognized to speak; and that, following remarks by her, the Senate resume its executive session in status quo ante.

Ordered further, That, at 2:15 p.m., on Tuesday, December 21, 2010, Mr. SPECTER be recognized to speak.

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, Tuesday, December 14, 2010, she had presented to the President of the United States the following enrolled bill:

S. 3817. A bill to amend the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and the Abandoned Infants Assistance Act of 1988 to reauthorize the Acts, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 674. A bill to amend chapter 41 of title 5, United States Code, to provide for the establishment and authorization of funding for certain training programs for supervisors of Federal employees (Rept. No. 111-364).

S. 3335. A bill to require Congress to establish a unified and searchable database on a public website for congressional earmarks as called for by the President in his 2010 State of the Union Address to Congress (Rept. No. 111-365).

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

H.R. 4973. A bill to amend the Fish and Wildlife Act of 1956 to reauthorize volunteer programs and community partnerships for national wildlife refuges, and for other purposes (Rept. No. 111-366).

H.R. 5282. A bill to provide funds to the Army Corps of Engineers to hire veterans and members of the Armed Forces to assist the Corps with curation and historic preservation activities, and for other purposes (Rept. No. 111-367).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1078. A bill to authorize a comprehensive national cooperative geospatial imagery mapping program through the United States Geological Survey, to promote use of the program for education, workforce training and development, and applied research, and to support Federal, State, tribal, and local government programs.

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

S. 1481. A bill to amend section 811 of the Cranston-Gonzalez National Affordable Housing Act to improve the program under such section for supportive housing for persons with disabilities.

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 3490. A bill to clarify the rights and responsibilities of Federal entities in the spectrum relocation process, and for other purposes.

S. 3614. A bill to authorize the establishment of a Maritime Center of Expertise for Maritime Oil Spill and Hazardous Substance Release Response, and for other purposes.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. CASEY:

S. 4025. A bill to require contractors to notify small business concerns that have been included in offers relating to contractors let by Federal agencies, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. CASEY:

S. 4026. A bill to establish in the Department of Commerce the Minority Business Development Program to provide qualified minority businesses with technical assistance and contracting opportunities, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. BROWN of Ohio:

S. Res. 701. A resolution congratulating the University of Akron men's soccer team on winning the National Collegiate Athletic Association Division I Men's Soccer Championship; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 599

At the request of Mr. CARPER, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 599, a bill to amend chapter 81 of title 5, United States Code, to create a presumption that a disability or death of a Federal employee in fire protection activities caused by any certain diseases is the result of the performance of such employee's duty.

S. 902

At the request of Mr. KERRY, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 902, a bill to provide grants to establish veteran's treatment courts.

S. 941

At the request of Mr. CRAPO, the name of the Senator from Nebraska [Mr. NELSON] was added as a cosponsor of S. 941, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearm laws and regulations, protect the community from criminals, and for other purposes.

S. 1039

At the request of Mr. KERRY, the name of the Senator from Pennsylvania [Mr. CASEY] was added as a cosponsor of S. 1039, a bill to provide grants for the renovation, modernization or construction of law enforcement facilities.

S. 2919

At the request of Mr. UDALL of Colorado, the name of the Senator from Hawaii [Mr. INOUYE] was added as a cosponsor of S. 2919, a bill to amend the Federal Credit Union Act to advance the ability of credit unions to promote small business growth and economic development opportunities, and for other purposes.

S. 3694

At the request of Ms. CANTWELL, the name of the Senator from Ohio [Mr. BROWN] was added as a cosponsor of S. 3694, a bill to prohibit the conducting of invasive research on great apes, and for other purposes.

S. 3737

At the request of Mr. ENZI, the name of the Senator from North Dakota [Mr. CONRAD] was added as a cosponsor of S. 3737, a bill to amend the Public Health Service Act and title XVIII of the Social Security Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly.

S. 3739

At the request of Mr. CASEY, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 3739, a bill to amend the Safe and Drug-Free Schools and Communities Act to include bullying and harassment prevention programs.

S. 3756

At the request of Mr. ROCKEFELLER, the name of the Senator from Maryland [Mr. CARDIN] was added as a cosponsor of S. 3756, a bill to amend the Communications Act of 1934 to provide public safety providers an additional 10 megahertz of spectrum to support a national, interoperable wireless broadband network and authorize the Federal Communications Commission to hold incentive auctions to provide funding to support such a network, and for other purposes.

S. 3973

At the request of Mr. VOINOVICH, the names of the Senator from Virginia [Mr. WEBB] and the Senator from New Jersey [Mr. MENENDEZ] were added as cosponsors of S. 3973, a bill to amend the Energy Policy Act of 2005 to reauthorize and modify provisions relating to the diesel emissions reduction program.

S. 4023

At the request of Mr. LIEBERMAN, the names of the Senator from Indiana [Mr. BAYH], the Senator from Rhode Island [Mr. REED] and the Senator from Montana [Mr. TESTER] were added as cosponsors of S. 4023, a bill to provide for the repeal of the Department of Defense policy concerning homosexuality in the Armed Forces known as "Don't Ask, Don't Tell".

SENATE CONCURRENT RESOLUTION 63

At the request of Mr. JOHNSON, the name of the Senator from Idaho [Mr. CRAPO] was added as a cosponsor of Senate Concurrent Resolution 63, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. CONRAD,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services be authorized to meet during the session of the Senate on December 14, 2010, at 2:30 p.m.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on December 14, 2010, at 2:05 p.m.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations be authorized to meet during the session of the Senate on December 14, 2010, at 2:15 p.m.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 2:14 p.m., a message from the House of Representatives, delivered by Mr. Novotny, announced that the Speaker has signed the following enrolled bills:

S. 3817. An act to amend the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and the Abandoned Infants Assistance Act of 1988 to reauthorize the Acts, and for other purposes.

H.R. 5591. An act to designate the airport traffic control tower located at Spokane International Airport in Spokane, Washington, as the "Ray Daves Airport Traffic Control Tower".

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the PRESIDENT pro tempore.

At 5:01 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 1275. An act to establish a National Foundation on Physical Fitness and Sports to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports.

S. 1448. An act to amend the Act of August 9, 1955, to authorize the Coquille Indian Tribe, the Confederated Tribes of Siletz Indians, the Confederated Tribes of the coos, Lower Umpqua, and Siuslaw, the Klamath Tribes, and the Burns Paiute Tribe to obtain 99-year lease authority for trust land.

S. 1609. An act to authorize a single fisheries cooperative for the Bering Sea Aleutian Islands longline catcher processor subsector, and for other purposes.

S. 2906. An act to amend the Act of August 9, 1955, to modify a provision relating to leases involving certain Indian tribes.

S. 3794. An act to amend chapter 5 of title 40, United States Code, to include organizations whose membership comprises substantially veterans as recipient organizations for the donation of Federal surplus personal property through State agencies.

S. 3984. An act to amend and extend the Museum and Library Services Act, and for other purposes.

The message also announced that the House agrees to the amendments of the Senate to the bill (H.R. 1061) to transfer certain land to the United States to be held in trust for the Hoh Indian Tribe, to place land into trust for the Hoh Indian Tribe, and for other purposes.

At 5:59 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6516. An act to make technical corrections to provisions of law enacted by the Coast Guard Authorization Act of 2010.

At 7:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6510. An act to direct the Administrator of General Services to convey a parcel of real property in Houston, Texas, to the Military Museum of Texas, and for other purposes.

HOUSE BILL REFERRED

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

H.R. 6510. An act to direct the Administrator of General Services to convey a parcel of real property in Houston, Texas, to the Military Museum of Texas, and for other purposes; to the Committee on Environment and Public Works.

NOTICES OF INTENT TO MOVE TO SUSPEND

Mr. DEMINT, in accordance with rule V of the Standing Rules of the Senate, submitted notice in writing of his intent to move to suspend rule XXII for the purpose of proposing amendment No. 4804 to amendment No. 4753 (in the nature of a substitute) to the amendment of the House to amendment of the Senate to bill H.R. 4853.

Mr. MCCAIN, in accordance with rule V of the Standing Rules of the Senate, submitted notice in writing of his intent to move to suspend rule XXII for the purpose of proposing amendment No. 4758 to amendment No. 4753 (in the nature of a substitute) to the amendment of the House to amendment of the Senate to bill H.R. 4853.

Mr. SANDERS, in accordance with rule V of the Standing Rules of the Senate, submitted notice in writing of his intent to move to suspend rule XXII for the purpose of proposing amendment No. 4793 to amendment No. 4753 (in the nature of a substitute) to the amendment of the House to the amendment of the Senate to bill H.R. 4853.

Mr. SANDERS, in accordance with rule V of the Standing Rules of the Senate, submitted notice in writing of his intent to move to suspend rule XXII for the purpose of proposing amendment No. 4809 to amendment No. 4753 (in the nature of a substitute) to the amendment of the House to amendment of the Senate to bill H.R. 4853.

JOINT RESOLUTION DISCHARGED BY PETITION

The following joint resolution was discharged pursuant to 42 U.S.C. 2159, and placed on the calendar:

S.J. Res. 34. Joint resolution relating to the approval of the proposed agreement for nuclear cooperation between the United States and the Russian Federation.

PRESERVING FOREIGN CRIMINAL ASSETS FOR FORFEITURE ACT

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the bill (S. 4005) to amend title 28, United States Code, to prevent the proceeds or instrumentalities of foreign crime located in the United States from being shielded from foreign forfeiture proceedings.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that there then be a period for the transaction of morning business until 11 a.m., with Senators permitted to speak for 10 minutes each therein; and that, following morning business, the Senate resume consideration of the House amendment to the Senate amendment to bill H.R. 4853.

ADJOURNMENT

By unanimous consent, on the request of Mr. SHERROD BROWN,

At 9:24 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

WEDNESDAY, DECEMBER 15, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, December 15, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. UDALL took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-8492. A communication from the Director, Employee Services, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Prevailing Rate Systems; Redefinition of the Chicago, IL; Fort Wayne-Marion, IN; Indianapolis, IN; Cleveland, OH; and

Pittsburgh, PA, Appropriated Fund Federal Wage System Wage Areas" (RIN3206-AM21), received in the Office of the President of the Senate on December 14, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8493. A communication from the Director, Peace Corps, transmitting, pursuant to law, the Office of Inspector General's Semiannual Report for the period of April 1, 2010 through September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8494. A communication from the Chairman of the National Endowment for the Arts, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from April 1, 2010 through September 30, 2010 and the Chairman's Semi-Annual Report on Final Action Resulting from Audit Reports, Inspection Reports, and Evaluation Reports; to the Committee on Homeland Security and Governmental Affairs.

EC-8495. A communication from the Assistant Secretary for Congressional and Legislative Affairs, Department of Veterans Affairs, transmitting, pursuant to law, the Department of Veterans Affairs Fiscal Year 2010 Performance and Accountability Report; to the Committee on Homeland Security and Governmental Affairs.

EC-8496. A communication from the Department of State, transmitting, pursuant to law, a report relative to the Arms Export Control Act (OSS Control No. 2010-1961); to the Committee on the Judiciary.

EC-8497. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Alaska Advisory Committee; to the Committee on the Judiciary.

EC-8498. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Wisconsin Advisory Committee; to the Committee on the Judiciary.

EC-8499. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Vermont Advisory Committee; to the Committee on the Judiciary.

EC-8500. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the North Carolina Advisory Committee; to the Committee on the Judiciary.

EC-8501. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Idaho Advisory Committee; to the Committee on the Judiciary.

EC-8502. A communication from the Director of Regulation Policy and Management, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Payments for Inpatient and Outpatient Health Care Professional Services at Non-Departmental Facilities and Other Medical Charges Associated with Non-VA Outpatient Care" (RIN2900-AN37), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Veterans' Affairs.

EC-8503. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (85); Amdt. 3400" (RIN2120-AA65), received in the Office of the President of the Senate on December 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8504. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (12); Amdt. 3401" (RIN2120-AA65), received in the Office of the President of the Senate on December 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8505. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (29); Amdt. 3403" (RIN2120-AA65), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8506. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (98); Amdt. 3402" (RIN2120-AA65), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8507. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt and Whitney Canada Corp. PW305A and PW305B Turboprop Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0892)), received in the Office of the President of the Senate on December 14, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8508. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bell Helicopter Textron Canada Model 222, 222B, 222U, 230, and 430 Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-1137)), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8509. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Dassault-Aviation Model FALCON 7X Airplanes" ((RIN2120-AA64)-(Docket No. FAA-2010-0760)), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8510. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Robinson Helicopter Company (Robinson) Model R22, R22 Alpha, R22 Beta, and R22 Mariner Helicopters, and Model R44, and R44II Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-0711)), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8511. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 737-900ER Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0764)), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8512. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Agusta S.p.A. Model A109E Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-0449)), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8513. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Cessna Aircraft Company (Cessna) 172, 175, 177, 180, 182, 185, 206, 207, 208, 210, 303, 336, and 337 Series Airplanes" ((RIN2120-AA64)(Docket No.

FAA-2008-1328)), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8514. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Various Aircraft Equipped with Rotax Aircraft Engines 912 A Series Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0522)), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 3480. A bill to amend the Homeland Security Act of 2002 and other laws to enhance the security and resiliency of the cyber and communications infrastructure of the United States (Rept. No. 111-368).

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 3297. A bill to update United States policy and authorities to help advance a genuine transition to democracy and to promote recovery in Zimbabwe (Rept. No. 111-369).

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. DODD (for himself, Mr. LAUTENBERG, Mr. CASEY, and Mr. MERKLEY):

S. 4027. A bill to provide for programs and activities with respect to the prevention of underage drinking; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER:

S. 4028. A bill to amend part B of title IV of the Social Security Act to authorize the Secretary of Health and Human Services to award grants to local and tribal governments for hiring child protective services workers; to the Committee on Finance.

By Mr. SCHUMER (for himself, Mr. BROWN of Massachusetts, and Mrs. SHAHEEN):

S. 4029. A bill to protect children from registered sex offenders, and for other purposes; to the Committee on the Judiciary.

By Mr. SANDERS:

S. 4030. A bill to amend the Food, Conservation, and Energy Act of 2008 to establish a community-supported agriculture promotion program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BAYH (for himself and Mr. BOND):

S. 4031. A bill to promote exploration for and development of rare earth elements in the United States, to reestablish a competitive supply chain for rare earth materials in the United States and countries that are allies of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SPECTER:

S. 4032. A bill to amend the Controlled Substances Act to more effectively regulate anabolic steroids; to the Committee on the Judiciary.

By Mr. SPECTER:

S. 4033. A bill to provide for the restoration of legal rights for claimants under holocaust-era insurance policies; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 28

At the request of Mr. SCHUMER, the name of the Senator from Minnesota [Mr. FRANKEN] was added as a cosponsor of S. 28, a bill to ensure that the courts of the United States may provide an impartial forum for claims brought by United States citizens and others against any railroad organized as a separate legal entity, arising from the deportation of United States citizens and others to Nazi concentration camps on trains owned or operated by such railroad, and by the heirs and survivors of such persons.

S. 853

At the request of Mr. COONS, his name was added as a cosponsor of S. 853, a bill to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System.

S. 3221

At the request of Mr. KOHL, the name of the Senator from Montana [Mr. TESTER] was added as a cosponsor of S. 3221, a bill to amend the Farm Security and Rural Investment Act of 2002 to extend the suspension of limitation on the period for which certain borrowers are eligible for guaranteed assistance.

S. 3293

At the request of Mr. HARKIN, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 3293, a bill to reauthorize the Special Olympics Sport and Empowerment Act of 2004, to provide assistance to Best Buddies to support the expansion and development of mentoring programs, and for other purposes.

S. 3320

At the request of Mr. WHITEHOUSE, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 3320, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 3390

At the request of Mr. FRANKEN, the name of the Senator from Rhode Island [Mr. REED] was added as a cosponsor of S. 3390, a bill to end the discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 4020

At the request of Mr. WICKER, the names of the Senator from Kentucky [Mr. BUNNING], the Senator from Florida [Mr. LEMIEUX], the Senator from Ohio [Mr. VOINOVICH], the Senator from Oklahoma [Mr. INHOFE], the Senator from Texas [Mrs. HUTCHISON], the Senator from Utah [Mr. HATCH], the Senator from Idaho [Mr. CRAPO], the Senator from North Carolina [Mr. BURR], the Senator from Louisiana [Mr. VITTER], the Senator from South Carolina [Mr. DEMINT], the Senator from South Carolina [Mr. GRAHAM], the Senator from Idaho [Mr. RISCH], the Senator from Mississippi [Mr. COCHRAN], the Senator from Georgia [Mr. CHAMBLISS], the Senator from Iowa [Mr. GRASSLEY], the Senator from Alabama [Mr. SESSIONS], the Senator from Nebraska [Mr. JOHANNS], the Senator from Alabama [Mr. SHELBY] and the Senator from Kansas [Mr. ROBERTS] were added as cosponsors of S. 4020, a bill to protect 10th Amendment rights by providing special standing for State government officials to challenge proposed regulations, and for other purposes.

SENATE CONCURRENT RESOLUTION 63

At the request of Mr. JOHNSON, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of Senate Concurrent Resolution 63, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

SENATE CONCURRENT RESOLUTION 71

At the request of Mr. FEINGOLD, the names of the Senator from Kansas [Mr. BROWNBACK], the Senator from Massachusetts [Mr. KERRY], the Senator from Indiana [Mr. LUGAR] and the Senator from Illinois [Mr. DURBIN] were added as cosponsors of Senate Concurrent Resolution 71, a concurrent resolution recognizing the United States national interest in helping to prevent and mitigate acts of genocide and other mass atrocities against civilians, and supporting and encouraging efforts to develop a whole of government approach to prevent and mitigate such acts.

SENATE RESOLUTION 485

At the request of Mr. AKAKA, the names of the Senator from Connecticut [Mr. DODD], the Senator from Idaho [Mr. CRAPO], the Senator from South Dakota [Mr. JOHNSON], the Senator from Tennessee [Mr. CORKER], the Senator from New York [Mr. SCHUMER], the Senator from Mississippi [Mr. COCHRAN], the Senator from New Jersey [Mr. MENENDEZ], the Senator from Mississippi [Mr. WICKER], the Senator from Wisconsin [Mr. KOHL], the Senator from Oregon [Mr. MERKLEY], the Senator from Hawaii [Mr. INOUYE], the Senator from Illinois [Mr. DURBIN], the Senator from Montana [Mr. BAUCUS], the Senator from Washington [Mrs. MURRAY], the Senator from Arkansas [Mrs. LINCOLN], the Senator from Alaska [Mr. BEGICH], the Senator from New York [Mrs. GILLIBRAND], the Senator from Wisconsin [Mr. FEINGOLD], the Senator from Michigan [Mr. LEVIN], the Senator from Delaware [Mr. CARPER], the Senator from Maryland [Mr. CARDIN], the Senator from Michigan [Ms. STABENOW] and the Senator from North Carolina [Mrs. HAGAN] were added as cosponsors of Senate Resolution 485, a resolution designating April 2010 as "Financial Literacy Month".

SENATE RESOLUTION 570

At the request of Mr. CASEY, the name of the Senator from Missouri [Mrs. MCCASKILL] was added as a cosponsor of Senate Resolution 570, a resolution calling for continued support for and an increased effort by the Governments of Pakistan, Afghanistan, and other Central Asian countries to effectively monitor and regulate the manufacture, sale, transport, and use of ammonium nitrate fertilizer in order to prevent the transport of ammonium nitrate into Afghanistan where the ammonium nitrate is used in improvised explosive devices.

AUTHORITY FOR COMMITTEES TO MEET

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That the following committees be authorized to meet during the session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on December 15, 2010, at 12 noon in room S-219 of the Capitol Building.

COMMITTEE ON FINANCE

The Committee on Finance be authorized to meet during the session of the Senate on December 15, 2010, immediately following a vote on the Senate Floor.

MESSAGE FROM THE HOUSE

The following message was received from the House of Representatives on today, as indicated:

At 10:18 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 1405. An act to redesignate the Longfellow National Historic Site, Massachusetts, as the "Longfellow House—Washington's Headquarters National Historic Site".

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4853

The hour of 11 a.m. having passed,

Pursuant to the order of yesterday, as modified,

The PRESIDING OFFICER (Mr. BENNET in the chair) laid before the Senate its pending business, viz, the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 4853) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes; and

The Senate resumed consideration of the House amendment.

The question being on agreeing to amendment No. 4754, proposed by Mr. REID, to amendment No. 4753 (in the nature of a substitute), proposed by Mr. REID, contained in the motion, by Mr. REID, that the Senate concur, with amendment, in the House amendment (in the nature of a substitute) to the Senate amendment (in the nature of a substitute) to the bill.

Pending debate,

On motion by Mr. COBURN to suspend rule XXII of the Standing Rules of the Senate, and any germaneness requirements, for the purpose of proposing amendment No. 4765 to amendment No. 4753 (in the nature of a substitute), contained in the motion to concur, with amendment, to the amendment of the House, to the amendment of the Senate, to the bill.

Mr. COBURN requested the yeas and nays on the question of agreeing to the pending motion.

There was not a sufficient second.

The question being on agreeing to the motion to suspend rule XXII of the Standing Rules of the Senate for consideration of amendment No. 4765 to amendment No. 4753 (in the nature of a substitute), contained in the motion to concur, with amendment, to the amendment of the House to the amendment of the Senate to the bill.

Pending debate,

Mr. LEVIN asked unanimous consent that it be in order for him to propose an amendment (Numbered 4787).

Mr. BARRASSO objected.

The question being on agreeing to the motion to suspend rule XXII of the Standing Rules of the Senate for consideration of amendment No. 4765 to amendment No. 4753 (in the nature of a substitute), contained in the motion to concur, with amendment, to the amendment of the House to the amendment of the Senate to the bill.

By unanimous consent, on the request of Mr. SANDERS,

Ordered, That Mr. WHITEHOUSE and Mr. BEGICH be added as cosponsors to amendment No. 4809.

The question being on agreeing to the motion to suspend rule XXII of the Standing Rules of the Senate for consideration of amendment No. 4765 to amendment No. 4753 (in the nature of a substitute), contained in the motion to concur, with amendment, to the amendment of the House to the amendment of the Senate to the bill.

On motion by Mr. SANDERS to suspend rule XXII of the Standing Rules of the Senate for the purpose of proposing amendment No. 4809 to amendment No. 4753 (in the nature of a substitute), contained in the motion to concur, with amendment, to the amendment of the House to the amendment of the Senate to the bill.

On motion by Mr. SANDERS,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to suspend.

The question being on agreeing to the motion to suspend rule XXII of the Standing Rules of the Senate for consideration of amendment No. 4809 to amendment No. 4753 (in the nature of a substitute), contained in the motion to concur, with amendment, to the amendment of the House to the amendment of the Senate to the bill.

OBJECTION TO CONSIDERATION OF BILL H.R. 4849

Mr. BAUCUS asked unanimous consent that the Committee on Finance be discharged from further consideration of the bill (H.R. 4849) to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, extend the Build America Bonds program, provide other infrastructure job creation tax incentives, and for other purposes; that the Senate proceed to consider the bill; that it be in order for him to propose an amendment to the bill; that the amendment be agreed to; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

After debate,

Mr. BARRASSO objected.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 4853

The Senate resumed consideration of the House amendment to the Senate amendment to bill H.R. 4853.

The question being on agreeing to the motion to suspend rule XXII of the Standing Rules of the Senate for consideration of amendment No. 4809 to amendment No. 4753 (in the nature of a substitute), contained in the motion to concur, with amendment, to the amendment of the House, to the amendment of the Senate, to the bill.

Pending debate,

On motion by Mr. DEMINT to suspend rule XXII of the Standing Rules of the Senate for consideration of amendment No. 4804 to amendment No. 4753 (in the nature of a substitute), contained in the motion to concur, with amendment, to the amendment of the House, to the amendment of the Senate, to the bill.

On motion by Mr. DEMINT,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the motion to suspend.

The question being on agreeing to the motion to suspend rule XXII of the Standing Rules of the Senate for consideration of amendment No. 4804 to amendment No. 4753 (in the nature of a substitute), contained in the motion to concur, with amendment, to the amendment of the House to the amendment of the Senate to the bill.

On motion by Mr. COBURN,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to his motion to suspend rule XXII of the Standing Rules of the Senate, for the purpose of proposing amendment No. 4765 to amendment No. 4753 (in the nature of a substitute), contained in the motion to concur, with amendment, to the amendment of the House to the amendment of the Senate to the bill.

By unanimous consent, on the request of Mr. BAUCUS,

Ordered, That there be 2 minutes, equally divided and controlled, for debate between the two leaders, or their designees prior to each vote; and that each vote following the first be 10 minutes in duration.

The question being on agreeing to the motion to suspend rule XXII of the Standing Rules of the Senate for consideration of amendment No. 4804 to amendment No. 4753 (in the nature of a substitute), contained in the motion to concur, with amendment, to the amendment of the House to the amendment of the Senate to the bill.

Pursuant to the order of yesterday,

The question recurring on agreeing to the motion by Mr. COBURN.

The question being taken.

It was determined in the negative---
yeas... 47, nays... 52

[Rollcall Vote No. 273 Leg.]

YEAS --- 47

Alexander, Barrasso, Bayh, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kirk, Kyl, LeMieux, Lincoln, Lugar, McCain, McCaskill, McConnell, Murkowski, Risch, Roberts, Sessions, Shelby, Snowe, Tester, Thune, Vitter, Voinovich, Wicker.

NAYS --- 52

Akaka, Baucus, Bennet, Bingaman, Boxer, Brown (OH), Cantwell, Cardin, Carper, Casey, Conrad, Coons, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Harkin, Inouye, Johnson, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Manchin, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; two-thirds of Senators voting, a quorum being present, not having voted in the affirmative.

Pursuant to the order of yesterday,

The question recurring on agreeing to the motion by Mr. DEMINT.

The question being taken.

It was determined in the negative---
yeas... 37, nays... 63

[Rollcall Vote No. 274 Leg.]

YEAS --- 37

Alexander, Barrasso, Bennett, Bond, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Nelson (NE), Risch, Roberts, Sessions, Shelby, Thune, Vitter, Wicker.

NAYS --- 63

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (MA), Brown (OH), Cantwell, Cardin, Carper, Casey, Collins, Conrad, Coons, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kerry, Kirk, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, Manchin, McCaskill, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

So the motion was not agreed to; two-thirds of Senators, duly chosen and sworn, not having voted in the affirmative.

Pursuant to the order of yesterday,

The question recurring on agreeing to the motion by Mr. SANDERS.

The question being taken.

It was determined in the negative---
yeas... 43, nays... 57

[Rollcall Vote No. 275 Leg.]

YEAS --- 43

Akaka, Begich, Bingaman, Boxer, Brown (OH), Cantwell, Cardin, Carper, Conrad, Coons, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Harkin, Inouye, Johnson, Kerry, Klobuchar, Landrieu, Lautenberg, Leahy, Levin, Menendez, Merkley, Mikulski, Murray, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Tester, Udall (NM), Warner, Whitehouse, Wyden.

NAYS --- 57

Alexander, Barrasso, Baucus, Bayh, Bennet, Bennett, Bond, Brown (MA), Brownback, Bunning, Burr, Casey, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kirk, Kohl, Kyl, LeMieux, Lieberman, Lincoln, Lugar, Manchin, McCain, McCaskill, McConnell, Murkowski, Nelson (NE), Nelson (FL), Pryor, Risch, Roberts, Sessions, Shelby, Snowe, Thune, Udall (CO), Vitter, Voinovich, Webb, Wicker.

So the motion was not agreed to; two-thirds of Senators, duly chosen and sworn, not having voted in the affirmative.

The question being on agreeing to amendment No. 4754 to amendment No. 4753 (in the nature of a substitute) contained in the motion to concur, with amendment, in the House amendment (in the nature of a substitute) to the Senate amendment (in the nature of a substitute) to the bill.

Pursuant to the order of yesterday,

The amendment was withdrawn.

The question being on agreeing to the motion to concur in the House amendment to the Senate amendment to the bill with amendment No. 4753 (in the nature of a substitute).

Pending debate,

Ms. STABENOW asked unanimous consent that it be in order for her to propose an amendment (Numbered 4775).

Mr. KYL objected.

The question being on agreeing to the motion to concur in the House amendment to the Senate amendment to the bill with amendment No. 4753 (in the nature of a substitute).

Ms. STABENOW asked unanimous consent that it be in order for her to propose an amendment (Numbered 4775).

Mr. KYL objected.

The question being on agreeing to the motion to concur in the House amendment to the Senate amendment to the bill with amendment No. 4753 (in the nature of a substitute).

After debate,

On motion by Mrs. MURRAY,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---yeas... 81, nays... 19

[Rollcall Vote No. 276 Leg.]

YEAS --- 81

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bennett, Bond, Boxer, Brown (MA), Brown (OH), Brownback, Bunning, Burr, Cantwell, Cardin, Carper, Casey, Chambliss, Cochran, Collins, Conrad, Coons, Corker, Cornyn, Crapo, Dodd, Durbin, Enzi, Feinstein, Franken, Graham, Grassley, Gregg, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kerry, Kirk, Klobuchar, Kohl, Kyl, Landrieu, LeMieux, Lieberman, Lincoln, Lugar, Manchin, McCain, McCaskill, McConnell, Menendez, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Risch, Roberts, Rockefeller, Schumer, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Vitter, Warner, Webb, Whitehouse, Wicker.

NAYS --- 19

Bingaman, Coburn, DeMint, Dorgan, Ensign, Feingold, Gillibrand, Hagan, Harkin, Lautenberg, Leahy, Levin, Merkley, Sanders, Sessions, Udall (CO), Udall (NM), Voinovich, Wyden.

So it was

Resolved, That the Senate concur in the amendment of the House to the amendment of the Senate with amendment No. 4753 (in the nature of a substitute).

On motion by Mr. DURBIN to reconsider the vote agreeing to the motion.

On motion by Mrs. LINCOLN,

The motion to reconsider was laid on the table.

MOTION TO PROCEED TO EXECUTIVE SESSION

On motion by Mr. REID that the Senate proceed to executive session to consider the Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms.

The question being on agreeing to the motion.

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

The question being taken.

It was determined in the affirmative---yeas... 66, nays... 32

[Rollcall Vote No. 277 Leg.]

YEAS—66

Akaka, Baucus, Begich, Bennet, Bennett, Bingaman, Boxer, Brown (MA), Brown (OH), Cantwell, Cardin, Carper, Casey, Collins, Conrad, Coons, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Graham, Hagan, Harkin, Inouye, Johnson, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, Lugar, Manchin, McCain, McCaskill, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS—32

Alexander, Barrasso, Bond, Brownback, Bunning, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Grassley, Gregg, Hatch, Hutchison, Inhofe, Isakson, Johanns, Kirk, Kyl, LeMieux, McConnell, Risch, Roberts, Sessions, Shelby, Thune, Vitter, Wicker.

So the motion was agreed to.

Whereupon,

EXECUTIVE SESSION

The Senate proceeded to executive session; and after the consideration of executive business (including the Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms).

FURTHER PERIOD FOR MORNING BUSINESS

By unanimous consent, on the request of Mr. REID,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 15 minutes each therein; and that, for the remainder of the day, there be only debate.

Pending debate,

DISTURBANCE IN THE GALLERY

A disturbance in the gallery occurred when a man began talking loudly, and was thereupon removed upon the direction of the Chair (Mr. MANCHIN in the chair).

Pending debate,

ORDER FOR EXECUTIVE SESSION ON TOMORROW

By unanimous consent, on the request of Mr. DURBIN,

As in executive session,

Ordered, That, on tomorrow, following the remarks of the leaders, the Senate proceed to executive session to consider, the Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms; and that, the treaty be considered as having been read.

ORDER RELATIVE TO TRIBUTES TO RETIRING SENATORS

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, the order of Wednesday, December 8, 2010 be modified; that Senators have until the sine die adjournment of the 111th Congress, second session, to submit tributes to retiring Senators; and that the other provisions of the order remain in effect.

MAKING TECHNICAL CORRECTIONS TO PROVISIONS OF LAW ENACTED BY THE COAST GUARD AUTHORIZATION ACT

On the request of Mr. DURBIN,

The PRESIDING OFFICER (Mr. BEGICH in the chair) laid before the Senate the bill (H.R. 6516) to make technical corrections to provisions of law enacted by the Coast Guard Authorization Act of 2010, received from the House of Representatives for concurrence on yesterday, and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then proceed to executive session to resume consideration of the Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms, as pursuant to the order of today.

ADJOURNMENT

By unanimous consent, on the request of Mr. DURBIN,

At 6:24 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

THURSDAY, DECEMBER 16, 2010

Mrs. KIRSTEN E. GILLIBRAND, from the State of New York, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mrs. GILLIBRAND led the Senate in

reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, December 16, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mrs. GILLIBRAND took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

EXECUTIVE SESSION

Pursuant to the order of yesterday,

The Senate proceeded to executive session (to resume consideration of the Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms), during which the following occurred:

Pending debate,

GOVERNMENT EFFICIENCY, EFFECTIVENESS, AND PERFORMANCE IMPROVEMENT ACT

By unanimous consent, on the request of Mr. DORGAN,

As in legislative session,

The Senate proceeded to consider the bill (H.R. 2142) to require the review of Government programs at least once every 5 years for purposes of assessing their performance and improving their operations, and to establish the Performance Improvement Council.

The question being on agreeing to the reported amendment (in the nature of a substitute).

The reported amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

REDUCTION OF LEAD IN DRINKING WATER ACT

By unanimous consent, on the request of Mr. DORGAN,

As in legislative session,

The Senate proceeded to consider the bill (S. 3874) to amend the Safe Drinking Water Act to reduce lead in drinking water.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

SAFE DRUG DISPOSAL ACT

By unanimous consent, on the request of Mr. DORGAN,

As in legislative session,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the bill (H.R. 5809) to amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

On motion by Mr. DORGAN for Mr. VOINOVICH (for himself, Mr. CARPER, Mrs. BOXER, Mr. INHOFE, Mr. ALEXANDER, Mr. BAUCUS, Mr. SHERROD BROWN, Mr. CARDIN, Ms. COLLINS, Mr. DURBIN, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mrs. HAGAN, Mr. HARKIN, Mr. KERRY, Ms. KLOBUCHAR, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LIEBERMAN, Mr. LUGAR, Mr. MERKLEY, Mr. REED, Mr. SCHUMER, Mrs. SHAHEEN, Mr. TESTER, Mr. WARNER, Mr. WHITEHOUSE, Mr. WYDEN, Ms. MURKOWSKI, Mr. MENENDEZ, Mr. WEBB, and Mr. LEVIN) to strike all after the enacting clause and insert, in lieu thereof, other words (being amendment No. 4818, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The title was amended, on motion by Mr. DORGAN for Mr. VOINOVICH (for himself and Mr. CARPER), so as to read: "An act to amend the Energy Policy Act of 2005 to reauthorize and modify provisions relating to the diesel emissions reduction program."

CLARIFYING CERTAIN NATIONAL CREDIT UNION ADMINISTRATION AUTHORITY

On the request of Mr. DORGAN,

As in legislative session,

The PRESIDING OFFICER (Mrs. SHAHEEN in the chair) laid before the Senate the bill (S. 4036) to clarify the National Credit Union Administration authority to make stabilization fund expenditures without borrowing from the Treasury, introduced on today by Mr. DODD, and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

COMMITTEE DISCHARGED; BILLS PASSED, EN BLOC

By unanimous consent, on the request of Mr. DORGAN,

As in legislative session,

Ordered, That the Committee on Homeland Security and Governmental Affairs be discharged from the further consideration of the following bills, en bloc:

S. 3592. A bill to designate the facility of the United States Postal Service located at 100 Commerce Drive in Tyrone, Georgia, as the "First Lieutenant Robert Wilson Collins Post Office Building";

H.R. 4602. A bill to designate the facility of the United States Postal Service located at 1332 Sharon Copley Road in Sharon Center, Ohio, as the "Emil Bolas Post Office";

H.R. 5133. A bill to designate the facility of the United States Postal Service located at 331 1st Street in Carlstadt, New Jersey, as the "Staff Sergeant Frank T. Carvill and Lance Corporal Michael A. Schwarz Post Office Building";

H.R. 5605. A bill to designate the facility of the United States Postal Service located at 47 East Fayette Street in Uniontown, Pennsylvania, as the "George C. Marshall Post Office";

H.R. 5606. A bill to designate the facility of the United States Postal Service located at 47 South 7th Street in Indiana, Pennsylvania, as the "James M. 'Jimmy' Stewart Post Office Building";

H.R. 5655. A bill to designate the Little River Branch facility of the United States

Postal Service located at 140 NE 84th Street in Miami, Florida, as the "Jesse J. McCrary, Jr. Post Office";

H.R. 5877. A bill to designate the facility of the United States Postal Service located at 655 Centre Street in Jamaica Plain, Massachusetts, as the "Lance Corporal Alexander Scott Arredondo, United States Marine Corps Post Office Building";

H.R. 6400. A bill to designate the facility of the United States Postal Service located at 111 North 6th Street in St. Louis, Missouri, as the "Earl Wilson, Jr. Post Office".

The Senate proceeded, by unanimous consent, to consider the bills, en bloc.

The question being on the passage of the bills, en bloc; and

No amendment being proposed,

The bills were deemed read the third time, by unanimous consent, en bloc.

Resolved, That the bills, en bloc, do pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

DESIGNATING THE "COLONEL GEORGE JUSKALIAN POST OFFICE BUILDING"

On the request of Mr. DORGAN,

As in legislative session,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 6392) to designate the facility of the United States Postal Service located at 5003 Westfields Boulevard in Centreville, Virginia, as the "Colonel George Juskalian Post Office Building", received from the House of Representatives for concurrence on Tuesday, November 30, 2010, and remaining undisposed of; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE WORK AND IMPORTANCE OF SPECIAL EDUCATION TEACHERS

On the request of Mr. DORGAN,

As in legislative session,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 702) recognizing the work and importance of special education teachers, submitted today by Mr. ROBERTS (for himself, Mr. HARKIN, Mr. HATCH, and Ms. MURKOWSKI), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

JOINT RESOLUTION READ THE FIRST TIME

On the request of Mr. DORGAN,

As in legislative session,

The PRESIDING OFFICER laid before the Senate the joint resolution (S.J. Res. 42) to extend the continuing resolution until February 18, 2011, introduced today by Mr. MCCONNELL (for himself, Mr. THUNE, Mr. GREGG, Mr. KYL, Mr. VITTER, Mr. KIRK, Mr. ENSIGN, Mr. LEMIEUX, Mr. ALEXANDER, Mr. ISAKSON, Mr. MCCAIN, Mr. CORNYN, Mr. GRAHAM, Mr. HATCH, Mr. WICKER, Mr. JOHANNS, and Mr. ROBERTS), and at the desk; which was read the first time.

Mr. DORGAN asked unanimous consent that the joint resolution be read the second time.

Mr. DORGAN objected.

Whereupon,

The PRESIDING OFFICER stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the joint resolution would lie over awaiting its second reading on the next legislative day.

EXECUTIVE SESSION

The Senate continued with consideration of the Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms.

Pending debate,

LEGISLATIVE SESSION

The hour of 7 p.m. having passed,

Pursuant to the order of today (in executive session), as modified,

The Senate resumed its legislative session.

HOUSE MESSAGE ON BILL H.R. 5281

Pursuant to the order of today,

The Senate resumed its legislative session.

The PRESIDING OFFICER (Mr. MANCHIN in the chair) laid before the Senate the message from the House announcing it had agreed to the amendments of the Senate (Nos. 1 and 2) to the bill (H.R. 5281) to amend title 28, United States Code, to clarify and improve certain provisions relating to the removal of litigation against Federal officers or agencies to Federal courts, and for other purposes; and that it had agreed to the amendment of the Senate (No. 3) thereto, with an amendment.

On motion by Mr. REID that the Senate concur in the amendment of the House to amendment of the Senate (No. 3) to the bill.

Mr. REID presented a motion to bring to a close debate on the pending motion to concur; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment (No. 3) to bill H.R. 5281:

HARRY REID, JOE LIEBERMAN, JAY ROCKEFELLER, BYRON L. DORGAN, SHELDON WHITEHOUSE, JACK REED, ROBERT MENENDEZ, MARK BEGICH, BEN CARDIN, BILL NELSON, MICHAEL F. BENNET, AMY KLOBUCHAR, PATTY MURRAY, B. A. MIKULSKI, CHRISTOPHER DODD, DICK DURBIN, JOHN KERRY.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

On motion by Mr. REID that the Senate concur in the amendment of the House to amendment of the Senate (No. 3) to the bill, with an amendment (Numbered 4822).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

On motion by Mr. REID to amend the amendment (designated amendment No. 4822) contained in the motion to concur with amendment, by striking “6” and inserting in lieu thereof “5” (being amendment No. 4823).

On motion by Mr. REID to refer the House amendment to the Committee on the Judiciary with instructions to report back forthwith with an amendment (Numbered 4824).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

On motion by Mr. REID to amend the instructions (Numbered 4824) contained in the motion to refer, at the end thereof, by adding certain words (being amendment No. 4825).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

On motion by Mr. REID to amend the pending amendment, by striking “5” and inserting in lieu thereof “2” (being amendment No. 4826).

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 2965

The PRESIDING OFFICER laid before the Senate the amendment (in the nature of a

substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 2965) to amend the Small Business Act with respect to the Small Business Innovation Research Program and the Small Business Technology Transfer Program, and for other purposes.

On motion by Mr. REID that the Senate concur in the amendment of the House to the amendment of the Senate to the bill.

Mr. REID presented a motion to bring to a close debate on the pending motion to concur; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to bill H.R. 2965:

HARRY REID, JOE LIEBERMAN, BARBARA BOXER, RON WYDEN, MICHAEL BENNET, ROBERT MENENDEZ, ROBERT P. CASEY, FRANK LAUTENBERG, DEBBIE STABENOW, MARK WARNER, TOM UDALL, JEFFREY A. MERKLEY, BEN CARDIN, AMY KLOBUCHAR, CHRISTOPHER DODD, TOM CARPER, AL FRANKEN.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

On motion by Mr. REID that the Senate concur in the amendment of the House to the amendment of the Senate to the bill, with an amendment (Numbered 4827).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

On motion by Mr. REID to amend the amendment (designated amendment No. 4827) contained in the pending motion to concur, with amendment, at the end thereof, by adding certain words (being amendment No. 4828).

On motion by Mr. REID to refer the House amendment to the Committee on Armed Services with instructions to report back forthwith with an amendment (Numbered 4829).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

On motion by Mr. REID to amend the instructions (Numbered 4829) contained in the pending motion to refer, at the end thereof, by adding certain words (being amendment No. 4830).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

On motion by Mr. REID to amend the pending amendment, at the end thereof, by adding certain words (being amendment No. 4831).

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. REID,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

Pending debate,

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, Thursday, December 16, 2010, she had presented to the President of the United States the following enrolled bills:

S. 1275. A bill to establish a National Foundation on Physical Fitness and Sports to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports.

S. 1448. A bill to amend the Act of August 9, 1955, to authorize the Coquille Indian Tribe, the Confederated Tribes of Siletz Indians, the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw, the Klamath Tribes, and the Burns Paiute Tribe to obtain 99-year lease authority for trust land.

S. 1609. A bill to authorize a single fisheries cooperative for the Bering Sea Aleutian Islands longline catcher processor subsector, and for other purposes.

S. 2906. A bill to amend the Act of August 9, 1955, to modify a provision relating to leases involving certain Indian tribes.

S. 3794. A bill to amend chapter 5 of title 40, United States Code, to include organizations whose membership comprises substantially veterans as recipient organizations for the donation of Federal surplus personal property through State agencies.

S. 3984. A bill to amend and extend the Museum and Library Services Act, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-8515. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A340-500 and A340-600 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-1110)), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8516. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; SOCATA Model TBM 700 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0862)), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8517. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sikorsky Aircraft Corporation (Sikorsky) Model S-92A Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-1136)), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8518. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France (ECF) Model SA330F, G, and J; and AS332C, L, L1, and L2 Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-0670)), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8519. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Sikorsky Aircraft Corporation (Sikorsky) Model S-92A Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-1136)), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8520. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt and Whitney PW4000 Series Turbofan Engines" ((RIN2120-AA64)-(Docket No. FAA-2010-0725)), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8521. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness

Directives; The Boeing Company Model 737-600, -700, -700C, -800, and -900 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2007-28348)), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8522. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; CENTRAIR Models 101, 101A, 101P, and 101AP Gliders" ((RIN2120-AA64)(Docket No. FAA-2010-0735)), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8523. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A300 B2-1C, B2K-3C, B2-203, B4-2C, B4-103, and B4-203 Airplanes; and Model A300 B4-601, B4-603, B4-620, B4-622, B4-605R, B4-622R, and F4-605R" ((RIN2120-AA64)(Docket No. FAA-2009-1067)), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8524. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class B Airspace; Charlotte, NC" ((RIN2120-AA66)(Docket No. FAA-2010-0049)), received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8525. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Safety Standards; Head Restraints" (RIN2127-AK39), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8526. A communication from the Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Brokers of Household Goods Transportation by Motor Vehicle" (RIN2126-AA84), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8527. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Waiver of Acceptable Mission Risk Restriction for Reentry and a Reentry Vehicle" (14 CFR Part 431), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8528. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Office of Commercial Space Transportation; Waiver of Autonomous Reentry Restriction for a Reentry Vehicle" (14 CFR Part 431), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8529. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Civil Penalty Inflation Adjustment Tables" ((RIN2120-AJ50)(Docket No. FAA-2009-0237)), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8530. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Restricted Areas R-3807 Glencoe, LA, and R-6320 Matagorda, TX" ((RIN2120-AA66)-(FAA-2010-1014)), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8531. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Using Agency for Restricted Areas R-4002, R-4005, R-4006 and R-4007; MD" ((RIN2120-AA66)(Docket No. FAA-2010-1070)), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8532. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Fairbanks, Alaska)" (MB Docket No. 10-81, RM-11600), received in the Office of the President of the Senate on December 10, 2010; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute and an amendment to the title:

H.R. 2868. To amend the Homeland Security Act of 2002 to enhance security and protect against acts of terrorism against chemical facilities, to amend the Safe Drinking Water Act to enhance the security of public water systems, and to amend the Federal Water Pollution Control Act to enhance the security of wastewater treatment works, and for other purposes (Rept. No. 111-370).

By Mr. DORGAN, from the Committee on Indian Affairs, with amendments:

S. 3903. A bill to authorize leases of up to 99 years for lands held in trust for Ohkay Owingeh Pueblo (Rept. No. 111-371).

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

Report to accompany H.R. 2142, To require quarterly performance assessments of Government programs for purposes of assessing agency performance and improvement, and to establish agency performance improvement officers and the Performance Improvement Council (Rept. No. 111-372).

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. 3874. A bill to amend the Safe Drinking Water Act to reduce lead in drinking water.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. BROWN of Ohio (for himself and Mr. MERKLEY):

S. 4034. A bill to support United States manufacturing by providing rules and guidance, waiver notices, and departmental and agency actions applicable to the domestic content standards of Federal grants administered by the Department of Transportation, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. REED (for himself and Ms. STABENOW):

S. 4035. A bill to amend the Public Health Service Act to provide grants for community-based mental health infrastructure improvement; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DODD:

S. 4036. A bill to clarify the National Credit Union Administration authority to make stabilization fund expenditures without borrowing from the Treasury; considered and passed.

By Mr. SCHUMER (for himself, Mr. KERRY, Mr. AKAKA, Mr. DURBIN, Mr. NELSON of Nebraska, Mr. MENENDEZ, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mrs. SHAHEEN, and Mr. TESTER):

S. 4037. A bill to impose a criminal penalty for unauthorized recording or distribution of images produced using advanced imaging technology during screenings of individuals at airports and upon entry to Federal buildings, and for other purposes; to the Committee on the Judiciary.

By Ms. STABENOW (for herself and Mr. REED):

S. 4038. A bill to increase access to community behavioral health services for all Americans and to improve Medicaid reimbursement for community behavioral health services; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself and Mr. SPECTER):

S. 4039. A bill to amend the Higher Education Act of 1965 to improve education and prevention related to campus sexual violence, intimate partner violence, and stalking; to the Committee on Health, Education, Labor, and Pensions.

By Mr. McCONNELL (for himself, Mr. THUNE, Mr. GREGG, Mr. KYL, Mr. VITTER, Mr. KIRK, Mr. ENSIGN, Mr. LEMIEUX, Mr. ALEXANDER, Mr. ISAKSON, Mr. MCCAIN, Mr. CORNYN, Mr. GRAHAM, Mr. HATCH, Mr. WICKER, Mr. JOHANNS, and Mr. ROBERTS):

S.J. Res. 42. A joint resolution to extend the continuing resolution until February 18, 2011; read the first time.

SUBMISSION OF A SENATE RESOLUTION

The following Senate resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. ROBERTS (for himself, Mr. HARKIN, Mr. HATCH, and Ms. MURKOWSKI):

S. Res. 702. A resolution recognizing the work and importance of special education teachers; considered and agreed to.

ADDITIONAL COSPONSORS

S. 471

At the request of Ms. SNOWE, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 471, a bill to amend the Education Sciences Reform Act of 2002 to require the Statistics Commissioner to collect information from coeducational secondary schools on such schools' athletic programs, and for other purposes.

S. 1415

At the request of Mr. SCHUMER, the name of the Senator from Missouri [Mrs. MCCASKILL] was added as a cosponsor of S. 1415, a bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to ensure that absent uniformed services voters and overseas voters are aware of their voting rights and have a genuine opportunity to register to vote and have their absentee ballots cast and counted, and for other purposes.

S. 3221

At the request of Mr. PRYOR, his name was added as a cosponsor of S. 3221, a bill to amend the Farm Security and Rural Investment Act of 2002 to extend the suspension of limitation on the period for which certain borrowers are eligible for guaranteed assistance.

S. 3237

At the request of Mr. HARKIN, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 3237, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 3641

At the request of Mr. WHITEHOUSE, the name of the Senator from Florida [Mr. NELSON] was added as a cosponsor of S. 3641, a bill to create the National Endowment for the Oceans to promote the protection and conservation of United States ocean, coastal, and Great Lakes ecosystems, and for other purposes.

S. 3804

At the request of Mr. LEAHY, the name of the Senator from Missouri [Mrs. MCCASKILL] was added as a cosponsor of S. 3804, a bill to combat online infringement, and for other purposes.

S. 3876

At the request of Mr. WYDEN, the name of the Senator from Mississippi [Mr. COCHRAN] was added as a cosponsor of S. 3876, a bill to amend the Internal Revenue Code of 1986 to extend and modify the alternative fuel vehicle refueling property credit.

S. 4020

At the request of Mr. WICKER, the names of the Senator from Kentucky [Mr. MCCONNELL], the Senator from South Dakota [Mr. THUNE], the Senator from Kansas [Mr. BROWNBACK], the Senator from New Hampshire [Mr. GREGG], the Senator from Georgia [Mr. ISAKSON], the Senator from Texas [Mr. CORNYN], the Senator from Arizona [Mr. MCCAIN], the Senator from Missouri [Mr. BOND] and the Senator from Massachusetts [Mr. BROWN] were added as cosponsors of S. 4020, a bill to protect 10th Amendment rights by providing special standing for State government officials to challenge proposed regulations, and for other purposes.

S. 4023

At the request of Mr. LIEBERMAN, the names of the Senator from Hawaii [Mr. INOUYE], the Senator from Florida [Mr. NELSON], the Senator from Virginia [Mr. WARNER], the Senator from South Dakota [Mr. JOHNSON] and the Senator from Missouri [Mrs. MCCASKILL] were added as cosponsors of S. 4023, a bill to provide for the repeal of the Department of Defense policy concerning homosexuality in the Armed Forces known as "Don't Ask, Don't Tell".

SENATE CONCURRENT RESOLUTION 71

At the request of Mr. FEINGOLD, the name of the Senator from New Mexico [Mr. UDALL] was added as a cosponsor of Senate Concurrent Resolution 71, a concurrent resolution recognizing the United States national interest in helping to prevent and mitigate acts of genocide and other mass atrocities against civilians, and supporting and encouraging efforts to develop a whole of government approach to prevent and mitigate such acts.

AUTHORITY FOR COMMITTEE TO MEET

By unanimous consent, on the request of Mr. KERRY,

Ordered, That the following committee be authorized to meet during the session of the Senate:

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on December 16, 2010, at 2:30 p.m.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 9:33 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 1774. An act for the relief of Hotaru Nakama Ferschke.

S. 3199. An act to amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss.

S. 3386. An act to protect consumers for certain aggressive sales tactics on the Internet.

S. 4010. An act for the relief of Shigeru Yamada.

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

S. 1275. An act to establish a National Foundation on Physical Fitness and Sports to

carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports.

S. 1448. An act to amend the Act of August 9, 1955, to authorize the Coquille Indian Tribe, the Confederated Tribes of Siletz Indians, the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw, the Klamath Tribes, and the Burns Paiute Tribe to obtain 99-year lease authority for trust land.

S. 1609. An act to authorize a single fisheries cooperative for the Bering Sea Aleutian Islands longline catcher processor subsector, and for other purposes.

S. 2906. An act to amend the Act of August 9, 1955, to modify a provision relating to leases involving certain Indian tribes.

S. 3794. An act to amend chapter 5 of title 40, United States Code, to include organizations whose membership comprises substantially veterans as recipient organizations for the donation of Federal surplus personal property through State agencies.

S. 3984. An act to amend and extend the Museum and Library Services Act, and for other purposes.

H.R. 1061. An act to transfer certain land to the United States to be held in trust for the Hoh Indian Tribe, to place land into trust for the Hoh Indian Tribe, and for other purposes.

H.R. 6278. An act to amend the National Children's Island Act of 1995 to expand allowable uses for Kingman and Heritage Islands by the District of Columbia, and for other purposes.

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the PRESIDENT pro tempore.

At 10:05 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6517. An act to extend trade adjustment assistance and certain trade preference programs, to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, and for other purposes.

At 10:32 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 5446. An Act to designate the facility of the United States Postal Service located at 600 Florida Avenue in Cocoa, Florida, as the "Harry T. and Harriette Moore Post Office".

H.R. 5493. An Act to provide for the furnishing of statues by the District of Columbia and territories and possessions of the United States for display in Statuary Hall in the United States Capitol.

H.R. 6205. An Act to designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as the "Private Isaac T. Cortes Post Office".

H.R. 6494. An Act to amend the National Defense Authorization Act for Fiscal Year 2010 to improve the Littoral Combat Ship program of the Navy.

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

S. 30. An Act to amend the Communications Act of 1934 to prohibit manipulation of caller identification information.

S. 3036. An Act to establish the National Alzheimer's Project.

The message further announced that the House has agreed to the following concurrent resolutions, without amendment:

S. Con. Res. 72. Concurrent resolution recognizing the 45th anniversary of the White House Fellows Program.

S. Con. Res. 77. Concurrent resolution to provide for the approval of final regulations issued by the Office of Compliance to implement the Veterans Employment Opportunities Act of 1998 that apply to certain legislative branch employing offices and their covered employees.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 2965) entitled "An Act to amend the Small Business Act with respect to the Small Business Innovation Research Program and the Small Business Technology Transfer Program, and for other purposes", with an amendment.

At 11:13 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 1405. An act to redesignate the Longfellow National Historic Site, Massachusetts, as the "Longfellow House-Washington's Headquarters National Historic Site".

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the PRESIDENT pro tempore.

At 1:14 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the Senate amendment to the bill (H.R. 4337) to amend the Internal Revenue Code of 1986 to modify certain rules applicable to regulated investment companies, and for other purposes.

At 4:17 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 841. An act to direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation.

S. 3447. An act to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes.

S. 3860. An act to require reports on the management of Arlington National Cemetery.

S. 4005. An act to amend title 28, United States Code, to prevent the proceeds or instrumentalities of foreign crime located in the United States from being shielded from foreign forfeiture proceedings.

The message further announced that the House agrees to the amendment of the Senate to the bill (H.R. 2941) to reauthorize and enhance Johanna's Law to increase public awareness and knowledge with respect to gynecologic cancers.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 6198) to amend title 11 of the United States Code to make technical corrections, and for other purposes.

At 5:53 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1774. An act for the relief of Hotaru Nakama Ferschke.

S. 4010. An act for the relief of Shigeru Yamada.

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the PRESIDENT pro tempore.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mrs. MCCASKILL,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then proceed to executive session to resume consideration of the Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms.

ADJOURNMENT

By unanimous consent, on the request of Mrs. MCCASKILL,

At 8:36 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

FRIDAY, DECEMBER 17, 2010

Mr. JEFF MERKLEY, from the State of Oregon, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mr. MERKLEY led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, December 17, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF MERKLEY, a Senator from the State of Oregon, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. MERKLEY took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

JOINT RESOLUTION READ THE SECOND TIME AND PLACED ON THE CALENDAR

The Senate having convened following an adjournment,

The ACTING PRESIDENT pro tempore laid before the Senate the joint resolution (S.J. Res. 42) to extend the continuing resolution until February 18, 2011, introduced on yesterday by Mr. MCCONNELL (for himself, Mr. THUNE, Mr. GREGG, Mr. KYL, Mr. VITTER, Mr. KIRK, Mr. ENSIGN, Mr. LEMIEUX, Mr. ALEXANDER, Mr. ISAKSON, Mr. MCCAIN, Mr. CORNYN, Mr. GRAHAM, Mr. HATCH, Mr. WICKER, Mr. JOHANNS, and Mr. ROBERTS), and read the first time; which was read the second time.

Mr. REID objected to the further proceedings on the joint resolution.

Whereupon,

The ACTING PRESIDENT pro tempore stated that, pursuant to the provisions of rule XIV of the Standing Rules of the Senate, the joint resolution would be placed on the calendar.

TRANSACTION OF MORNING BUSINESS

The following morning business occurred on today:

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, Friday, December 17, 2010, she had presented to the President of the United States the following enrolled bills:

S. 30. A bill to amend the Communications Act of 1934 to prohibit manipulation of caller identification information.

S. 1405. A bill to redesignate the Longfellow National Historic Site, Massachusetts, as the "Longfellow House-Washington's Headquarters National Historic Site".

S. 1774. A bill for the relief of Hotaru Nakama Ferschke.

S. 3199. A bill to amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss.

S. 3386. A bill to protect consumers from certain aggressive sales tactics on the Internet.

S. 3860. A bill to require reports on the management of Arlington National Cemetery.

S. 4005. A bill to amend title 28, United States Code, to prevent the proceeds or instrumentalities of foreign crime located in the United States from being shielded from foreign forfeiture proceedings.

S. 4010. A bill for the relief of Shigeru Yamada.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-8533. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Use of Community Development Loans by Community Financial Institutions to Secure Advances; Secured Lending by Federal Home Loan Banks to Members and their Affiliates; Transfer of Advances and New Business Activity Regulations" (RIN2590-AA24), received in the Office of the President of the Senate on December 14, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8534. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Confidentiality of Suspicious Activity Reports" (RIN1557-AD17), received in the Office of the President of the Senate December 13, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8535. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Standards Governing the Release of a Suspicious Activity Report" (RIN1557-AD16), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8536. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Implementation of Additional Changes from the 2009 Annual Review of the Entity List" (RIN0694-AF01), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8537. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Updated Statements of Legal Authority to Reflect Continuation of Emergency Declared in Executive Order 12938" (RIN0694-AF05), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8538. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Arizona State Implementation Plan, Maricopa County" (FRL No. 9233-3), received in the Office of the President of the Senate on December 14, 2010; to the Committee on Environment and Public Works.

EC-8539. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Technical Corrections to the Standards Applicable to Generators of Hazardous Waste; Alternative Requirements for Hazardous Waste Determination and Accumulation of Unwanted Material at Laboratories Owned by Colleges and Universities and Other Eligible Academic Entities Formally Affiliated With Colleges and Universities"

(FRL No. 9240-5), received in the Office of the President of the Senate on December 14, 2010; to the Committee on Environment and Public Works.

EC-8540. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Removal of Saccharin and Its Salts from the Lists of Hazardous Constituents, Hazardous Wastes, and Hazardous Substances" (FRL No. 9239-8), received in the Office of the President of the Senate on December 14, 2010; to the Committee on Environment and Public Works.

EC-8541. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants, Commonwealth of Virginia; Control of Emissions from Existing Hospital/Medical/Infectious Waste Incinerator (HMIWI) Units, Negative Declaration and Withdrawal of EPA Plan Approval" (FRL No. 9240-2), received in the Office of the President of the Senate on December 14, 2010; to the Committee on Environment and Public Works.

EC-8542. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Minnesota" (FRL No. 9239-2), received in the Office of the President of the Senate on December 14, 2010; to the Committee on Environment and Public Works.

EC-8543. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; The Milwaukee-Racine and Sheboygan Areas; Determination of Attainment of the 1997 8-hour Ozone Standards" (FRL No. 9238-9), received in the Office of the President of the Senate on December 14, 2010; to the Committee on Environment and Public Works.

EC-8544. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants for Chemical Manufacturing Area Sources" (FRL No. 9238-5), received in the Office of the President of the Senate on December 14, 2010; to the Committee on Environment and Public Works.

EC-8545. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Application for Approval of Extension of Amortization Period" (Revenue Procedure 2010-52), received in the Office of the President of the Senate on December 16, 2010; to the Committee on Finance.

EC-8546. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2010 Base Period T-Bill Rate" (Rev. Rul. 2010-28), received in the Office of the President of the Senate on December 16, 2010; to the Committee on Finance.

EC-8547. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to actions by non-Iranian companies to facilitate the Government of Iran's censorship activities; to the Committee on Foreign Relations.

EC-8548. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Amendments to General Regulations of the Food and Drug Administration" ((RIN0910-AG55)(Docket No. FDA-2010-N-0560)), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-8549. A communication from the Senior Counsel, Office of the Attorney General, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Certification Process for State Capital Counsel Systems; Removal of Final Rule" (RIN1121-AA76), received in the Office of the President of the Senate on December 13, 2010; to the Committee on the Judiciary.

EC-8550. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Maryland Advisory Committee; to the Committee on the Judiciary.

EC-8551. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Greater Than or Equal to 60 Feet (18.3 Meters) Length Overall Using Pot Gear in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XA048), received in the Office of the President of the Senate on December 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8552. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Inseason Action to Close the Commercial Blacknose Shark and Non-Blacknose Small Coastal Shark Fisheries" (RIN0648-XZ95), received in the Office of the President of the Senate on December 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8553. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Modifications of the West Coast Commercial and Recreational Salmon Fisheries; Inseason Actions No. 14 and No. 15" (RIN0648-XY83), received in the Office of the President of the Senate on December 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8554. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; Reopening of the 2010-2011 Commercial Sector for Black Sea Bass in the South Atlantic" (RIN0648-XZ82), received in the Office of the President of the Senate on December 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8555. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Emergency Rule Extension, Pollock Catch Limit Revisions" (RIN0648-AW86), received in the Office of the President of the Senate on December 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8556. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic

States; Amendment 17A" (RIN0648-AY10), received in the Office of the President of the Senate on December 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8557. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; 2011 Commercial Fishing Season and Adaptive Management Measures for the Atlantic Shark Fishery" (RIN0648-AY98), received in the Office of the President of the Senate on December 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8558. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Red Grouper Management Measures" (RIN0648-BA04), received in the Office of the President of the Senate on December 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8559. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Discard Provision for Herring Midwater Trawl Vessels Fishing in Groundfish Closed Area I" (RIN0648-BA16), received in the Office of the President of the Senate on December 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8560. A communication from the Deputy Assistant Administrator for Operations, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "International Fisheries; South Pacific Tuna Fisheries; Procedures to Request Licenses and a System to Allocate Licenses" (RIN0648-AY91), received in the Office of the President of the Senate on December 16, 2010; to the Committee on Commerce, Science, and Transportation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary:

Report to accompany S. 3804, A bill to combat online infringement, and for other purposes (Rept. No. 111-373).

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

Report to accompany S. 3650, A bill to amend chapter 21 of title 5, United States Code, to provide that fathers of certain permanently disabled or deceased veterans shall be included with mothers of such veterans as preference eligibles for treatment in the civil service (Rept. No. 111-374).

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

H.R. 2062. A bill to amend the Migratory Bird Treaty Act to provide for penalties and enforcement for intentionally taking protected avian species, and for other purposes (Rept. No. 111-375).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 1102. A bill to provide benefits to domestic partners of Federal employees (Rept. No. 111-376).

S. 1649. A bill to prevent the proliferation of weapons of mass destruction, to prepare for attacks using weapons of mass destruction, and for other purposes (Rept. No. 111-377).

S. 1102. A bill to provide benefits to domestic partners of Federal employees (Rept. No. 111-379).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 583. A bill to provide grants and loan guarantees for the development and construction of science parks to promote the clustering of innovation through high technology activities.

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 773. A bill to ensure the continued free flow of commerce within the United States and with its global trading partners through secure cyber communications, to provide for the continued development and exploitation of the Internet and intranet communications for such purposes, to provide for the development of a cadre of information technology specialists to improve and maintain effective cybersecurity defenses against disruption, and for other purposes.

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1274. A bill to amend title 46, United States Code, to ensure that the prohibition on disclosure of maritime transportation security information is not used inappropriately to shield certain other information from public disclosure, and for other purposes.

S. 2764. A bill to reauthorize the Satellite Home Viewer Extension and Reauthorization Act of 2004, and for other purposes.

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 2870. A bill to establish uniform administrative and enforcement procedures and penalties for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes, and for other purposes.

From the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 2889. A bill to reauthorize the Surface Transportation Board, and for other purposes.

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. 3481. A bill to amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution.

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 3566. A bill to authorize certain maritime programs of the Department of Transportation, and for other purposes.

S. 3597. A bill to improve the ability of the National Oceanic and Atmospheric Administration, the Coast Guard, and coastal States to sustain healthy ocean and coastal ecosystems by maintaining and sustaining their capabilities relating to oil spill preparedness, prevention, response, restoration, and research, and for other purposes.

INTRODUCTION OF BILLS

The following bills were introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. CASEY:

S. 4040. A bill to preserve Medicare beneficiary choice by restoring and expanding the Medicare open enrollment and disenrollment opportunities repealed by section 3204(a) of the Patient Protection and Affordable Care Act; to the Committee on Finance.

By Mr. MENENDEZ (for himself, Mr. DURBIN, and Mr. MERKLEY):

S. 4041. A bill to amend the Electronic Fund Transfer Act to provide protection for consumers who have prepaid cards, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. KLOBUCHAR (for herself, Mr. CORNYN, and Mr. LEAHY):

S. 4042. A bill to permit the disclosure of certain information for the purpose of missing child investigations; to the Committee on the Judiciary.

By Mr. DODD (for himself, Mr. REED, Mr. DURBIN, and Mr. UDALL of New Mexico):

S. 4043. A bill to revise and extend provisions under the Garrett Lee Smith Memorial Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DODD (for himself and Mr. MENENDEZ):

S. 4044. A bill to reauthorize and strengthen the Combating Autism Act of 2006 (Public Law 109-416), to establish a National Institute of Autism Spectrum Disorders, to provide for the continuation of certain programs relating to autism, to establish programs to provide services to individuals with autism and the families of such individuals and to increase public education and awareness of autism, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SPECTER:

S. 4045. A bill to amend section 924 of title 18, United States Code, to clarify and strengthen the armed career criminal provisions, and for other purposes; to the Committee on the Judiciary.

By Mr. KERRY:

S. 4046. A bill to amend title VII of the Civil Rights Act of 1964 to establish provisions with respect to religious accommodations in employment, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BENNETT:

S. 4047. A bill to establish the Federal Acceleration of State Technologies Deployment Program and for related purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. FEINSTEIN (for herself and Mr. LEAHY):

S. 4048. A bill to extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005, the Intelligence Reform and Terrorism Prevention Act of 2004, and the FISA Amendments Act of 2008 until December 31, 2013, and for other purposes; to the Committee on the Judiciary.

SUBMISSION OF A CONCURRENT RESOLUTION

The following concurrent resolution was submitted, read, and referred (or acted upon), as indicated:

By Mr. COCHRAN (for himself and Mrs. LINCOLN):

S. Con. Res. 78. A concurrent resolution honoring the work and mission of the Delta Regional Authority on the occasion of the 10th anniversary of the Federal-State partnership created to uplift the 8-State Delta region; to the Committee on Environment and Public Works.

ADDITIONAL COSPONSORS

S. 416

At the request of Mrs. FEINSTEIN, the name of the Senator from New Mexico [Mr. UDALL] was added as a cosponsor of S. 416, a bill to limit the use of cluster munitions.

S. 3605

At the request of Mr. ROCKEFELLER, the name of the Senator from Delaware [Mr. COONS] was added as a cosponsor of S. 3605, a bill to invest in innovation through research and development, to improve the competitiveness of the United States, and for other purposes.

S. 3929

At the request of Mr. TESTER, the name of the Senator from Iowa [Mr. GRASSLEY] was added as a cosponsor of S. 3929, a bill to revise the Forest Service Recreation Residence Program as it applies to units of the National Forest System derived from the public domain by implementing a simple, equitable, and predictable procedure for determining cabin user fees, and for other purposes.

SENATE RESOLUTION 680

At the request of Mr. KERRY, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of Senate Resolution 680, a resolution supporting international tiger conservation efforts and the upcoming Global Tiger Summit in St. Petersburg, Russia.

SENATE RESOLUTION 698

At the request of Mrs. SHAHEEN, the name of the Senator from Connecticut [Mr. LIEBERMAN] was added as a cosponsor of Senate Resolution 698, a resolution expressing the sense of the Senate with respect to the territorial integrity of Georgia and the situation within Georgia's internationally recognized borders.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 9:32 a.m., a message from the House of Representatives, delivered by Ms. Chiappardi, one of its reading clerks, announced that the House has agreed to the amendment of the Senate to the amendment of the House to the amendment of the Senate to the bill (H.R. 4853) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

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

S. 30. An act to amend the Communications Act of 1934 to prohibit manipulation of caller identification information.

S. 841. An act to direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for a means of alerting blind and other pedestrians of motor vehicle operation.

S. 3036. An act to establish the National Alzheimer's Project.

S. 3199. An act to amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss.

S. 3386. An act to protect consumers from certain aggressive sales tactics on the Internet.

S. 3860. An act to require reports on the management of Arlington National Cemetery.

S. 4005. An act to amend title 28, United States Code, to prevent the proceeds or instrumentalities of foreign crime located in the United States from being shielded from foreign forfeiture proceedings.

H.R. 2941. An act to reauthorize and enhance Johanna's Law to increase public awareness and knowledge with respect to gynecologic cancers.

H.R. 4337. An act to amend the Internal Revenue Code of 1986 to modify certain rules applicable to regulated investment companies, and for other purposes.

H.R. 4853. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

H.R. 6198. An act to amend title 11 of the United States Code to make technical corrections; and for related purposes.

H.R. 6516. An act to make technical corrections to provisions of law enacted by the Coast Guard Authorization Act of 2010.

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the PRESIDENT pro tempore.

At 4:55 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill and joint resolution, in which it requests the concurrence of the Senate:

H.R. 6533. An act to implement the recommendations of the Federal Communications Commission report to the Congress regarding low-power FM service, and for other purposes.

H.J. Res 105. Joint resolution making further continuing appropriations for fiscal year 2011, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 335. Concurrent resolution honoring the exceptional achievements of

Ambassador Richard Holbrooke and recognizing the significant contributions he has made to United States national security, humanitarian causes, and peaceful resolutions of international conflict.

H. Con. Res. 336. Concurrent resolution providing for the sine die adjournment of second session of the One Hundredth Eleventh Congress.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 628) to establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges.

The message also announced that the House has agreed to the amendments of the Senate to the bill (H.R. 1107) to enact certain laws relating to public contracts as title 41, United States Code, 'Public Contracts'.

The message further announced that pursuant to section 235 of the Tribal Law and Order Act of 2010 (Public Law 111-211), and the order of the House of January 6, 2009, the Speaker appoints the following Members of the House of Representatives to the Indian Law and Order Commission: Ms. HERSETH SANDLIN of South Dakota and Mr. POMEROY of North Dakota.

At 5:03 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 3447. An act to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes.

H.R. 4602. An act to designate the facility of the United States Postal Service 1 located at 1332 Sharon Copley Road in Sharon Center, Ohio, as the "Emil Bolas Post Office".

H.R. 5133. An act to designate the facility of the United States Postal Service located at 331 1st Street in Carlstadt, New Jersey, as the "Staff Sergeant Frank T. Carvill and Lance Corporal Michael A. Schwarz Post Office Building".

H.R. 5605. An act to designate the facility of the United States Postal Service located at 47 East Fayette Street in Uniontown, Pennsylvania, as the "George C. Marshall Post Office".

H.R. 5606. An act to designate the facility of the United States Postal Service located at 47 South 7th Street in Indiana, Pennsylvania, as the "James M. 'Jimmy' Stewart Post Office Building".

H.R. 5655. An act to designate the Little River Branch facility of the United States Postal Service located at 140 NE 84th Street in Miami, Florida, as the "Jesse J. McCrary, Jr. Post Office".

H.R. 5877. An act to designate the facility of the United States Postal Service located at 655 Centre Street in Jamaica Plain, Massachusetts, as the "Lance Corporal Alexander Scott Arredondo, United States Marine Corps Post Office Building".

H.R. 6392. An act to designate the facility of the United States Postal Service located at 5003 Westfields Boulevard in Centreville, Virginia, as the "Colonel George Juskalian Post Office Building".

H.R. 6400. An act to designate the facility of the United States Postal Service located at 111 North 6th Street in St. Louis, Missouri, as the "Earl Wilson, Jr. Post Office".

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the PRESIDENT pro tempore..

At 6:48 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 3874. An act to amend the Safe Drinking Water Act to reduce lead in drinking water.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6523. An act to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

At 8:38 p.m., a message from the House of Representatives, delivered by one of its clerks, announced that the Speaker has signed the following enrolled joint resolution:

H.J. Res. 105. Joint resolution making further continuing appropriations for fiscal year 2011, and for other purposes.

ENROLLED JOINT RESOLUTION SIGNED

The enrolled joint resolution was subsequently signed by the ACTING PRESIDENT pro tempore (Mr. DURBIN).

EXECUTIVE SESSION

Pursuant to the order of yesterday,

The Senate proceeded to executive session (to resume consideration of the Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms); during which the following occurred:

Pending debate,

OBJECTION TO CONSIDERATION OF BILL H.R. 6517

Mr. SHERROD BROWN asked unanimous consent, as in legislative session, that the Senate proceed to consider the bill (H.R. 6517) to extend trade adjustment assistance and certain trade preference programs, to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, and for other purposes; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. SESSIONS objected.

REAL ESTATE JOBS AND INVESTMENT ACT

By unanimous consent, on the request of Mr. KERRY,

As in legislative session,

The Senate proceeded to consider the bill (H.R. 5901) to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investment in United States real property interests, and for other purposes.

The question being on the passage of the bill.

On motion by Mr. KERRY (for Mr. BAUCUS) to strike all after the enacting clause and insert, in lieu thereof, other words (being amendment No. 4834, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The question being on passage of the bill, as amended.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The title was amended, on motion by Mr. KERRY (for Mr. BAUCUS), so as to read: "An act to amend the Internal Revenue Code of 1986 to authorize the tax court to appoint employees".

NATIONAL WILDLIFE REFUGE VOLUNTEER IMPROVEMENT ACT

By unanimous consent, on the request of Mr. KERRY,

As in legislative session,

The Senate proceeded to consider the bill (H.R. 4973) to amend the Fish and Wildlife Act of 1956 to reauthorize volunteer programs and community partnerships for national wildlife refuges, and for other purposes.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

FRANK MELVILLE SUPPORTIVE HOUSING INVESTMENT ACT

By unanimous consent, on the request of Mr. KERRY,

As in legislative session,

The Senate proceeded to consider the bill (S. 1481) to amend section 811 of the Cranston-Gonzalez National Affordable Housing Act to improve the program under such section for supportive housing for persons with disabilities.

The question being on agreeing to the reported amendments.

The reported amendments were agreed to.

The question being on the passage to the bill, as amended.

On motion by Mr. KERRY (for Mr. JOHANNS) to further amend the bill on various pages and lines, by striking certain words and inserting other words (being amendment No. 4836).

The amendment was agreed to.

The question being on the passage of the bill, as amended.

The bill, as amended, was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AMERICA COMPETES REAUTHORIZATION ACT

By unanimous consent, on the request of Mr. BINGAMAN,

As in legislative session,

Ordered, That the Committee on Commerce, Science, and Transportation be discharged from the further consideration of the bill (H.R. 5116) to invest in innovation through research and development, to improve the competitiveness of the United States, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

On motion by Mr. BINGAMAN for Mr. ROCKEFELLER (for himself, Mrs. HUTCHISON, Mr. ROCKEFELLER, Mr. ALEXANDER, Mr. LIEBERMAN, Mr. COONS, and Mr. SCOTT BROWN) to strike all after the enacting clause and insert, in lieu thereof, other words (being amendment No. 4843, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to

The bill, as amended, was read the third time, by unanimous consent.

The PAYGO letter of the Chairman of the Committee on the Budget was read.

The question being on passage of the bill, as amended.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORIZING SIGNING OF ENROLLED BILLS AND JOINT RESOLUTIONS

By unanimous consent, on the request of Mr. KERRY,

As in legislative session,

Ordered, That Mr. DURBIN be authorized to sign duly enrolled bills and joint resolutions on today.

MAKING FURTHER CONTINUING APPROPRIATIONS

On the request of Mr. KERRY,

As in legislative session,

The PRESIDING OFFICER (Mr. MARK UDALL in the chair) laid before the Senate the joint resolution (H.J. Res. 105) making further continuing appropriations for fiscal year 2011, and for other purposes, received from the House of Representatives for concurrence on today, and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the joint resolution.

The question being on the passage of the joint resolution; and

No amendment being proposed,

The joint resolution was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ORDERS FOR ADJOURNMENT UNTIL 9 A.M. ON TOMRROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. DURBIN,

As in legislative session,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that the Senate then resume consideration of the Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms; that, following any leader remarks in executive session, the Senate resume its legislative session; that there then be a period for the transaction of morning business until 10:30 a.m., with Senators permitted to speak for 10 minutes each therein; and that the time therein be equally divided and controlled between the two leaders, or their designees.

Ordered further, That, at 10:30 a.m., the Senate resume consideration of the House amendment to the Senate amendment to bill H.R. 5281; and that the Senate then vote on the question of agreeing to the motion to bring to a close debate on the motion to concur in the amendment of the House to amendment of the Senate (No. 3) to the bill.

Ordered further, That, if said motion is not agreed to, there be 2 minutes, equally divided and controlled, for debate prior to the next vote (on the question of agreeing to the motion to bring to a close debate on the motion to concur in the amendment of the House to the amendment of the Senate to the bill H.R. 2965).

ADJOURNMENT

By unanimous consent, on the request of Mr. DURBIN,

At 10:07 p.m.,

The Senate adjourned, in executive session, under its order of today, until 9 a.m. on tomorrow.

SATURDAY, DECEMBER 18, 2010

Mr. CHRISTOPHER A. COONS, from the State of Delaware, called the Senate to order at 9 a.m., the Chaplain offered a prayer, and Mr. COONS led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, December 18, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. COONS took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

As in legislative session,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

As in legislative session,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

ORDER RELATIVE TO CONSIDERATION OF HOUSE MESSAGE ON BILL H.R. 5281

By unanimous consent, on the request of Mr. REID,

Ordered, That, the order of yesterday be modified such that there be 90 minutes, equally divided and controlled, for debate relative to the House message on bill H.R. 5281; that, upon conclusion of debate, the Senate vote, as pursuant to the order of yesterday; that the time consumed by the majority leader not be counted under the debate time; that there be 2 minutes, equally divided and controlled, for debate between the votes; and that each vote following the first be 10 minutes in duration.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate resumed its legislative session.

TRANSACTION OF MORNING BUSINESS

Pursuant to the order of yesterday, as modified,

The Senate proceeded to a period for the transaction of morning business.

Pending debate,

REPORT OF A COMMITTEE

The following report of committee was submitted:

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions:

Report to accompany S. 3817, A bill to amend the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and the Abandoned Infants Assistance Act of 1988 to reauthorize the Acts, and for other purposes (Rept. No. 111-378).

INTRODUCTION OF A BILL

The following bill was introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. TESTER:

S. 4049. A bill to sustain the economic development and recreational use of National Forest System land and other public land in the State of Montana, to add certain land to the National Wilderness Preservation System, to release certain wilderness study areas, to designate new areas for recreation, and for other purposes; to the Committee on Energy and Natural Resources.

SUBMISSION OF SENATE RESOLUTIONS

The following Senate resolutions were submitted, read, and referred (or acted upon), as indicated:

By Mr. HARKIN (for himself, Mr. GRASSLEY, Mr. BROWN of Ohio, Mr. VOINOVICH, and Mr. BUNNING):

S. Res. 703. A resolution recognizing and honoring Bob Feller and expressing the condolences of the Senate to his family on his death; considered and agreed to.

By Mr. SCHUMER (for himself and Mr. BENNETT):

S. Res. 704. A resolution to authorize the printing of a revised edition of the Senate Election Law Guidebook; considered and agreed to.

ENROLLED BILLS SIGNED

The PRESIDENT pro tempore announced that he had signed the following enrolled bills on December 17, 2010, which were previously signed by the Speaker of the House:

S. 3447. An act to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes.

H.R. 4602. An act to designate the facility of the United States Postal Service located at 1332 Sharon Copley Road in Sharon Center, Ohio, as the "Emil Bolas Post Office".

H.R. 5133. An act to designate the facility of the United States Postal Service located at 331 1st Street in Carlstadt, New Jersey, as the "Staff Sergeant Frank T. Carvill and Lance Corporal Michael A. Schwarz Post Office Building".

H.R. 5605. An act to designate the facility of the United States Postal Service located at 47 East Fayette Street in Uniontown, Pennsylvania, as the "George C. Marshall Post Office".

H.R. 5606. An act to designate the facility of the United States Postal Service located at 47 South 7th Street in Indiana, Pennsylvania, as the "James M. 'Jimmy' Stewart Post Office Building".

H.R. 5655. An act to designate the Little River Branch facility of the United States Postal Service located at 140 NE 84th Street in Miami, Florida, as the "Jesse J. McCrary, Jr. Post Office".

H.R. 5877. An act to designate the facility of the United States Postal Service located at 655 Centre Street in Jamaica Plain, Massachusetts, as the "Lance Corporal Alexander Scott Arredondo, United States Marine Corps Post Office Building".

H.R. 6392. An act to designate the facility of the United States Postal Service located at 5003 Westfields Boulevard in Centreville, Virginia, as the "Colonel George Juskalian Post Office Building".

H.R. 6400. An act to designate the facility of the United States Postal Service located at 111 North 6th Street in St. Louis, Missouri, as the "Earl Wilson, Jr. Post Office".

HOUSE AMENDMENT TO SENATE AMENDMENT NO. 3 TO BILL H.R. 5281

Pursuant to the order of yesterday,

The PRESIDING OFFICER (Mr. CARDIN in the chair) laid before the Senate the amendment received from the House of Representatives for concurrence to amendment of the Senate (No. 3) to the bill (H.R. 5281) to amend title 28, United States Code, to clarify and improve certain provisions relating to the removal of litigation against Federal officers or agencies to Federal courts, and for other purposes.

The Senate resumed consideration of the House amendment.

Pursuant to the order of yesterday,

The PRESIDING OFFICER laid before the Senate the motion, presented by Mr. REID on Thursday, December 16, 2010, to bring to a close debate on the motion to concur in the House amendment to the Senate amendment (No. 3) to bill H.R. 5281.

Pursuant to the order of Thursday, December 16, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the negative---
yeas... 55, nays... 41

[Rollcall Vote No. 278 Leg.]

YEAS --- 55

Akaka, Bayh, Begich, Bennet, Bennett, Bingaman, Boxer, Brown (OH), Cantwell, Cardin, Carper, Casey, Conrad, Coons, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Harkin, Inouye, Johnson, Kerry, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, Lugar, McCaskill, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (FL), Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Specter, Stabenow, Udall (CO), Udall (NM), Warner, Webb, Whitehouse, Wyden.

NAYS --- 41

Alexander, Barrasso, Baucus, Bond, Brown (MA), Brownback, Burr, Chambliss, Coburn, Cochran, Collins, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Hagan, Hutchison, Inhofe, Isakson, Johanns, Kirk, Kyl, LeMieux, McCain, McConnell, Nelson (NE), Pryor, Risch, Roberts, Sessions, Shelby, Snowe, Tester, Thune, Vitter, Voinovich, Wicker.

So the motion was not agreed to; three-fifths of Senators duly chosen and sworn not having voted in the affirmative.

On motion by Mr. KYL to reconsider the vote disagreeing to the motion.

On motion by Mr. SESSIONS,

The motion to reconsider was laid on the table.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 2965

The PRESIDING OFFICER laid before the Senate the motion, presented by Mr. REID on December 16, 2010, to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to the bill (H.R. 2965) to amend the Small Business Act with respect to the Small Business Innovation Research Program and the Small Business Technology Transfer Program, and for other purposes.

Pursuant to the order of Thursday, December 16, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The PRESIDING OFFICER stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the affirmative---
yeas... 63, nays... 33

[Rollcall Vote No. 279 Leg.]

YEAS --- 63

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (MA), Brown (OH), Cantwell, Cardin, Carper, Casey, Collins, Conrad, Coons, Dodd, Dorgan, Durbin, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kerry, Kirk, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS --- 33

Alexander, Barrasso, Bennett, Bond, Brownback, Burr, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Ensign, Enzi, Graham, Grassley, Hutchison, Inhofe, Isakson, Johanns, Kyl, LeMieux, Lugar, McCain, McConnell, Risch, Roberts, Sessions, Shelby, Thune, Vitter, Wicker.

So the motion was agreed to; three-fifths of Senators duly chosen and sworn having voted in the affirmative.

The motion having been agreed to,

The motion to refer the House amendment to the Committee on Armed Services with instructions to report back forthwith with an amendment (Numbered 4829), and amendments Nos. 4830 and 4831 thereto, being inconsistent with cloture, fell.

The question being on agreeing to amendment No. 4828, proposed by Mr. REID, to amendment No. 4827 contained in the motion, by Mr. REID, that the Senate concur, with amendment, in the House amendment to the Senate amendment.

EXECUTIVE SESSION

Pursuant to the order of yesterday,

The Senate proceeded to executive session; and after consideration of executive business (involving one rollcall Vote).

LEGISLATIVE SESSION

Pursuant to the order of yesterday,

The Senate resumed its legislative session.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 2965

The Senate resumed consideration of the House amendment (in the nature of a substitute) to the Senate amendment (in the nature of a substitute) to bill H.R. 2965.

The question being on agreeing to amendment No. 4828 to amendment No. 4827 contained in the motion to concur, with amendment, in the House amendment to the Senate amendment.

By unanimous consent, on the request of Mr. REID,

Ordered, That, at 3 p.m. on today, time for debate pursuant to rule XXII of the Standing Rules of the Senate be concluded; that the pending motion to concur, with amendment, in the House amendment (in the nature of a substitute) to the Senate amendment (in the nature of a substitute) to bill H.R. 2965 be withdrawn; that no further motion or amendment be in order; and that the Senate then vote on the question of agreeing to the motion to concur in the House amendment to the Senate amendment to the bill.

ORDER FOR EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

As in executive session,

Ordered further, That, upon disposition of the motion relative to bill H.R. 2965, the Senate resume its executive session, and consideration of the Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms; that there be 4 minutes, equally divided and controlled, for debate between Mr. KERRY and Mr. MCCAIN, or their designees; that, upon conclusion of said debate, the Senate vote in relation to Executive amendment No. 4814; that, upon disposition of the amendment, Mr. RISCH be recognized to propose an amendment; that time until 3 p.m. be equally divided and controlled for debate between the two leaders, or their designees; and that debate on the motion to concur in the House amendment to the Senate amendment to bill H.R. 2965, and on the START Treaty, be in order during said time for debate.

By unanimous consent, on the request of Mrs. HUTCHISON,

As in executive session,

Ordered, that she be added as cosponsor to Executive amendment No. 4814 to the Treaty.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 2965

The Senate resumed consideration of the House amendment (in the nature of a substitute) to the Senate amendment (in the nature of a substitute) to bill H.R. 2965.

The question being on agreeing to amendment No. 4828 to amendment No. 4827 contained in the motion to concur in the House amendment to the Senate amendment with amendment.

Pending debate,

The hour of 3 p.m. having passed,

Pursuant to the order of today, as modified,

Time for debate, pursuant to rule XXII of the Standing Rules of the Senate, was concluded.

Pursuant to the order of today,

The motion to concur in the amendment (in the nature of a substitute) of the House to the amendment (in the nature of a substitute) to the bill, with amendment No. 4827, was withdrawn (taking it with amendment No. 4828 thereto).

The question being on agreeing to the motion to concur in the House amendment to the Senate amendment to the bill.

On motion by Mr. KERRY,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

Pursuant to the order of today,

The question being taken.

It was determined in the affirmative---
yeas... 65, nays... 31

[Rollcall Vote No. 281 Leg.]

YEAS --- 65

Akaka, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Brown (MA), Brown (OH), Burr, Cantwell, Cardin, Carper, Casey, Collins, Conrad, Coons, Dodd, Dorgan, Durbin, Ensign, Feingold, Feinstein, Franken, Gillibrand, Hagan, Harkin, Inouye, Johnson, Kerry, Kirk, Klobuchar, Kohl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, McCaskill, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Rockefeller, Sanders, Schumer, Shaheen, Snowe, Specter, Stabenow, Tester, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wyden.

NAYS --- 31

Alexander, Barrasso, Bennett, Bond, Brownback, Chambliss, Coburn, Cochran, Corker, Cornyn, Crapo, DeMint, Enzi, Graham, Grassley, Hutchison, Inhofe, Isakson, Johanns, Kyl,

LeMieux, Lugar, McCain, McConnell, Risch, Roberts, Sessions, Shelby, Thune, Vitter, Wicker.

So it was

Resolved, That the Senate concur in the House amendment to the Senate amendment to the bill.

On motion by Mrs. BOXER to reconsider the vote agreeing to the motion.

On motion by Mrs. MURRAY,

The motion to reconsider was laid on the table.

EXECUTIVE SESSION

Pursuant to the order of today,

The Senate proceeded to executive session; and after consideration of executive business (including consideration of the Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms, involving one rollcall Vote).

DIRECTING THE ADMINISTRATOR OF GENERAL SERVICES TO CONVEY A PARCEL OF REAL PROPERTY IN HOUSTON, TEXAS, TO THE MILITARY MUSEUM OF TEXAS

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That the Committee on Environment and Public Works be discharged from the further consideration of the bill (H.R. 6510) to direct the Administrator of General Services to convey a parcel of real property in Houston, Texas, to the Military Museum of Texas, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was deemed read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AIRPORT AND AIRWAY EXTENSION ACT OF 2010, PART IV

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER (Mr. MERKLEY in the chair) laid before the Senate the bill (H.R. 6473) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes, received from the House of Representatives for concurrence on December 2, 2010, and remaining undisposed of; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

LOCAL COMMUNITY RADIO ACT

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 6533) to implement the recommendations of the Federal Communications Commission report to the Congress regarding low-power FM service, and for other purposes, received from the House of Representatives for concurrence on yesterday, and remaining undisposed of; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

FEDERAL AVIATION ADMINISTRATION EXTENSION ACT

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That the Committee on Finance be discharged from the further consideration of the bill (H.R. 4915) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

On motion by Mr. SHERROD BROWN (for Mr. BAUCUS) to strike all after the enacting clause and insert, in lieu thereof, other words (being amendment No. 4848, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The title was amended, on motion by Mr. SHERROD BROWN (for Mr. BAUCUS), so as to read: "An Act to amend the Internal Revenue Code of 1986 to make technical corrections to the pension funding provisions of the Preservation of Access to Care for Medicare Beneficiaries and Pension Relief Act of 2010".

HONORING THE EXCEPTIONAL ACHIEVEMENTS OF AMBASSADOR RICHARD HOLBROOKE

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER laid before the Senate the concurrent resolution (H. Con. Res. 335) honoring the exceptional achievements of Ambassador Richard Holbrooke and recognizing the significant contributions he has made to United States national security, humanitarian causes, and peaceful resolutions of international conflict, received from the House of Representatives for concurrence on yesterday, and remaining undisposed of.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORIZING PRINTING OF A REVISED EDITION OF THE SENATE ELECTION LAW GUIDEBOOK

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 704) to authorize the printing of a revised edition of the Senate Election Law Guidebook, submitted today by Mr. SCHUMER (for himself and Mr. BENNETT), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

SECTION 202 SUPPORTIVE HOUSING FOR THE ELDERLY ACT

By unanimous consent, on the request of Mr. SHERROD BROWN,

The Senate proceeded to consider the bill (S. 118) to amend section 202 of the Housing Act of 1959, to improve the program under

such section for supportive housing for the elderly, and for other purposes.

The question being on agreeing to the reported amendment (in the nature of a substitute).

On motion by Mr. SHERROD BROWN (for Mr. DODD) to amend the pending reported amendment (in the nature of a substitute) on various pages and lines, by striking certain words and inserting other words (being amendment No. 4850).

The amendment was agreed to.

The reported amendment (in the nature of a substitute), as amended, was agreed to.

The bill, as amended, was read the third time.

The PAYGO letter of the Chairman of the Committee on the Budget was read.

The question being on passage of the bill, as amended.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING AND HONORING BOB FELLER

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 703) recognizing and honoring Bob Feller and expressing the condolences of the Senate to his family on his death, submitted today by Mr. HARKIN (for himself, Mr. GRASSLEY, Mr. SHERROD BROWN, Mr. VOINOVICH, and Mr. BUNNING), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

Pending debate,

ORDER FOR RECOGNITION OF MR. SPECTER

By unanimous consent, on the request of Mr. SHERROD BROWN

Ordered, That, notwithstanding the order of December 14, 2010, Mr. SPECTER be recognized to speak at 10:30 a.m. on Tuesday, December 21, 2010.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. SHERROD BROWN,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. SHERROD BROWN,

The Senate resumed its legislative session.

ORDER FOR EXECUTIVE SESSION

By unanimous consent, on the request of Mr. SHERROD BROWN,

As in executive session,

Ordered, That, on tomorrow, following a vote in relation to Executive amendment No. 4839 to the preamble of the treaty, the Senate proceed to consider the nominations of Raymond Lohier to be United States Circuit Judge for the Second Circuit, and Carlton Reeves to be United States District Judge for the Southern District of Mississippi; that the Senate then vote in relation to the nominations; that there be 2 minutes, equally divided and controlled, for debate between Mr. LEAHY and Mr. SESSIONS, or their designees between the votes; that each vote following the first be 10 minutes in duration; that, following the votes, motions to reconsider be considered made and laid on the table; that the President be immediately notified of the Senate's action; and that the Senate then resume its legislative session.

ORDER FOR EXECUTIVE SESSION

By unanimous consent, on the request of Mr. SHERROD BROWN,

As in executive session,

Ordered, That, at a time to be determined by the majority leader, after consultation with the minority leader, the Senate proceed to executive session to consider the following nominations: Benita Y. Pearson, of Ohio, to be United States District Judge for the Northern District of Ohio, and William Joseph Martinez, of Colorado, to be United States District Judge for the District of Colorado.

Ordered further, That there be a limitation of 60 minutes, equally divided and controlled, for debate between Mr. LEAHY and Mr. SESSIONS, or their designees; that, upon conclusion of debate, the Senate vote on confirmation of the nominations in aforementioned order; that there be 2 minutes, equally divided and controlled, for debate between votes; that, following the votes, motions to reconsider be considered made and laid on the table; that the President be immediately notified of the Senate's action; and that the Senate then resume its legislative session.

ORDER FOR EXECUTIVE SESSION ON TOMORROW

By unanimous consent, on the request of Mr. SHERROD BROWN,

As in executive session,

Ordered, That, on tomorrow, following remarks by the leaders, the Senate proceed to executive session to resume consideration of the Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms; that there be 3 hours for debate on Executive amendment No. 4839 thereto, divided and controlled, as follows: 1 hour to be controlled by Mr. KERRY, or his designee, and 2 hours to be controlled by Mr. RISCH, or his designee; that no amendment be in order to the amendment; and that, upon conclusion of debate, the Senate vote in relation to the amendment.

ORDERS FOR ADJOURNMENT UNTIL TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 12 noon on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then proceed to executive session to resume consideration of the Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms, as pursuant to the order of today.

ADJOURNMENT

By unanimous consent, on the request of Mr. SHERROD BROWN,

At 5:19 p.m.,

The Senate adjourned, under its order of today, until 12 noon on tomorrow.

SUNDAY, DECEMBER 19, 2010

Mr. MICHAEL F. BENNET, from the State of Colorado, called the Senate to order at 12 noon, the Chaplain offered a prayer, and Mr. BENNET led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,

Washington, DC, December 19, 2010.
To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MICHAEL F. BENNET, a Senator from the State of Colorado, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. BENNET took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

EXECUTIVE SESSION

Pursuant to the order of yesterday,

The Senate proceeded to executive session; and after consideration of executive business (including the Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms).

LEGISLATIVE SESSION

Pursuant to the order of yesterday,

The Senate resumed its legislative session.

OBJECTION TO CONSIDERATION OF BILL S. 2919

Mr. MARK UDALL asked unanimous consent, as in legislative session, that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of the bill (S. 2919) to amend the Federal Credit Union Act to advance the ability of credit unions to promote small business growth and economic development opportunities, and for other purposes; that the Senate proceed to consider the bill; that an amendment (in the nature of a substitute) be proposed and agreed to; that the bill, as thus amended, be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

Mr. SHELBY objected.

EXECUTIVE SESSION

Pursuant to the order of yesterday,

The Senate proceeded to executive session; and after further consideration of executive business (including the Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms).

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. REID,

Ordered, That the Senate resume its legislative session.

TRANSACTION OF MORNING BUSINESS

The following morning business occurred on today:

REPORT OF A COMMITTEE

The following report of committee was submitted:

By Mr. DODD, from the Committee on Banking, Housing, and Urban Affairs, with an amendment in the nature of a substitute:

S. 1619. A bill to establish the Office of Sustainable Housing and Communities, to establish the Interagency Council on Sustainable Communities, to establish a comprehensive planning grant program, to establish a sustainability challenge grant program, and for other purposes.

HOUSE BILL PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 6523. An act to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

CONSUMER ASSISTANCE TO RECYCLE AND SAVE ACT

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to consider the bill (H.R. 2751) to accelerate motor fuel savings nationwide and provide incentives to registered owners of high polluting automobiles to replace such automobiles with new fuel efficient and less polluting automobiles.

The question being on the passage of the bill.

On motion by Mr. REID (for Mr. HARKIN) to strike all after the enacting clause and insert, in lieu thereof, other words (being amendment No. 4890, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time.

The question being on passage of the bill, as amended.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The title was amended, on motion by Mr. REID (for Mr. HARKIN), so as to read: "An act to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply".

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 3082

On the request of Mr. REID,

The PRESIDING OFFICER laid before the Senate the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 3082) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

On motion by Mr. REID that the Senate concur in the amendment of the House to amendment of the Senate to the bill, with an amendment (Numbered 4885).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending motion.

Mr. REID presented a motion to bring to a close debate on the pending motion to concur with amendment; which was stated, as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to bill H.R. 3082, with amendment:

HARRY REID, JOE LIEBERMAN, JAY ROCKEFELLER, BYRON L. DORGAN, JOHN F. KERRY, DICK DURBIN, MARK PRYOR, ROBERT MENENDEZ, AMY KLOBUCHAR, PATTY MURRAY, KAY R. HAGAN, CHRISTOPHER DODD, D.K. INOUYE, MARK BEGICH, AL FRANKEN, ROBERT P. CASEY, JR., TOM CARPER.

By unanimous consent, on the request of Mr. REID,

Ordered, That the quorum under the rule be waived.

On motion by Mr. REID to amend the amendment contained in the motion to concur, at the end thereof, by adding certain words (being amendment No. 4886).

On motion by Mr. REID to refer the House amendment to the Committee on Appropriations with instructions to report back forthwith with an amendment (Numbered 4887).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on

the question of agreeing to the pending motion.

On motion by Mr. REID to amend the instructions (designated amendment No. 4887) contained in the pending motion to refer, at the end thereof, by adding certain words (being amendment No. 4888).

On motion by Mr. REID,

The yeas and nays, being desired by one-fifth of the Senators present, were ordered on the question of agreeing to the pending amendment.

On motion by Mr. REID to amend the pending amendment by striking "6" and inserting in lieu thereof "4" (being amendment No. 4889).

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. REID,

The Senate resumed its legislative session.

ORDERS FOR ADJOURNMENT UNTIL 10 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 10 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that the Senate then proceed to executive session to resume consideration of the Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms; that, at 1:30 p.m. on tomorrow, the Senate recess; that it reconvene, in closed executive session, at 2 p.m., in the Old Senate Chamber, and that, following the closed session, the Senate return to its Chamber to reconvene in open session.

ADJOURNMENT

By unanimous consent, on the request of Mr. REID,

At 7:12 p.m.,

The Senate adjourned, under its order of today, until 10 a.m. on tomorrow.

MONDAY, DECEMBER 20, 2010

Mr. MARK L. PRYOR, from the State of Arkansas, called the Senate to order at 10 a.m., the Chaplain offered a prayer, and Mr. PRYOR led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, December 20, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK L. PRYOR, a Senator from the State of Arkansas, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. PRYOR took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

EXECUTIVE SESSION

Pursuant to the order of yesterday,

The Senate proceeded to executive session; and resumed consideration of executive business (including the Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms), during which the following occurred:

SHARK CONSERVATION ACT

By unanimous consent, on the request of Mr. REID,

As in legislative session,

Ordered, That the Committee on Commerce, Science, and Transportation be discharged from the further consideration of the bill (H.R. 81) to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

On motion by Mr. REID for Mr. KERRY (for himself and Ms. SNOWE) to strike all after the enacting clause and insert, in lieu thereof, other words (being amendment No. 4914, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

CLOSED SESSION

Pursuant to the order of yesterday, as modified,

At 1:28 p.m.,

The PRESIDING OFFICER (Mr. CARDIN in the chair) declared the Senate in recess, in executive session, until 2 p.m. (when, pursuant to the order of yesterday, the Senate will reconvene in closed session).

AT 5 P.M.

The PRESIDING OFFICER (Mr. MANCHIN in the chair) called the Senate to order, in executive session (in the Senate Chamber).

OPEN SESSION

The Senate resumed (in open session) its executive business (Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms); and after such consideration (involving three rollcall Votes), during which the following occurred:

NORTHERN BORDER COUNTERNARCOTICS STRATEGY ACT

By unanimous consent, on the request of Mr. KERRY,

As in legislative session,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the bill (H.R. 4748) to amend the Office of National Drug Control Policy Reauthorization Act of 2006 to require a northern border counternarcotics strategy, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

On motion by Mr. KERRY for Mr. SCHUMER (for himself, Ms. COLLINS, Mrs. GILLIBRAND, and Mr. CONRAD) to strike all after the enacting clause and insert, in lieu thereof,

other words (being amendment No. 4915, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

PRE-DISASTER MITIGATION ACT

By unanimous consent, on the request of Mr. KERRY,

As in legislative session,

Ordered, That the Committee on Homeland Security and Governmental Affairs be discharged from the further consideration of the bill (H.R. 1746) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to reauthorize the pre-disaster mitigation program of the Federal Emergency Management Agency.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

On motion by Mr. KERRY for Mr. LIEBERMAN (for himself and Ms. COLLINS) to strike all after the enacting clause and insert, in lieu thereof, other words (being amendment No. 4916, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

ACCESS TO CRIMINAL HISTORY RECORDS FOR STATE SENTENCING COMMISSIONS ACT

By unanimous consent, on the request of Mr. KERRY,

As in legislative session,

Ordered, That the Committee on the Judiciary be discharged from the further consideration of the bill (H.R. 6412) to amend title 28, United States Code, to require the Attorney General to share criminal records with State sentencing commissions, and for other purposes.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. KERRY,

The Senate resumed its legislative session.

TRANSACTION OF MORNING BUSINESS

The following morning business occurred on today:

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-8561. A communication from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Gypsy Moth Generally Infested Areas; Illinois, Indiana, Maine, Ohio, and Virginia" (Docket No. APHIS-2008-0083), received in the Office of the President of the Senate on December 20, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8562. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, the 2009 Report on the Department's Operation and Financial Support for Military Museums; to the Committee on Armed Services.

EC-8563. A communication from the Associate General Counsel for Legislation and Regulations, Office of the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Conforming Changes to Applicant Submission Requirements; Implementing Federal Financial Report and Central Contractor Registration Requirements" (RIN2501-AD50), received in the Office of the President of the Senate on December 13, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8564. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program for Consumer Products: Test Procedures for Refrigerators, Refrigerator-Freezers, and Freezers" (RIN1904-AB92), received in the Office of the President of the Senate on December 20, 2010; to the Committee on Energy and Natural Resources.

EC-8565. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's annual report on the administration of the Surface Transportation Project Delivery Pilot Program; to the Committee on Environment and Public Works.

EC-8566. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2010 Cumulative List of Changes in Plan Qualification Requirements" (Notice 2010-90), received in the Office of the President of the Senate on December 20, 2010; to the Committee on Finance.

EC-8567. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Definition of Omission from Gross Income" (RIN1545-BI44), received in the Office of the President of the Senate on December 20, 2010; to the Committee on Finance.

EC-8568. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2011 Section 1274A CPI Adjustments" (Rev. Rul. 2010-30), received in the Office of the President of the Senate on December 20, 2010; to the Committee on Finance.

EC-8569. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Requirement of a Statement Disclosing Uncertain Tax Positions" (RIN1545-BJ54), received in the Office of the President of the Senate on December 20, 2010; to the Committee on Finance.

EC-8570. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Farmer and Fisherman Income Averaging" (RIN1545-BE23), received in the Office of the President of the Senate on December 20, 2010; to the Committee on Finance.

EC-8571. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Standard Mileage Rate Procedures" (Rev. Proc. 2010-51), received in the Office of the President of the Senate on December 20, 2010; to the Committee on Finance.

EC-8572. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2011 Standard Mileage Rates" (Notice 2010-88), received in the Office of the President of the Senate on December 20, 2010; to the Committee on Finance.

EC-8573. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Notice: Tier 2 Tax Rates for 2011" received in the Office of the President of the Senate on December 20, 2010; to the Committee on Finance.

EC-8574. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Jerome R. Vainisi and Deloris L. Vainisi v. Commissioner, 599 F.3d 567 (7th Cir. 2010), rev'g 132 T.C. No. 1 (2009)" (AOD 2010-52), received in the Office of the President of the Senate on December 20, 2010; to the Committee on Finance.

EC-8575. A communication from the Director of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Amendments to Regulations Regarding Withdrawal of Applications and Voluntary Suspension of Benefits" (RIN0960-AH07), received in the Office of the President of the Senate on December 16, 2010; to the Committee on Finance.

EC-8576. A communication from the Secretary of Commerce, transmitting, pursuant to law, a report relative to the export to the People's Republic of China of items not detrimental to the U.S. space launch industry; to the Committee on Foreign Relations.

EC-8577. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on American Indian and Alaska Native Head Start Facilities"; to the Committee on Health, Education, Labor, and Pensions.

EC-8578. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, a report entitled "The Multiethnic Placement Act: Minorities in Foster Care and Adoption"; to the Committee on Health, Education, Labor, and Pensions.

EC-8579. A communication from the General Counsel, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, the report of a rule entitled "Employee Contribution Elections and Contribution Allocations; Uniformed Services Accounts; Methods of Withdrawing Funds from the Thrift Savings Plan; Death Benefits; Thrift Savings Plan" (5 CFR Parts 1600, 1604, 1650, 1651, and 1690), received in the Office of the President of the Senate on December 16, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-8580. A communication from the Chairman, Merit System Protection Board, transmitting, pursuant to law, a report entitled "Whistleblower Protections for Federal Employees"; to the Committee on Homeland Security and Governmental Affairs.

EC-8581. A communication from the Chief Information Officer, Department of Homeland Security, transmitting, the Department's 2010 Federal Information Security Management Act (FISMA) Report and Privacy Management Report; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DORGAN, from the Committee on Indian Affairs, without amendment:

H.R. 4445. A bill to amend Public Law 95-232 to repeal a restriction on treating as Indian country certain lands held in trust for Indian pueblos in New Mexico (Rept. No. 111-379).

From the Committee on Foreign Relations, with amendments and an amendment to the title and with an amended preamble:

S. Res. 680. A resolution supporting international tiger conservation efforts and the upcoming Global Tiger Summit in St. Petersburg, Russia.

By Mr. DORGAN, from the Committee on Indian Affairs, with an amendment:

S. 3235. A bill to amend the Act titled "An Act to authorize the leasing of restricted Indian lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases", approved August 9, 1955, to provide for Indian tribes to enter into certain leases without prior express approval from the Secretary of the Interior.

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. 3973. A bill to amend the Energy Policy Act of 2005 to reauthorize and modify provisions relating to the diesel emissions reduction program.

INTRODUCTION OF A BILL

The following bill was introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. CARDIN:

S. 4050. A bill to amend the Classified Information Procedures Act to improve the protection of classified information and for other purposes; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 1203

At the request of Mr. BAUCUS, the name of the Senator from Oregon [Mr. MERKLEY] was added as a cosponsor of S. 1203, a bill to amend the Internal Revenue Code of 1986 to extend the research credit through 2010 and to increase and make permanent the alternative simplified research credit, and for other purposes.

S. 3363

At the request of Mr. CARDIN, the name of the Senator from Rhode Island [Mr. WHITEHOUSE] was added as a cosponsor of S. 3363, a bill to amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under that Act.

S. 3467

At the request of Mr. SCHUMER, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 3467, a bill to require a Northern Border Counternarcotics Strategy.

S. 3913

At the request of Mr. ROCKEFELLER, the name of the Senator from Maine [Ms. SNOWE] was added as a cosponsor of S. 3913, a bill to amend title 10, United States Code, to enhance the roles and responsibilities of the Chief of the National Guard Bureau.

S. 4001

At the request of Mr. WEBB, the name of the Senator from North Carolina [Mrs. HAGAN] was added as a cosponsor of S. 4001, a bill to require the Secretary of the Treasury to mint coins in commemoration of the Centennial of Marine Corps Aviation, and to support construction of the Marine Corps Heritage Center.

SENATE RESOLUTION 694

At the request of Mrs. FEINSTEIN, her name was added as a cosponsor of Senate Resolution 694, a resolution condemning the Government of Iran for its state-sponsored persecution of religious minorities in Iran and its continued violation of the International Covenant on Human Rights.

ORDER FOR CONSIDERATION OF HOUSE MESSAGE ON BILL H.R. 3082 ON TOMORROW

By unanimous consent, on the request of Mr. KERRY,

Ordered, That, upon conclusion of remarks by Mr. ALEXANDER after leader time on tomorrow, the Senate resume consideration of the House amendment to the Senate amendment to bill H.R. 3082; that time until 10:15 a.m. be divided and controlled, as follows: 10 minutes to be controlled by Mr. INOUYE, or his designee, and 15 minutes to be controlled by Mr. MCCAIN; that, upon conclusion of said debate, the Senate vote on the question of agreeing to the motion to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to the bill with amendment No. 4885; that, following the vote, Mr. SPECTER

be recognized to speak, as pursuant to the order of December 14, 2010; and that time consumed by Mr. SPECTER count against time for debate, pursuant to rule XXII of the Standing Rules of the Senate, on said motion to concur, if applicable.

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. KERRY,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that Mr. ALEXANDER then be recognized to speak for 10 minutes; and that, following remarks by him, the Senate resume consideration of the House amendment to the Senate amendment to bill H.R. 3082, as pursuant to the order of today.

ADJOURNMENT

By unanimous consent, on the request of Mr. KERRY,

At 8:09 p.m.,

The Senate adjourned, under its order of today, until 9:30 a.m. on tomorrow.

TUESDAY, DECEMBER 21, 2010

Mrs. JEANNE SHAHEEN, from the State of New Hampshire, called the Senate to order at 9:30 a.m., the Chaplain offered a prayer, and Mrs. SHAHEEN led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Bill Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, December 21, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mrs. SHAHEEN took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 3082

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate its pending business, viz, the amendment (in the nature of a substitute), received from the House of Representatives for concurrence to the amendment (in the nature of a substitute) of the Senate to the bill (H.R. 3082) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; and

The Senate resumed consideration of the House amendment.

The question being on agreeing to amendment No. 4889, proposed by Mr. REID, to amendment No. 4888, proposed by Mr. REID, to the instructions (designated amendment No. 4887) contained in the motion, by Mr. REID, to refer the House amendment to the Committee on Appropriations with instructions to report back forthwith.

Pursuant to the order of yesterday,

The ACTING PRESIDENT pro tempore laid before the Senate the motion, presented by Mr. REID on Sunday, December 19, 2010, to bring to a close debate on the motion to concur, with amendment, in the House amendment (in the nature of a substitute) to the Senate amendment (in the nature of a substitute) to bill H.R. 3082.

Pursuant to the order of Sunday, December 19, 2010,

The quorum under the rule having been waived,

Pursuant to the provisions of rule XXII of the Standing Rules of the Senate,

The ACTING PRESIDENT pro tempore stated the question to be: Is it the sense of the Senate that debate shall be brought to a close?

The question being taken.

It was determined in the affirmative---yeas... 82, nays... 14

[Rollcall Vote No. 288 Leg.]

YEAS --- 82

Akaka, Alexander, Barrasso, Baucus, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Bunning, Cantwell, Cardin, Carper, Casey, Cochran, Collins, Conrad, Coons, Corker, Cornyn, Dodd, Dorgan, Durbin, Ensign, Enzi, Feinstein, Franken, Gillibrand, Graham, Grassley, Hagan, Harkin, Hutchison, Inouye, Johanns, Johnson, Kerry, Kirk, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, Lugar, Manchin, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (FL), Pryor, Reed, Reid, Roberts, Rockefeller, Sanders, Schumer, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wicker.

NAYS --- 14

Burr, Chambliss, Coburn, Crapo, DeMint, Feingold, Hatch, Inhofe, Isakson, LeMieux, McCain, Nelson (NE), Risch, Vitter.

So the motion was agreed to; three-fifths of Senators duly chosen and sworn having voted in the affirmative.

The motion having been agreed to,

The pending motion to refer with instructions (designated amendment No. 4887), and amendments Numbered 4888 and 4889 thereto, being inconsistent with cloture, fell.

The question being on agreeing to amendment No. 4886 to amendment No. 4885 (in the nature of a substitute), contained in the motion to concur, with amendment, in the House amendment (in the nature of a substitute) to the Senate amendment (in the nature of a substitute) to the bill.

Pending debate,

By unanimous consent, on the request of Mr. BENNET,

Ordered, That time consumed by him and by Mr. MARK UDALL count against time for debate, pursuant to rule XXII of the Standing Rules of the Senate, on the motion to concur.

The question being on agreeing to amendment No. 4886 to amendment No. 4885 (in the nature of a substitute) contained in the motion to concur, with amendment, in House amendment to the Senate amendment to the bill.

Pending debate,

By unanimous consent, on the request of Mr. REID,

Ordered, That, at 2 p.m. on today, time for debate, pursuant to rule XXII of the Standing Rules of the Senate, on the motion to concur be concluded; that amendment No. 4886 be withdrawn; that no further amendment or motion be in order; and that the Senate then vote on the question of agreeing to the motion to concur in the House amendment to the Senate amendment to the bill, with amendment No. 4885.

ORDER FOR EXECUTIVE SESSION

By unanimous consent, on the request of Mr. REID,

As in executive session,

Ordered, That, following the vote on the motion to concur relative to bill H.R. 3082, the Senate proceed to executive session to consider the nominations of Benita Y. Pearson, of Ohio, to be United States District Judge for the Northern District of Ohio, and William Joseph Martinez, of Colorado, to be United States District Judge for the District of Colorado; that, notwithstanding the order of December 18, 2010, there be 4 minutes, equally divided and controlled, for debate between Mr. LEAHY and Mr. SESSIONS, or their designees, on each nomination; that, upon conclusion of debate, the Senate vote first on confirmation of the nomination of Benita Y. Pearson, and then on the nomination of William Joseph Martinez; that, following said votes, motions to reconsider be made and laid on the table; and that the President be immediately notified of the Senate's action.

Ordered further, That there then be 4 minutes, equally divided and controlled, for debate between the leaders, or their designees; that, upon conclusion of debate, the Senate vote on the question of agreeing to the motion to bring to a close debate on the Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms; and that the second and third votes each be 10 minutes in duration.

Ordered further, That Senators be authorized to "file" germane second-degree amendments until 1:30 p.m.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 3082

The Senate resumed consideration of the House amendment to the Senate amendment to bill H.R. 3082.

The question being on agreeing to amendment No. 4886 to amendment No. 4885 (in the nature of a substitute) contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

Pending debate,

CLARIFYING FEDERAL RESPONSIBILITY FOR STORMWATER POLLUTION

By unanimous consent, on the request of Mr. HARKIN,

The Senate proceeded to consider the bill (S. 3481) to amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution.

The question being on the passage of the bill.

On motion by Mr. HARKIN for Mr. CARDIN (for himself, Mr. VOINOVICH, Ms. CANTWELL, Mrs. MURRAY, and Mr. INHOFE) to strike all after the enacting clause and insert, in lieu thereof, other words (being amendment No. 4917, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HOUSE AMENDMENT TO SENATE AMENDMENT TO BILL H.R. 3082

The Senate resumed consideration of the House amendment to the Senate amendment to bill H.R. 3082.

The question being on agreeing to amendment No. 4886 to amendment No. 4885 (in the nature of a substitute) contained in the motion to concur, with amendment, in the House amendment to the Senate amendment to the bill.

The hour of 2 p.m. having passed,

Pursuant to the order of today, as modified,

Time for debate, pursuant to rule XXII of the Standing Rules of the Senate, was concluded.

Pursuant to the order of today, as modified,

Amendment No. 4886 was withdrawn.

The question being on agreeing to the motion to concur in the House amendment to the Senate amendment to bill H.R. 3082, with amendment No. 4885.

The question being taken.

It was determined in the affirmative---yeas... 79, nays... 16

[Rollcall Vote No. 289 Leg.]

YEAS --- 79

Akaka, Alexander, Barrasso, Baucus, Begich, Bennet, Bennett, Bingaman, Boxer, Brown (MA), Brown (OH), Bunning, Cantwell, Cardin, Carper, Casey, Cochran, Collins, Conrad, Coons, Corker, Dodd, Dorgan, Durbin, Ensign, Enzi, Feinstein, Franken, Gillibrand, Grassley, Hagan, Harkin, Hutchison, Inouye, Johanns, Johnson, Kerry, Kirk, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, Levin, Lieberman, Lincoln, Lugar, Manchin, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (FL), Pryor, Reed, Reid, Roberts, Rockefeller, Sanders, Schumer, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Voinovich, Warner, Webb, Whitehouse, Wicker.

NAYS --- 16

Burr, Chambliss, Coburn, Cornyn, Crapo, DeMint, Feingold, Graham, Hatch, Inhofe, Isakson, LeMieux, McCain, Nelson (NE), Risch, Vitter.

So it was

Resolved, That the Senate concur in the House amendment to the Senate amendment to bill H.R. 3082, with an amendment.

EXECUTIVE SESSION

Pursuant to the order of Saturday, December 18, 2010, as modified,

The Senate proceeded to executive session; and resumed consideration of executive business (including the Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms, involving eight rollcall Votes), during which the following occurred:

OBJECTION TO CONSIDERATION OF BILL S. 3919

Mr. CRAPO asked unanimous consent, as in legislative session, that the Committee on Environment and Public Works be discharged from further consideration of the bill (S. 3919) to remove the gray wolf from the list of threatened species or the list of endangered species published under the Endangered Species Act of 1973, and for other purposes; that the Senate proceed to consider the bill; that the bill be read the third time, and passed; and that a motion to reconsider be made and laid on the table.

After debate,

Mr. CARDIN objected.

MORNING BUSINESS

The following morning business occurred on today:

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation:

Report to accompany S. 2889, A bill to reauthorize the Surface Transportation Board, and for other purposes (Rept. No. 111-380).

Report to accompany S. 3302, A bill to amend title 49, United States Code, to establish new automobile safety standards, make better motor vehicle safety information available to the National Highway Traffic Safety Administration and the public, and for other purposes (Rept. No. 111-381).

Report to accompany S. 3566, A bill to authorize certain maritime programs of the Department of Transportation, and for other purposes (Rept. No. 111-382).

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 1633. A bill to require the Secretary of Homeland Security, in consultation with the Secretary of State, to establish a program to issue Asia-Pacific Economic Cooperation Business Travel Cards, and for other purposes.

S. 2982. A bill to combat international violence against women and girls.

S. 3798. A bill to authorize appropriations of United States assistance to help eliminate conditions in foreign prisons and other detention facilities that do not meet minimum human standards of health, sanitation, and safety, and for other purposes.

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and an amendment to the title and with an amended preamble:

S.J. Res. 37. A joint resolution calling upon the President to issue a proclamation recognizing the 35th anniversary of the Helsinki Final Act.

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Con. Res. 71. A concurrent resolution recognizing the United States national interest in helping to prevent and mitigate acts of genocide and other mass atrocities against civilians, and supporting and encouraging efforts to develop a whole of government approach to prevent and mitigate such acts.

INTRODUCTION OF A BILL

The following bill was introduced, read the first and, by unanimous consent, second times, and referred, placed on the calendar, held at the desk, or acted upon, as indicated:

By Mr. CARDIN:

S. 4051. A bill to improve, modernize, and clarify the espionage statutes contained in chapter 37 of title 18, United States Code, to promote Federal whistleblower protection statutes and regulations, to deter unauthorized disclosures of classified information, and for other purposes; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 619

At the request of Mrs. FEINSTEIN, the name of the Senator from California [Mrs. BOXER] was added as a cosponsor of S. 619, a bill to amend the Federal Food, Drug, and Cosmetic Act to preserve the effectiveness of medically important antibiotics used in the treatment of human and animal diseases.

S. 3424

At the request of Mr. DURBIN, the names of the Senator from California [Mrs. BOXER] and the Senator from Rhode Island [Mr. REED] were added as cosponsors of S. 3424, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 3914

At the request of Mrs. MURRAY, the name of the Senator from New Mexico [Mr. UDALL] was added as a cosponsor of S. 3914, a bill to amend title VIII of the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to complete payments under such title to local educational agencies eligible for such payments within 3 fiscal years.

SENATE JOINT RESOLUTION 37

At the request of Mr. CARDIN, the name of the Senator from Delaware [Mr. COONS] was added as a cosponsor of Senate Joint Resolution 37, a joint resolution calling upon the President to issue a proclamation recognizing the 35th anniversary of the Helsinki Final Act.

SENATE CONCURRENT RESOLUTION 71

At the request of Mr. FEINGOLD, the name of the Senator from Delaware [Mr. COONS] was added as a cosponsor of Senate Concurrent Resolution 71, a concurrent resolution recognizing the United States national interest in helping to prevent and mitigate acts of genocide and other mass atrocities against civilians, and supporting and encouraging efforts to develop a whole of government approach to prevent and mitigate such acts.

SENATE RESOLUTION 680

At the request of Mr. KERRY, the name of the Senator from Delaware [Mr. COONS] was added as a cosponsor of Senate Resolution 680, a resolution supporting international tiger conservation efforts and the upcoming Global Tiger Summit in St. Petersburg, Russia.

AUTHORITY FOR COMMITTEE TO MEET

By unanimous consent, on the request of Mr. CASEY,

Ordered, That the following committee be authorized to meet during the session of the Senate:

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence be authorized to meet during the session of the Senate on December 21, 2010, at 2:30 p.m.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 11:23 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 3874. An act to amend the Safe Drinking Water Act to reduce lead in drinking water.

H.R. 628. An act to establish a pilot program in certain United States district courts to encourage enhancement of expertise in patent cases among district judges.

H.R. 4973. An act to amend the Fish and Wildlife Act of 1956 to reauthorize volunteer programs and community partnerships for national wildlife refuges, and for other purposes.

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the PRESIDENT pro tempore.

At 12:27 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 1107. An act to enact certain laws relating to public contracts as title 41, United States Code, "Public Contracts".

H.R. 6473. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

H.R. 6510. An act to direct the Administrator of General Services to convey a parcel of real property in Houston, Texas, to the Military Museum of Texas, and for other purposes.

H.R. 6533. An act to implement the recommendations of the Federal Communications Commission report to the Congress regarding low-power FM service, and for other purposes.

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the PRESIDENT pro tempore.

At 12:47 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 118. An act to amend section 202 of the Housing Act of 1959, to improve the program under such section for supportive housing for the elderly, and for other purposes.

S. 1481. An act to amend section 811 of the Cranston-Gonzalez National Affordable Housing Act to improve the program under such section for supportive housing for persons with disabilities.

At 3:10 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 2965. An act to amend the Small Business Act with respect to the Small Business Innovation Research Program and the Small Business Technology Transfer Program, and for other purposes.

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the PRESIDENT pro tempore.

At 5:15 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6540. An act to require the Secretary of Defense, in awarding a contract for the KC-X Aerial Refueling Aircraft Program, to

consider any unfair competitive advantage that an offeror may possess.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 2142) to require quarterly performance assessments of Government programs for purposes of assessing agency performance and improvement, and to establish agency performance improvement officers and the Performance Improvement Council.

The message further announced that the House agrees to the amendments of the Senate to the bill (H.R. 2751) to accelerate motor fuel savings nationwide and provide incentives to registered owners of high polluting automobiles to replace such automobiles with new fuel efficient and less polluting automobiles.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 5116) to invest in innovation through research and development, to improve the competitiveness of the United States, and for other purposes.

The message further announced that the House agrees to the amendments of the Senate to the bill (H.R. 5809) to amend the Controlled Substances Act to provide for take-back disposal of controlled substances in certain instances, and for other purposes.

At 6 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House agrees to the amendment of the Senate to the bill (H.R. 81) to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 1746) to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to reauthorize the pre-disaster mitigation program of the Federal Emergency Management Agency.

The message further announced that the House agrees to the amendment of the Senate to the bill (H.R. 4748) to amend the Office of National Drug Control Policy Reauthorization Act of 2006 to require a northern border counternarcotics strategy, and for other purposes.

The message also announced that pursuant to section 5605 of the Patient Protection and Affordable Care Act (Public Law 111-148), and the order of the House of January 6, 2009, the Speaker appoints the following members on the part of the House of Representatives to the Commission on Key National Indicators: Dr. Stephen Heintz of New York, New York, and Dr. Marta Tienda of Princeton, New Jersey.

The message further announced that pursuant to section 306(k) of the Health Service Act (42 U.S.C. 242k), and the order of the House of January 6, 2009, the Speaker appoints the following member on the part of the House of Representatives to the National Committee on Vital and Health Statistics for a term of 4 years: Dr. Vickie M. Mays of Los Angeles, California.

At 7:09 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 3243. An act to require U.S. Customs and Border Patrol to administer polygraph examinations to all applicants for law enforcement positions with U.S. Customs and Border Protection, to require U.S. Customs and Border Protection to initiate all periodic background reinvestigations of certain law enforcement personnel, and for other purposes.

S. 3592. An act to designate the facility of the United States Postal Service located at 100 Commerce Drive in Tyrone, Georgia, as the "First Lieutenant Robert Wilson Collins Post Office Building".

The message also announced that the House has passed the following bill, with an amendment:

S. 2925. An act to establish a grant program to benefit victims of sex trafficking, and for other purposes.

At 7:20 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 1746. An act to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to reauthorize the pre-disaster mitigation program of the Federal Emergency Management Agency.

H.R. 4748. An act to amend the Office of National Drug Control Policy Reauthorization Act of 2006 to require a northern border counternarcotics strategy, and for other purposes.

H.R. 6412. An act to amend title 28, United States Code, to require the Attorney General to share criminal records with State sentencing commissions, and for other purposes.

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the PRESIDENT pro tempore.

At 7:49 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has agreed to the amendment of the Senate to the amendment of the House to the amendment of the Senate to the bill (H.R. 3082) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

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

H.R. 3082. An act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

ENROLLED BILL SIGNED

The enrolled bill was subsequently signed by the PRESIDENT pro tempore.

At 9:05 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 118. An act to amend section 202 of the Housing Act of 1959, to improve the program under such section for supportive housing for the elderly, and for other purposes.

S. 1481. An act to amend section 811 of the Cranston-Gonzalez National Affordable Housing Act to improve the program under such section for supportive housing for persons with disabilities.

H.R. 81. An act to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks.

EXCLUDING POWER SUPPLY FOR CERTAIN SECURITY OR LIFE SAFETY ALARMS AND SURVEILLANCE SYSTEM COMPONENTS FROM THE CERTAIN ENERGY EFFICIENCY STANDARDS

On the request of Mr. KERRY,

As in legislative session,

The PRESIDING OFFICER (Ms. CANTWELL in the chair) laid before the Senate the bill (H.R. 5470) to exclude an external power supply for certain security or life safety alarms and surveillance system components from the application of certain energy efficiency standards under the Energy Policy and Conservation Act, received from the House of Representatives for concurrence on December 9, 2010, and remaining undisposed of; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

INDIAN PUEBLO CULTURAL CENTER CLARIFICATION ACT

By unanimous consent, on the request of Mr. KERRY,

As in legislative session,

The Senate proceeded to consider the bill (H.R. 4445) to amend Public Law 95-232 to repeal a restriction on treating as Indian country certain lands held in trust for Indian pueblos in New Mexico.

The question being on passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORIZING LEASES FOR LANDS HELD IN TRUST FOR OHKAY OWINGEH PUEBLO

By unanimous consent, on the request of Mr. KERRY,

As in legislative session,

The Senate proceeded to consider the bill (S. 3903) to authorize leases of up to 99 years for lands held in trust for Ohkay Owingeh Pueblo.

The question being on agreeing to the reported amendments.

The reported amendments were agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORIZING SIGNING OF ENROLLED BILLS AND JOINT RESOLUTIONS

By unanimous consent, on the request of Mr. KERRY,

As in legislative session,

Ordered, That Mr. WEBB be authorized to sign duly enrolled bills and joint resolutions from December 27, 2010 until 11:59 a.m. on January 3, 2011.

ORDERS FOR ADJOURNMENT UNTIL 9 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. LEVIN,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; that the Senate then resume consideration of the Treaty with Russia on Measures for Further Reduction and Limitation of Strategic Offensive Arms; and that time consumed during morning business be counted against time for debate, pursuant to rule XXII of the Standing Rules of the Senate, on the treaty.

ADJOURNMENT

By unanimous consent, on the request of Mr. LEVIN,

At 11:05 p.m.,

The Senate adjourned, in executive session, under its order of today, until 9 a.m. on tomorrow.

WEDNESDAY, DECEMBER 22, 2010

Mr. TOM UDALL, from the State of New Mexico, called the Senate to order, in executive session, at 9 a.m., the Chaplain offered a prayer, and Mr. TOM UDALL led the Senate in reciting the Pledge of Allegiance to the Flag of the United States of America.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The Assistant Legislative Clerk read the following communication from the PRESIDENT pro tempore:

U.S. SENATE
PRESIDENT PRO TEMPORE,
Washington, DC, December 22, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUYE,
PRESIDENT pro tempore.

Mr. UDALL took the chair.

THE JOURNAL

Pursuant to the order of yesterday,

As in legislative session,

The Journal of the proceedings of the Senate was deemed approved to date.

CERTAIN PROCEDURES DISPENSED WITH

Pursuant to the order of yesterday,

As in legislative session,

The morning hour being deemed expired, and the times for the recognition of the two leaders being reserved.

IKE SKELTON NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2011

By unanimous consent, on the request of Mr. LEVIN,

As in legislative session,

The Senate proceeded to consider the bill (H.R. 6523) to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The question being on the passage of the bill.

On motion by Mr. LEVIN (for himself and Mr. MCCAIN) to amend the bill by striking title XVII and the corresponding table of contents on page 18 (being amendment No. 4921).

The amendment was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXECUTIVE BUSINESS

The Senate resumed its executive business (the Treaty with Russia and Limitation of Strategic Offensive Arms, Treaty Doc. 111-5); and after consideration of its executive business (involving two rollcall Votes), during which the following occurred:

SBIR/STTR REAUTHORIZATION ACT

On the request of Mr. BILL NELSON,

As in legislative session

The ACTING PRESIDENT pro tempore laid before the Senate the bill (S. 4053) to reauthorize and improve the SBIR and STTR programs, and for other purposes, introduced on today by Ms. LANDRIEU (for herself and Ms. SNOWE), and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

OBJECTION TO CONSIDERATION OF BILL H.R. 6540

Mrs. MURRAY asked unanimous consent, as in legislative session, that the chair lay before the Senate the bill (H.R. 6540) to require the

Secretary of Defense, in awarding a contract for the KC-X Aerial Refueling Aircraft Program, to consider any unfair competitive advantage that an offeror may possess, received from the House of Representatives for concurrence on yesterday, and remaining undisposed of; that the bill be read twice, considered, read the third time, and passed; and that a motion to reconsider be made and laid on the table, without intervening action or debate.

Mr. SESSIONS objected.

REQUIRING THE FEDERAL DEPOSIT INSURANCE CORPORATION TO FULLY INSURE INTEREST ON LAWYERS TRUST ACCOUNTS

On the request of Mr. MERKLEY,

As in legislative session,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 6398) to require the Federal Deposit Insurance Corporation to fully insure Interest on Lawyers Trust Accounts, received from the House of Representatives for concurrence on Wednesday, December 1, 2010, and remaining undisposed of; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

JAMES ZADROGA 9/11 HEALTH AND COMPENSATION ACT

By unanimous consent, on the request of Mr. REID,

As in legislative session,

The Senate proceeded to consider the bill (H.R. 847) to amend the Public Health Service Act to extend and improve protections and services to individuals directly impacted by the terrorist attack in New York City on September 11, 2001, and for other purposes.

The question being on the passage of the bill.

On motion by Mr. REID for Mrs. GILLIBRAND (for herself and Mr. SCHUMER) to strike all after the enacting clause and insert, in lieu thereof, other words (being amendment No. 4923, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The question being on passage of the bill, as amended.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

LEGISLATIVE SESSION

Pursuant to the order of today,

The Senate resumed its legislative session.

TRANSACTION OF MORNING BUSINESS

By unanimous consent, on the request of Mr. DURBIN,

Ordered, That, effective immediately, there be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-8582. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Extension of Tolerances for Emergency Exemptions (Multiple Chemicals)" (FRL No. 8857-5), received in the Office of the President of the Senate on December 20, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8583. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Flutolanil; Pesticide Tolerances" (FRL No. 8855-7), received in the Office of the President of the Senate on December 20, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8584. A joint communication from the Under Secretary of Defense (Personnel and Readiness) and the Under Secretary of Defense (Policy), transmitting, pursuant to law, a report entitled "The Power of the People: Building an Integrated National Security Professional System for the 21st Century"; to the Committee on Armed Services.

EC-8585. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to India; to the Committee on Banking, Housing, and Urban Affairs.

EC-8586. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Turkey; to the Committee on Banking, Housing, and Urban Affairs.

EC-8587. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Determination of Nonattainment and Reclassification of the Dallas/Fort Worth 1997 8-hour Ozone Nonattainment Area; Texas" (FRL No. 9240-8), received in the Office of the President of the Senate on December 20, 2010; to the Committee on Environment and Public Works.

EC-8588. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Mississippi; Prevention of Significant Deterioration Rules: Nitrogen Oxides as a Precursor to Ozone" (FRL No. 9241-1), received in the Office of the President of the Senate on December 20, 2010; to the Committee on Environment and Public Works.

EC-8589. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Regulation of Fuels and Fuel Additives: Modifications to Renewable Fuel Standard Program" (FRL No. 9241-4), received in the Office of the President of the Senate on December 20, 2010; to the Committee on Environment and Public Works.

EC-8590. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New Jersey; 8-hour Ozone Control Measures" (FRL No. 9214-4), received in the Office of the President of the Senate on December 20, 2010; to the Committee on Environment and Public Works.

EC-8591. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to Lead Ambient Air Monitoring Requirements" (FRL No. 9241-8), received in the Office of the President of the Senate on December 20, 2010; to the Committee on Environment and Public Works.

EC-8592. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Environmental Protection Agency Implementation of OMB Guidance on Drug-Free Workplace Requirements" (FRL No. 9242-2), received in the Office of the President of the Senate on December 20, 2010; to the Committee on Environment and Public Works.

EC-8593. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Texas; Emissions Banking and Trading of Allowances Program" (FRL No. 9243-1), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Environment and Public Works.

EC-8594. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Minnesota; Sulfur Dioxide SIP Revision for Marathon Petroleum St. Paul Park" (FRL No. 9243-3), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Environment and Public Works.

EC-8595. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Virginia; Amendments to Ambient Air Quality Standards for Particulate Matter" (FRL No. 9243-5), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Environment and Public Works.

EC-8596. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Allegheny County's Adoption of Control Techniques Guidelines for Large Appliance and Metal Furniture; Flat Wood Paneling; Paper, Film, and Foil Surface Coating Processes; and Revisions to Definitions and an Existing Regulation" (FRL No. 9243-6), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Environment and Public Works.

EC-8597. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Interim Final Regulation Deferring the Reporting Date for Certain Data Elements Required Under the Mandatory Reporting of Greenhouse Gases Rule" (FRL No. 9242-7), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Environment and Public Works.

EC-8598. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Update to Materials Incorporated by Reference" (FRL No. 9240-1), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Environment and Public Works.

EC-8599. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants: Gold Mine Ore Processing and Production Area Source Category; and Addition to Source Category List for Standards" (FRL No. 9242-3), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Environment and Public Works.

EC-8600. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Consideration of Environmental Impacts of Temporary Storage of Spent Fuel After Cessation of Reactor Operation" (RIN3150-AI47), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Environment and Public Works.

EC-8601. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "General Design Guide for Ventilation Systems of Plutonium Processing and Fuel Fabrication Plants" (Regulatory Guide 3.12, Revision 1), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Environment and Public Works.

EC-8602. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Pressure-Sensitive and Tamper-Indicating Device Seals for Material Control and Accounting of Special Nuclear Material" (Regulatory Guide 5.80), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Environment and Public Works.

EC-8603. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Notice of Availability of Model Application and Safety Evaluation for Plant-Specific Adoption of TSTF-514, Revision 3 'Revise BWR Operability Requirements and Actions for RCS Leaking Instrumentation'" (NUREG-1433 and NUREG-1434), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Environment and Public Works.

EC-8604. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Imazosulfuron; Pesticide Tolerances" (FRL No. 8857-4), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8605. A communication from the Director of the Legislative Affairs Division, Natural Resources Conservation Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Grassland Reserve Program, Final Rule" (RIN0578-AA53), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8606. A communication from the Administrator, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Continuous Construction - Permanent Loan Guarantees Under the Section 538 Guaranteed Rural Rental Housing Program" ((7 CFR Part 3565)(RIN0575-AC80)), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-8607. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within the Department of the Air Force and was assigned case number 08-02; to the Committee on Appropriations.

EC-8608. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within the Department of the Air

Force and was assigned case number 08-03; to the Committee on Appropriations.

EC-8609. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the Program Acquisition Unit Cost for the Chemical Demilitarization-Assembled Chemical Weapons Alternative (ACWA) Program exceeding the Acquisition Program Baseline values by more than 25 percent; to the Committee on Armed Services.

EC-8610. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Frank G. Klotz, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-8611. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General James H. Pillsbury, United States Air Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-8612. A communication from the Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Extension of Filing Accommodation for Static Pool Information in Filings with Respect to Asset-Backed Securities" (RIN3235-AK70), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-8613. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13405 with respect to Belarus; to the Committee on Banking, Housing, and Urban Affairs.

EC-8614. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Montana Regulatory Program" (Docket No. MT-029-FOR), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Energy and Natural Resources.

EC-8615. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "North Dakota Regulatory Program" (Docket No. ND-051-FOR), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Energy and Natural Resources.

EC-8616. A communication from the Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Texas Regulatory Program" (Docket No. TX-059-FOR), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Energy and Natural Resources.

EC-8617. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Special Rules Relating to Funding Relief for Single-Employer Pension Plans under PRA 2010" (Notice 2011-3), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Finance.

EC-8618. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates - January 2011" (Rev. Rul. 2011-2), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Finance.

EC-8619. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Rules for Group Trusts" (Rev. Rul. 2011-1), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Finance.

EC-8620. A communication from the Federal Register Certifying Officer, Financial Management Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Federal Government Participation in the Automated Clearing House" (RIN1510-AB24), received in the Office of the President of the Senate on December 20, 2010; to the Committee on Finance.

EC-8621. A communication from the Federal Register Certifying Officer, Financial Management Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Management of Federal Agency Disbursements" (RIN1510-AB26), received in the Office of the President of the Senate on December 20, 2010; to the Committee on Finance.

EC-8622. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2010-0176 - 2010-0189); to the Committee on Foreign Relations.

EC-8623. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, to include technical data, and defense services for the manufacture in Saudi Arabia of RR-170 Chaff Cartridges, RR-180 Chaff Cartridges, MJU-7A/B Flare Cartridges, MJU-10/B Flare Cartridges and M206 Flare Cartridges in the amount of $50,000,000 or more; to the Committee on Foreign Relations.

EC-8624. A communication from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Supplemental Priorities for Discretionary Grant Programs" (RIN1894-AA00), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-8625. A communication from the Management and Program Analyst, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "E-2 Nonimmigrant Status for Aliens in the Commonwealth of the Northern Mariana Islands with Long-Term Investor Status" (RIN1615-AB75), received in the Office of the President of the Senate on December 22, 2010; to the Committee on the Judiciary.

EC-8626. A communication from the Secretary General of the Inter-Parliamentary Union, transmitting, a report relative to the Chiapas Declaration; to the Committee on Foreign Relations.

EC-8627. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the South Atlantic States; Emergency Rule to Delay Effectiveness of the Snapper-Grouper Area Closure" (RIN0648-BA47), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8628. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Atlantic Herring Fishery; Temporary Removal of 2,000-lb (907.2-kg) Herring Trip Limit in Atlantic Herring Management Area 1A" (RIN0648-XA053), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8629. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled

"Fisheries of the Northeastern United States; Atlantic Herring Fishery; Temporary Removal of 2,000-lb (907.2-kg) Herring Trip Limit in Atlantic Herring Management Area 1A" (RIN0648-XA039), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8630. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Inseason Action to Close the Commercial Non-Sandbar Large Coastal Shark Fishery in the Atlantic Region" (RIN0648-XA052), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8631. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Modifications of the West Coast Commercial and Recreational Salmon Fisheries; Inseason Actions No. 12 and No. 13" (RIN0648-XY31), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8632. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 Feet (18.3 m) Length Overall Using Hook-and-Line or Pot Gear in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XA058), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8633. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Emergency Fisheries Closure in the Gulf of Mexico Due to the Deepwater Horizon MC252 Oil Spill; Amendment 4" (RIN0648-AY90), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8634. A communication from the Deputy Assistant Administrator for Operations, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Emergency Fisheries Closure in the Gulf of Mexico Due to the Deepwater Horizon MC252 Oil Spill; Amendment 3" (RIN0648-AY90), received in the Office of the President of the Senate on December 22, 2010; to the Committee on Commerce, Science, and Transportation.

EC-8635. A communication from the Chief Judge, Court of Appeals of Maryland, transmitting, a report relative to Interest on Attorneys Trust Accounts; to the Committee on Banking, Housing, and Urban Affairs.

EC-8636. A communication from the Deputy Assistant Secretary for Import Administration, Foreign-Trade Zones Board, Department of Commerce, transmitting, pursuant to law, an annual report on the Activities of the Foreign-Trade Zones Board, for fiscal year 2009; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KERRY, from the Committee on Foreign Relations, without amendment:

S. 3688. A bill to establish an international professional exchange program, and for other purposes (Rept. No. 111-383).

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation:

Report to accompany S. 773, A bill to ensure the continued free flow of commerce within the United States and with its global trading partners through secure cyber communications, to provide for the continued development and exploitation of the Internet and intranet communications for such purposes, to provide for the development of a cadre of information technology specialists to improve and maintain effective cybersecurity defenses against disruption, and for other purposes (Rept. No. 111-384).

Report to accompany S. 2764, A bill to reauthorize the Satellite Home Viewer Extension and Reauthorization Act of 2004, and for other purposes (Rept. No. 111-385).

Report to accompany S. 3304, A bill to increase the access of persons with disabilities to modern communications, and for other purposes (Rept. No. 111-386).

Report to accompany S. 1274, A bill to amend title 46, United States Code, to ensure that the prohibition on disclosure of maritime transportation security information is not used inappropriately to shield certain other information from public disclosure, and for other purposes (Rept. No. 111-387).

Report to accompany S. 2870, A bill to establish uniform administrative and enforcement procedures and penalties for the enforcement of the High Seas Driftnet Fishing Moratorium Protection Act and similar statutes, and for other purposes (Rept. No. 111-388).

INTRODUCTION OF BILLS

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

By Mr. MERKLEY (for himself, Mr. JOHNSON, Mr. CORKER, and Mr. ENZI):

S. 4052. A bill to require the Federal Deposit Insurance Corporation to fully insure Interest on Lawyers Trust Accounts; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. LANDRIEU (for herself and Ms. SNOWE):

S. 4053. A bill to reauthorize and improve the SBIR and STTR programs, and for other purposes; considered and passed.

By Mr. SPECTER:

S. 4054. A bill to restore the law governing pleading and pleading motions that existed before the decisions of the Supreme Court of the United States in Bell Atlantic v. Twombly, 550 U.S. 544 (2007), and Ashcroft v. Iqbal, 129 S. Ct. 1937 (2009); to the Committee on the Judiciary.

By Mr. BROWN of Ohio (for himself, Mr. CASEY, Mr. BINGAMAN, Mrs. HAGAN, and Ms. STABENOW):

S. 4055. A bill to extend trade adjustment assistance, and for other purposes; to the Committee on Finance.

By Mr. CASEY:

S. 4056. A bill to amend the Internal Revenue Code of 1986 to permit the disclosure of certain tax return information for the purposes of missing or exploited children investigations; to the Committee on Finance.

By Mr. SANDERS (for himself and Mr. LEAHY):

S. 4057. A bill to provide for an earlier start for State health care coverage innovation waivers under the Patient Protection and Affordable Care Act, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KERRY:

S. 4058. A bill to extend certain expiring provisions providing enhanced protections for servicemembers relating to mortgages and mortgage foreclosure; considered and passed.

By Mr. MENENDEZ:

S. 4059. A bill to authorize the Department of House and Urban Development to transform neighborhoods of extreme poverty into sustainable, mixed-income neighborhoods with access to economic opportunities, by revitalizing severely distressed housing, and investing and leveraging investments in well-functioning services, educational opportunities, public assets, public transportation, and improved access to jobs; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCHUMER (for himself and Mr. BENNETT):

S. Res. 705. A resolution providing for a technical correction to S. Res. 700; considered and agreed to.

By Mr. REID (for himself, Mr. MCCONNELL, Mr. KERRY, and Mr. KYL):

S. Res. 706. A resolution extending the authority for the Senate National Security Working Group; considered and agreed to.

By Mr. REID:

S. Res. 707. A resolution honoring Lula Davis; considered and agreed to.

ADDITIONAL COSPONSORS

S. 3424

At the request of Mr. DURBIN, the name of the Senator from California [Mrs. FEINSTEIN] was added as a cosponsor of S. 3424, a bill to amend the Animal Welfare Act to provide further protection for puppies.

MESSAGES FROM THE HOUSE

The following messages were received from the House of Representatives on today, as indicated:

At 1:37 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6547. An act to amend the Elementary and Secondary Education Act of 1965 to require criminal background checks for school employees.

The message also announced that the House has agreed to the amendments of the Senate to the bill (H.R. 6523) to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

The message further announced that pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002) as amended, the Minority Leader reappoints the following member on the part of the House of Representatives to the United States-China Economic and Security Review Commission: Mr. Larry Wortzel, effective January 1, 2011.

The message also announced that pursuant to section 235 of the Tribal Law and Order Act (Public Law 111-211), the Minority Leader appoints the following member on the part of the House of Representatives to the Indian Law and Order Commission: Mr. Thomas Gede of San Francisco, California.

The message further announced that pursuant to section 5605 of the Patient Protection and Affordable Care Act (Public Law 111-148), the Minority Leader appoints the following members on the part of the House of Representatives to the Commission on Key National Indicators: Mr. Marcus Peacock of Washington, D.C., and Mr. Tomas J. Philipson of Chicago, Illinois.

At 4:01 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 3243. An act to require U.S. Customs and Border Protection to administer polygraph examinations to all applicants for law enforcement positions with U.S. Customs and Border Protection, to require U.S. Customs and Border Protection to initiate all periodic background reinvestigations of certain law enforcement personnel, and for other purposes.

S. 3592. An act to designate the facility of the United States Postal Service located at 100 Commerce Drive in Tyrone, Georgia, as the "First Lieutenant Robert Wilson Collins Post Office Building".

H.R. 4445. An act to amend Public Law 95-232 to repeal a restriction on treating as Indian country certain lands held in trust for Indian pueblos in New Mexico.

H.R. 5470. An act to exclude an external power supply for certain security or life safety alarms and surveillance system components from the application of certain energy efficiency standards under the Energy Policy and Conservation Act.

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the ACTING PRESIDENT pro tempore (Mr. BAYH).

At 4:27 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 5116. An act to invest in innovation through research and development, to improve the competitiveness of the United States, and for other purposes.

H.R. 6398. An act to require the Federal Deposit Insurance Corporation to fully insure Interest on Lawyers Trust Accounts.

ENROLLED BILLS SIGNED

The enrolled bills were subsequently signed by the ACTING PRESIDENT pro tempore (Mr. BAYH).

At 6:44 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6560. An act to amend title 28, United States Code, to clarify and improve certain provisions relating to the removal of litigation against Federal officers or agencies to Federal courts, and for other purposes.

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

S. 3481. An act to amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution.

S. 3903. An act to authorize leases of up to 99 years for lands held in trust for Ohkay Owingeh Pueblo.

S. 4036. An act to clarify the National Credit Union Administration authority to make stabilization fund expenditures without borrowing from the Treasury.

S. 4058. An act to extend certain expiring provisions providing enhanced protections for servicemembers relating to mortgages and mortgage foreclosures.

The message further announced that the House has passed the following bill, with amendments, in which it requests the concurrence of the Senate:

S. 372. An act to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 67. Concurrent resolution celebrating 130 years of United States-Romanian diplomatic relations, congratulating the Romanian people on their achievements as a great nation, and reaffirming the deep bonds of trust and values between the United States and Romania, a trusted and most valued ally.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 847) to amend the Public Health Service Act to extend and improve protections and services to individuals directly impacted by the terrorist attack in New York City on September 11, 2001, and for other purposes.

The message also announced that the House has agreed to the amendments of the Senate to the bill (H.R. 5901) to amend the Internal Revenue Code of 1986 to exempt certain stock of real estate investment trusts from the tax on foreign investment in United States real property interest, and for other purposes.

The message further announced that the House has agreed to the amendment of the Senate to the bill (H.R. 6517) to extend trade adjustment assistance and certain trade preference programs, to amend the Harmonized Tariff Schedule of the United

States to modify temporarily certain rates of duty, and for other purposes.

HOUSE BILLS REFERRED

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

H.R. 5367. To amend title 11, District of Columbia Official Code, to revise certain administrative authorities of the District of Columbia courts, to authorize the District of Columbia Public Defender Service to provide professional liability insurance for officers and employees of the Service for claims relating to services furnished within the scope of employment with the Service, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5446. An act to designate the facility of the United States Postal Service located at 600 Florida Avenue in Cocoa, Florida, as the "Harry T. and Harriette Moore Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5493. To provide for the furnishing of statues by the District of Columbia and territories and possessions of the United States for display in Statuary Hall in the United States Capitol; to the Committee on Rules and Administration.

H.R. 5702. To amend the District of Columbia Home Rule Act to reduce the waiting period for holding special elections to fill vacancies in local offices in the District of Columbia; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6205. An act to designate the facility of the United States Postal Service located at 1449 West Avenue in Bronx, New York, as the "Private Isaac T. Cortes Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6397. An act to amend section 101(a)-(35) of the Immigration and Nationality Act to provide for a marriage for which the parties are not physically in the presence of each other due to service abroad in the Armed Forces of the United States; to the Committee on the Judiciary.

H.R. 6494. An act to amend the National Defense Authorization Act for Fiscal Year 2010 to improve the Littoral Combat Ship program of the Navy; to the Committee on Armed Services.

H.R. 6540. An act to require the Secretary of Defense, in awarding a contract for the KC-X Aerial Refueling Aircraft Program, to consider any unfair competitive advantage that an offeror may possess; to the Committee on Armed Services.

H.R. 6547. An act to amend the Elementary and Secondary Education Act of 1965 to require criminal background checks for school employees; to the Committee on Health, Education, Labor, and Pensions.

H.R. 6560. An act to amend title 28, United States Code, to clarify and improve certain provisions relating to the removal of litigation against Federal officers or agencies to Federal courts, and for other purposes; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

The PRESIDENT pro tempore reported that he had signed the following enrolled bills, which were previously signed by the Speaker of the House:

S. 118. An act to amend section 202 of the Housing Act of 1959, to improve the program under such section for supportive housing for the elderly, and for other purposes.

S. 1481. An act to amend section 811 of the Cranston-Gonzalez National Affordable Housing Act to improve the program under such section for supportive housing for persons with disabilities.

H.R. 81. An act to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks.

HELPING HEROES KEEP THEIR HOMES ACT

On the request of Mr. DURBIN,

The PRESIDING OFFICER laid before the Senate the bill (S. 4058) to extend certain expiring provisions providing enhanced protections for servicemembers relating to mortgages and mortgage foreclosure, introduced on today by Mr. KERRY, and at the desk; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill; and

No amendment being proposed,

The bill was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

Pending debate,

OBJECTION TO CONSIDERATION OF BILL H.R. 2476

Mr. MARK UDALL asked unanimous consent that the Senate proceed to consider the bill H.R. 2476; that an amendment (in the nature of a substitute), be proposed by him, and agreed to; that the bill, as thus amended, be read the third time, and passed; that an amendment to the title be proposed by him and agreed to; and that a motion to reconsider be made and laid on the table.

Mr. CHAMBLISS objected.

OBJECTION TO EXECUTIVE SESSION

Mr. DURBIN asked unanimous consent that Senate proceed to executive session to consider the nomination of James Michael Cole, of the District of Columbia, to be Deputy Attorney General; that the nomination be confirmed; that the motion to reconsider be made and laid upon the table, that no further motion be in order; that the President be immediately notified of the Senate's action; and the Senate resume its legislative session.

Mr. CHAMBLISS objected.

Pending debate,

PROVIDING FOR THE SINE DIE ADJOURNMENT OF THE SECOND SESSION OF THE ONE HUNDRED ELEVENTH CONGRESS

On the request of Mr. REID,

The PRESIDING OFFICER (Mr. FRANKEN in the chair) laid before the Senate the concurrent resolution (H. Con. Res. 336) providing for the sine die adjournment of the second session of the One Hundred Eleventh Congress, received from the House of Representatives for concurrence on December 17, 2010, and remaining undisposed of.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

OMNIBUS TRADE ACT

On the request of Mr. SHERROD BROWN,

The PRESIDING OFFICER laid before the Senate the bill (H.R. 6517) to extend trade adjustment assistance and certain trade preference programs, to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, and for other purposes, received from the House of Representatives for concurrence on Thursday, December 16, 2010, and remaining undisposed of; which was read the first and second times, by unanimous consent.

The Senate proceeded, by unanimous consent, to consider the bill.

The question being on the passage of the bill.

On motion by Mr. SHERROD BROWN (for himself, Mr. CASEY, Mr. BAUCUS, Mr. MCCAIN, and Mr. KYL) to strike all after the enacting clause and insert, in lieu thereof, other words (being amendment No. 4924, in the nature of a substitute).

The amendment (in the nature of a substitute) was agreed to.

The bill, as amended, was read the third time, by unanimous consent.

Resolved, That it pass.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXPRESSING SUPPORT FOR DESIGNATION OF ARTS IN EDUCATION WEEK

By unanimous consent, on the request of Mr. BAYH,

Ordered, That the Committee on Health, Education, Labor, and Pensions be discharged from the further consideration of the concurrent resolution (H. Con. Res. 275) expressing support for designation of the week beginning on the second Sunday of September as Arts in Education Week.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HONORING THE WORK AND MISSION OF THE DELTA REGIONAL AUTHORITY

By unanimous consent, on the request of Mr. BAYH,

Ordered, That the Committee on Environment and Public Works be discharged from the further consideration of the concurrent resolution (S. Con. Res. 78) honoring the work and mission of the Delta Regional Authority on the occasion of the 10th anniversary of the Federal-State partnership created to uplift the 8-State Delta region.

The Senate proceeded, by unanimous consent, to consider the concurrent resolution.

The question being on agreeing to the concurrent resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

RECOGNIZING THE UNITED STATES NATIONAL INTEREST IN HELPING TO PREVENT AND MITIGATE ACTS OF GENOCIDE AND OTHER MASS ATROCITIES AGAINST CIVILIANS

By unanimous consent, on the request of Mr. BAYH,

The Senate proceeded to consider the concurrent resolution (S. Con. Res. 71) recognizing the United States national interest in helping to prevent and mitigate acts of genocide and other mass atrocities against civilians, and supporting and encouraging efforts to develop a whole of government approach to prevent and mitigate such acts.

The question being on agreeing to the reported amendment (in the nature of a substitute).

The reported amendment (in the nature of a substitute) was agreed to.

The question being on agreeing to the concurrent resolution, as amended.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

The question being on agreeing to the reported amendment to the preamble.

The reported amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

SUPPORTING THE GOALS AND IDEALS OF THE YEAR OF THE LUNG 2010

By unanimous consent, on the request of Mr. BAYH,

Ordered, That the Committee on Health, Education, Labor, and Pensions be discharged from the further consideration of the resolution (S. Res. 432) supporting the goals and ideals of the Year of the Lung 2010.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

PROVIDING FOR A TECHNICAL CORRECTION TO S. RES. 700

On the request of Mr. BAYH,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 705) providing for a technical correction to S. Res. 700, submitted today by Mr. SCHUMER (for himself and Mr. BENNETT), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

EXTENDING THE AUTHORITY FOR THE SENATE NATIONAL SECURITY WORKING GROUP

On the request of Mr. BAYH,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 706) extending the authority for the Senate National Security Working Group, submitted today by Mr. REID (for himself, Mr. MCCONNELL, Mr. KERRY, and Mr. KYL), and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

HONORING LULA DAVIS

On the request of Mr. BAYH,

The PRESIDING OFFICER laid before the Senate the resolution (S. Res. 707) honoring Lula Davis, submitted today by Mr. REID, and at the desk.

The Senate proceeded, by unanimous consent, to consider the resolution.

The question being on agreeing to the resolution.

Resolved, That the Senate agree thereto, and to the accompanying preamble.

A motion to reconsider was deemed made and laid on the table, by unanimous consent.

AUTHORIZING SIGNING OF ENROLLED BILLS AND JOINT RESOLUTIONS

By unanimous consent, on the request of Mr. BAYH,

Ordered, That he be authorized to sign duly enrolled bills and joint resolutions on today.

Ordered further, That Mrs. LINCOLN be authorized to sign duly enrolled bills and joint resolutions on tomorrow, and Friday.

AUTHORIZING APPOINTMENTS DURING ADJOURNMENT

By unanimous consent, on the request of Mr. BAYH,

Ordered, That, notwithstanding the sine die adjournment of the Senate, the President of the Senate, the PRESIDENT pro tempore, and the majority and minority leaders be authorized to make appointment to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, concurrent action of the two Houses, or by order of the Senate.

APPOINTMENT BY THE MAJORITY LEADER

NATIONAL COMMISSION FOR THE REVIEW OF THE RESEARCH AND DEVELOPMENT PROGRAMS OF THE UNITED STATES INTELLIGENCE COMMUNITY

The PRESIDING OFFICER announced that the majority leader, after consultation with the

Chairman of the Select Committee on Intelligence, and pursuant to provisions of Public Law 107-306, as amended by Public Law 111-259, had appointed the following individual to serve as a member of the National Commission for the Review of the Research and Development Programs of the United States Intelligence Community: Mr. WARNER.

APPOINTMENT BY THE MAJORITY LEADER

INDIAN LAW AND ORDER COMMISSION

The PRESIDING OFFICER announced that the majority leader, in consultation with the Chairman of the Committee on Indian Affairs and the Chairman of the Committee on the Judiciary, pursuant to Public Law 111-211, had appointed the following individuals to be members of the Indian Law and Order Commission: Mr. Troy Eid, of Colorado, and Mr. Jefferson Keel, of Oklahoma.

APPOINTMENT BY THE MINORITY LEADER

INDIAN LAW AND ORDER COMMISSION

The PRESIDING OFFICER announced that the minority leader, in consultation with the Chairman of the Committee on Indian Affairs and the Chairman of the Committee on the Judiciary, pursuant to Public Law 111-211, had appointed the following individuals to be members of the Indian Law and Order Commission: Affie Ellis, of Wyoming.

EXECUTIVE SESSION

By unanimous consent, on the request of Mr. BAYH,

The Senate proceeded to executive session; and after the consideration of executive business.

LEGISLATIVE SESSION

By unanimous consent, on the request of Mr. BAYH,

The Senate resumed its legislative session.

ORDERS FOR ADJOURNMENT SINE DIE UNTIL WEDNESDAY, JANUARY 5, 2011, AND FOR PROGRAM

By unanimous consent, on the request of Mr. BAYH,

Ordered, That, when the Senate concludes its business on today, it adjourn sine die, pursuant to the provisions of concurrent resolution H. Con. Res. 336.

Ordered further, That, when the Senate reconvenes at 12 noon on Wednesday, January 5, 2011, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, and following the presentation of certificates of election, the swearing-in of elected Members, and live quorum call, the morning hour be deemed expired, and the times for the two leaders be reserved; and that there then be a period for the transaction of morning business, with Senators permitted to speak for 10 minutes each therein.

ADJOURNMENT SINE DIE

By unanimous consent, on the request of Mr. BAYH,

At 8:03 p.m.,

The PRESIDING OFFICER (Ms. CANTWELL in the chair) declared the Senate adjourned sine die, pursuant to the provisions of concurrent resolution H. Con. Res. 336, until 12 noon on Wednesday, January 5, 2011.

ACTIONS SUBSEQUENT TO SINE DIE ADJOURNMENT OF THE SENATE

WEDNESDAY, DECEMBER 22, 2010

MESSAGE FROM THE HOUSE SUBSEQUENT TO SINE DIE ADJOURNMENT

Under authority of the order of the Senate of January 6, 2009, the Secretary of the Senate, on Wednesday, December 22, 2010, subsequent to the sine die adjournment of the Senate, received a message from the House of Representatives announcing that pursuant to section 491 of the High Education Act (20 U.S.C. 1098(c)), as amended, and the order of the House of January 6, 2009, the Speaker appoints the following member on the part of the House of Representatives to the Advisory Committee on Student Financial Assistance for a term of 4 years, upon the recommendation of the Majority Leader: Ms. Deborah Stanley of Bowie Maryland.

The message also announced that pursuant to section 205(a) of the Vietnam Education Foundation Act of 2000 (Public Law 106-554), and the order of the House of January 6, 2009, the Speaker appoints the following Member of the House of Representatives to the Board of Directors of the Vietnam Education Foundation, upon the recommendation of the Majority Leader: Ms. LORETTA SANCHEZ of California.

The message further announced that pursuant to section 106 of the Higher Education Opportunity Act (Public Law 110-315) and the order of the House of January 6, 2009, the Speaker appoints the following member of the House of Representatives to the National Advisory Committee on Institutional Quality and Integrity for a term of 6 years, upon the recommendation of the Majority Leader: Dr. George T. French of Fairfield, Alabama.

THURSDAY, DECEMBER 23, 2010

MESSAGES FROM THE HOUSE SUBSEQUENT TO SINE DIE ADJOURNMENT

Under authority of the order of the Senate of January 6, 2009, the Secretary of the Senate, on Thursday, December 23, 2010, subsequent to the sine die adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

S. 3903. An act to authorize leases of up to 99 years for lands held in trust for Ohkay Owingeh Pueblo.

S. 3481. An act to amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution.

S. 4036. An act to clarify the National Credit Union Administration authority to make stabilization fund expenditures without borrowing from the Treasury.

S. 4058. An act to extend certain expiring provisions providing enhanced protections for servicemembers relating to mortgages and mortgage foreclosures.

H.R. 847. An act to amend the Public Health Service Act to extend and improve protections and services to individuals directly impacted by the terrorist attack in New York City on September 11, 2001, and for other purposes.

H.R. 6517. An act to extend trade adjustment assistance and certain trade preference programs, to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty, and for other purposes.

ENROLLED BILLS SIGNED

Under the authority of the order of Wednesday, December 22, 2010,

The enrolled bills were subsequently signed by the ACTING PRESIDENT pro tempore (Mrs. LINCOLN).

Under authority of the order of the Senate of January 6, 2009, the Secretary of the Senate, on Wednesday, December 29, 2010, subsequent to the sine die adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

H.R. 2142. An act to require quarterly performance assessments of Government programs for purposes of assessing agency performance and improvement, and to establish agency performance improvement officers and the Performance Improvement Council.

H.R. 2751. An act to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply.

H.R. 5809. An act to amend the Energy Policy Act of 2005 to reauthorize and modify provisions relating to the diesel emissions reduction program.

H.R. 5901. An act to amend the Internal Revenue Code of 1986 to authorize the tax court to appoint employees.

H.R. 6523. An act to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

ENROLLED BILLS SIGNED

Under the authority of the order of Wednesday, December 22, 2010,

The enrolled bills were subsequently signed by the ACTING PRESIDENT pro tempore (Mr. WEBB).

ENROLLED BILLS PRESENTED SUBSEQUENT TO SINE DIE ADJOURNMENT

The Secretary of the Senate reported that, on Thursday, December 23, 2010, subsequent to the sine die adjournment of the Senate, she had presented to the President of the United States the following enrolled bills:

S. 4058. An act to extend certain expiring provisions providing enhanced protections for servicemembers relating to mortgages and mortgage foreclosure.

MONDAY, DECEMBER 27, 2010

ENROLLED BILLS PRESENTED SUBSEQUENT TO SINE DIE ADJOURNMENT

The Secretary of the Senate reported that, on Monday, December 27, 2010, subsequent to the sine die adjournment of the Senate, she had presented to the President of the United States the following enrolled bills:

S. 118. An act to amend section 202 of the Housing Act of 1959, to improve the program under such section for supportive housing for the elderly, and for other purposes.

S. 841. An act to direct the Secretary of Transportation to study and establish a motor vehicle safety standard that provides for means of alerting blind and other pedestrians of motor vehicle operation.

S. 1481. An act to amend section 811 of the Cranston-Gonzalez National Affordable Housing Act to improve the program under such section for supportive housing for persons with disabilities.

S. 3036. An act to establish the National Alzheimer's Project.

S. 3243. An act to require U.S. Customs and Border Protection to administer polygraph examinations to all applicants for law enforcement positions with U.S. Customs and Border Protection, to require U.S. Customs and Border Protection to initiate all periodic background reinvestigations of certain law enforcement personnel, and for other purposes.

S. 3447. An act to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes.

S. 3481. An act to amend the Federal Water Pollution Control Act to clarify Federal responsibility for stormwater pollution.

S. 3592. An act to designate the facility of the United States Postal Service located at 100 Commerce Drive in Tyrone, Georgia, as the "First Lieutenant Robert Wilson Collins Post Office Building".

S. 3874. An act to amend the Safe Drinking Water Act to reduce lead in drinking water.

S. 3903. An act to authorize leases of up to 99 years for lands held in trust for Ohkay Owingeh Pueblo.

S. 4036. An act to clarify the National Credit Union Administration authority to make stabilization fund expenditures without borrowing from the Treasury.

PROCEEDINGS OF THE SENATE PRELIMINARY TO AND SITTING FOR THE TRIAL OF G. THOMAS PORTEOUS, JR., JUDGE OF THE OF THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF LOUISIANA, UPON ARTICLES OF IMPEACHMENT EXHIBITED AGAINST HIM BY THE HOUSE OF REPRESENTATIVES

MONDAY, MARCH 15, 2010

MESSAGE FROM THE HOUSE

At 3:08 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that Mr. SCHIFF, Ms. ZOE LOFGREN, of California, Mr. JOHNSON of Georgia, Mr. GOODLATTE, and Mr. SENSENBRENNER are appointed managers on the part of the House to conduct the trial of impeachment of G. Thomas Porteous, Jr., a Judge for the United States District Court for the Eastern District of Louisiana, that a message be sent to the Senate to inform the Senate of these appointments, and that the managers on the part of the House may exhibit the articles of impeachment to the Senate and take all other actions necessary in connection with preparation for, and conduct of, the trial, which may include the following: (1) Employing legal, clerical, and other necessary assistants and incurring such other expenses as may be necessary, to be paid from amounts available to the Committee on the Judiciary under House Resolution 15, One Hundred Eleventh Congress, agreed to January 13, 2009, or any other applicable expense resolution on vouchers approved by the Chairman of the Committee on the Judiciary. (2) Sending for persons and papers, and filing with the Secretary of the Senate, on the part of the House of Representatives, any subsequent pleadings which they consider necessary.

IMPEACHMENT OF G. THOMAS PORTEOUS, JR.

By unanimous consent, on the request of Mr. SHERROD BROWN,

Ordered, That the Secretary of the Senate inform the House of Representatives that the Senate is ready to receive the managers appointed by the House for the purpose of exhibiting articles of impeachment against G. Thomas Porteous, Jr., Judge of the of the United States District Court for the Eastern District of Louisiana, agreeable to the notice communicated to the Senate and at the hour of 2 p.m., on Wednesday, March 17, 2010, the Senate will receive the honorable managers on the part of the House of Representatives in order that they may present and exhibit the said articles of impeachment against the said G. Thomas Porteous, Jr., Judge of the of the United States District Court for the Eastern District of Louisiana.

WEDNESDAY, MARCH 17, 2010

QUESTION OF A QUORUM

Mr. REID raised a question as to the presence of a quorum.

Whereupon,

The ACTING PRESIDENT pro tempore directed the roll to be called.

Pending ascertainment of a quorum.

When

The PRESIDING OFFICER (Mr. INOUYE in the chair) announced that a quorum was present.

IMPEACHMENT OF G. THOMAS PORTEOUS, JR.

At 2 o'clock and 10 minutes p.m.,

The Secretary for the Majority, Lula Johnson Davis, announced the presence of the managers on the part of the House of Representatives to conduct the proceedings on behalf of the House concerning the impeachment of G. Thomas Porteous, Jr., Judge of the United States District Court for the Eastern District of Louisiana.

The managers on the part of the House, namely, Mr. SCHIFF, Ms. ZOE LOFGREN of California, Mr. JOHNSON of Georgia, Mr. GOODLATTE, and Mr. SENSENBRENNER, and their counsel, entered the Chamber and were escorted to seats provided for them.

The PRESIDENT pro tempore directed the Sergeant at Arms to make proclamation; whereupon

The Sergeant at Arms, Mr. Terrance W. Gainer, made proclamation, as follows:

"Hear ye! Hear ye! Hear ye! All persons are commanded to keep silence on pain of imprisonment while the House of Representatives is exhibiting to the Senate of the United States Articles of Impeachment against G. Thomas Porteous, Jr., Judge of the United States District Court for the Eastern District of Louisiana."

The PRESIDING OFFICER directed the managers on the part of the House to proceed.

Mr. SCHIFF, manager on the part of the House, made the following statement: Mr. President, the managers on the part of the House of Representatives are here present and ready to present the Articles of Impeachment, which have been preferred by the House of Representatives against G. Thomas Porteous, Jr., Judge of the United States District Court for the Eastern District of Louisiana.

The House adopted the following resolution which, with the permission of the President of the Senate, I will read:

H. RES. 1165

Resolved, That Mr. SCHIFF, Ms. ZOE LOFGREN of California, Mr. JOHNSON of Georgia, Mr. GOODLATTE, and Mr. SENSENBRENNER are appointed managers on the part of the House to conduct the trial of the impeachment of G. Thomas Porteous, Jr., a Judge for the United States District Court for the Eastern District of Louisiana, that a message be sent to the Senate to inform the Senate of these appointments, and that the managers on the part of the House may exhibit the articles of impeachment to the Senate and take all other actions necessary in connection with preparation for, and conduct of, the trial, which may include the following:

(1) Employing legal, clerical, and other necessary assistants and incurring such other expenses as may be necessary, to be paid from amounts available to the Committee on the Judiciary under House Resolution 15, One Hundred Eleventh Congress, agreed to January 13, 2009, or any other applicable expense resolution on vouchers approved by the Chairman of the Committee on the Judiciary.

(2) Sending for persons and papers, and filing with the Secretary of the Senate, on the part of the House of Representatives, any subsequent pleadings which they consider necessary.

NANCY PELOSI,
Speaker of the House of Representatives.

With the permission of the President of the Senate, I will now read the Articles of Impeachment.

H. RES. 1031

Resolved, That G. Thomas Porteous, Jr., a judge of the United States District Court for the Eastern District of Louisiana, is impeached for high crimes and misdemeanors, and that the following articles of impeachment be exhibited to the Senate:

Articles of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and all of the people of the United States of America, against G. Thomas Porteous, Jr., a judge in the United States District Court for the Eastern District of Louisiana, in maintenance and support of its impeachment against him for high crimes and misdemeanors.

ARTICLE I

G. Thomas Porteous, Jr., while a Federal judge of the United States District Court for the Eastern District of Louisiana, engaged in

a pattern of conduct that is incompatible with the trust and confidence placed in him as a Federal judge, as follows:

Judge Porteous, while presiding as a United States district judge in Lifemark Hospitals of Louisiana, Inc. v. Liljeberg Enterprises, denied a motion to recuse himself from the case, despite the fact that he had a corrupt financial relationship with the law firm of Amato & Creely, P.C. which had entered the case to represent Liljeberg. In denying the motion to recuse, and in contravention of clear canons of judicial ethics, Judge Porteous failed to disclose that beginning in or about the late 1980s while he was a State court judge in the 24th Judicial District Court in the State of Louisiana, he engaged in a corrupt scheme with attorneys, Jacob Amato, Jr., and Robert Creely, whereby Judge Porteous appointed Amato's law partner as a "curator" in hundreds of cases and thereafter requested and accepted from Amato & Creely a portion of the curatorship fees which had been paid to the firm. During the period of this scheme, the fees received by Amato & Creely amounted to approximately $40,000, and the amounts paid by Amato & Creely to Judge Porteous amounted to approximately $20,000.

Judge Porteous also made intentionally misleading statements at the recusal hearing intended to minimize the extent of his personal relationship with the two attorneys. In so doing, and in failing to disclose to Lifemark and its counsel the true circumstances of his relationship with the Amato & Creely law firm, Judge Porteous deprived the Fifth Circuit Court of Appeals of critical information for its review of a petition for a writ of mandamus, which sought to overrule Judge Porteous's denial of the recusal motion. His conduct deprived the parties and the public of the right to the honest services of his office.

Judge Porteous also engaged in corrupt conduct after the Lifemark v. Liljeberg bench trial, and while he had the case under advisement, in that he solicited and accepted things of value from both Amato and his law partner Creely, including a payment of thousands of dollars in cash. Thereafter, and without disclosing his corrupt relationship with the attorneys of Amato & Creely PLC or his receipt from them of cash and other things of value, Judge Porteous ruled in favor of their client, Liljeberg.

By virtue of this corrupt relationship and his conduct as a Federal judge, Judge Porteous brought his court into scandal and disrepute, prejudiced public respect for, and confidence in, the Federal judiciary, and demonstrated that he is unfit for the office of Federal judge.

Wherefore, Judge G. Thomas Porteous, Jr., is guilty of high crimes and misdemeanors and should be removed from office.

ARTICLE II

G. Thomas Porteous, Jr., engaged in a longstanding pattern of corrupt conduct that demonstrates his unfitness to serve as a United States District Court Judge. That conduct included the following: Beginning in or about the late 1980s while he was a State court judge in the 24th Judicial District Court in the State of Louisiana, and continuing while he was a Federal judge in the United States District Court for the Eastern District of Louisiana, Judge Porteous engaged in a corrupt relationship with bail bondsman Louis M. Marcotte, III, and his sister Lori Marcotte. As part of this corrupt relationship, Judge Porteous solicited and accepted numerous things of value, including meals, trips, home repairs, and car repairs, for his personal use and benefit, while at the same time taking official actions that benefitted the Marcottes. These official actions by Judge Porteous included, while on the State bench, setting, reducing, and splitting bonds as requested by the Marcottes, and improperly setting aside or expunging felony convictions for two Marcotte employees (in one case after Judge Porteous had been confirmed by the Senate but before being sworn in as a Federal judge). In addition, both while on the State bench and on the Federal bench, Judge Porteous used the power and prestige of his office to assist the Marcottes in forming relationships with State judicial officers and individuals important to the Marcottes' business. As Judge Porteous well knew and understood, Louis Marcotte also made false statements to the Federal Bureau of Investigation in an effort to assist Judge Porteous in being appointed to the Federal bench.

Accordingly, Judge G. Thomas Porteous, Jr., has engaged in conduct so utterly lacking in honesty and integrity that he is guilty of high crimes and misdemeanors, is unfit to hold the office of Federal judge, and should be removed from office.

ARTICLE III

Beginning in or about March 2001 and continuing through about July 2004, while a Federal judge in the United States District Court for the Eastern District of Louisiana, G. Thomas Porteous, Jr., engaged in a pattern of conduct inconsistent with the trust and confidence placed in him as a Federal judge by knowingly and intentionally making material false statements and representations under penalty of perjury related to his personal bankruptcy filing and by repeatedly violating a court order in his bankruptcy case. Judge Porteous did so by—

(1) using a false name and a post office box address to conceal his identity as the debtor in the case;

(2) concealing assets;

(3) concealing preferential payments to certain creditors;

(4) concealing gambling losses and other gambling debts; and

(5) incurring new debts while the case was pending, in violation of the bankruptcy court's order.

In doing so, Judge Porteous brought his court into scandal and disrepute, prejudiced public respect for and confidence in the Federal judiciary, and demonstrated that he is unfit for the office of Federal judge.

Wherefore, Judge G. Thomas Porteous, Jr., is guilty of high crimes and misdemeanors and should be removed from office.

ARTICLE IV

In 1994, in connection with his nomination to be a judge of the United States District Court for the Eastern District of Louisiana, G. Thomas Porteous, Jr., knowingly made material false statements about his past to both the United States Senate and to the Federal Bureau of Investigation in order to obtain the office of United States District Court Judge. These false statements included the following:

(1) On his Supplemental SF-86, Judge Porteous was asked if there was anything in his personal life that could be used by someone to coerce or blackmail him, or if there was anything in his life that could cause an embarrassment to Judge Porteous or the President if publicly known. Judge Porteous answered "no" to this question and signed the form under the warning that a false statement was punishable by law.

(2) During his background check, Judge Porteous falsely told the Federal Bureau of Investigation on two separate occasions that he was not concealing any activity or conduct that could be used to influence, pressure, coerce, or compromise him in any way or that would impact negatively on his character, reputation, judgment, or discretion.

(3) On the Senate Judiciary Committee's "Questionnaire for Judicial Nominees", Judge Porteous was asked whether any unfavorable information existed that could affect his nomination. Judge Porteous answered that, to the best of his knowledge, he did "not know of any unfavorable information that may affect [his] nomination". Judge Porteous signed that questionnaire by swearing that "the information provided in this statement is, to the best of my knowledge, true and accurate".

However, in truth and in fact, as Judge Porteous then well knew, each of these answers was materially false because Judge Porteous had engaged in a corrupt relationship with the law firm Amato & Creely, whereby Judge Porteous appointed Creely as a "curator" in hundreds of cases and thereafter requested and accepted from Amato & Creely a portion of the curatorship fees which had been paid to the firm and also had engaged in a corrupt relationship with Louis and Lori Marcotte, whereby Judge Porteous solicited and accepted numerous

things of value, including meals, trips, home repairs, and car repairs, for his personal use and benefit, while at the same time taking official actions that benefitted the Marcottes. As Judge Porteous well knew and understood, Louis Marcotte also made false statements to the Federal Bureau of Investigation in an effort to assist Judge Porteous in being appointed to the Federal bench. Judge Porteous's failure to disclose these corrupt relationships deprived the United States Senate and the public of information that would have had a material impact on his confirmation.

Wherefore, Judge G. Thomas Porteous, Jr., is guilty of high crimes and misdemeanors and should be removed from office.

NANCY PELOSI,
Speaker of the House of Representatives.

Mr. President, the House of Representatives by protestation, saving to themselves the liberty of exhibiting at any time hereafter any further articles of accusation or impeachment against the said G. Thomas Porteous, Jr., Judge of the United States District Court for the Eastern District of Louisiana, and also of replying to his answers which he shall make unto the articles preferred against him, and of offering proof to the same and every part thereof, and to all and every other article of accusation or impeachment which shall be exhibited by them as the case shall require, do demand that the said G. Thomas Porteous, Jr., may be put to answer the misdemeanors in office which have been charged against him in the articles which have been exhibited to the Senate, and that such proceedings, examinations, trials, and judgments may be thereupon had and given as may be agreeable to law and justice.

Mr. President, the managers on the part of the House of Representatives, by the adoption of the Articles of Impeachment which have just been read to the Senate, do now demand that the Senate take order for the appearance of the said G. Thomas Porteous, Jr., to answer said impeachment and do now demand his conviction and appropriate judgment thereon.

Mr. REID made the following statement: Mr. President, at this time the oath should be administered in conformance with article I, section 3, clause 6 of the Constitution of the United States and the Senate's impeachment rules. I move that the Senator from Kentucky, Mr. MCCONNELL, be designated by the Senate to administer the oath to the PRESIDING OFFICER of the Senate, the Senator from Hawaii, Mr. INOUYE.

Mr. MCCONNELL thereupon administered the following oath to Mr. INOUYE, the PRESIDING OFFICER, who subscribed to the same: Do you solemnly swear that in all things appertaining to the trial of the impeachment of G. Thomas Porteous Jr., Judge of the United States District Court for the Eastern District of Louisiana, now pending, you will do impartial justice according to the Constitution and laws, so help you God?

Mr. INOUYE. I do.

Mr. REID made the following statement: Mr. President, the oath shall now be administered by the PRESIDING OFFICER to all Senators. This is an appropriate time for any Senator who has cause to be excused from service in this impeachment to make that fact known.

No Senator having so indicated,

On motion by Mr. REID,

Ordered, That the PRESIDING OFFICER administer the following oath to all Senators so that they may form a court of impeachment.

The PRESIDENT pro tempore then administered the same oath to the Senators in the Chamber, who subscribed to the same.

Mr. REID made the following statement (relative to swearing in of absent Senator, and listing of those sworn): Mr. President, any Senator who was not in the Senate Chamber at the time the oath was administered to the other Senators will make that fact known to the Chair so that the oath may be administered as soon as possible to that Senator. The Secretary will note the names of the Senators who have been sworn and will present to them for signing a book, which will be the Senate's permanent record of the administration of the oath. I will remind all Senators who were administered this oath that they must now sign the oath book, which is at the desk, before leaving the Chamber.

Mr. REID (for himself and Mr. MCCONNELL) submitted a resolution (S. Res. 457) to provide for issuance of a summons and for related procedures concerning the articles of impeachment against G. Thomas Porteous, Jr.

Resolved, That a summons shall be issued which commands G. Thomas Porteous, Jr. to file with the Secretary of the Senate an answer to the articles of impeachment no later than April 7, 2010, and thereafter to abide by, obey, and perform such orders, directions, and judgments as the Senate shall make in the premises, according to the Constitution and laws of the United States.

SEC. 2. The Sergeant at Arms is authorized to utilize the services of the Deputy Sergeant at Arms or another employee of the Senate in serving the summons.

SEC. 3. The Secretary shall notify the House of Representatives of the filing of the answer and shall provide a copy of the answer to the House.

SEC. 4. The Managers on the part of the House may file with the Secretary of the Senate a replication no later than April 21, 2010.

SEC. 5. The Secretary shall notify counsel for G. Thomas Porteous, Jr. of the filing of a replication, and shall provide counsel with a copy.

SEC. 6. The Secretary shall provide the answer and the replication, if any, to the Presiding Officer of the Senate on the first day the Senate is in session after the Secretary receives them, and the Presiding Officer shall cause the answer and replication, if any, to be printed in the Senate Journal and in the Congressional Record. If a timely answer has not been filed, the Presiding Officer shall cause a plea of not guilty to be entered.

SEC. 7. The articles of impeachment, the answer, and the replication, if any, together with the provisions of the Constitution on impeachment, and the Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials, shall be printed under the direction of the Secretary as a Senate document.

SEC. 8. The provisions of this resolution shall govern notwithstanding any provisions to the contrary in the Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials.

SEC. 9. The Secretary shall notify the House of Representatives of this resolution.

The Senate proceeded, by unanimous consent, to consider the resolution; and no amendment being proposed,

Resolved, That the Senate agree thereto.

On motion by Mr. REID to reconsider the vote agreeing to the resolution.

On motion by Mr. MCCONNELL,

The motion to reconsider was laid on the table.

Mr. REID (for himself and Mr. MCCONNELL) submitted a resolution (S. Res. 458) to provide for the appointment of a committee to receive and to report evidence with respect to articles of impeachment against Judge G. Thomas Porteous, Jr.

Resolved, That pursuant to Rule XI of the Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials, the PRESIDING OFFICER shall appoint a committee of twelve senators to perform the duties and to exercise the powers provided for in the rule.

SEC. 2. The majority and minority leader shall each recommend six members, including a chairman and vice chairman, respectively, to the Presiding Officer for appointment to the committee.

SEC. 3. The committee shall be deemed to be a standing committee of the Senate for the purpose of reporting to the Senate resolutions for the criminal or civil enforcement of the committee's subpoenas or orders, and for the purpose of printing reports, hearings, and other documents for submission to the Senate under Rule XI.

SEC. 4. During proceedings conducted under Rule XI the chairman of the committee is authorized to waive the requirement under

the Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials that questions by a Senator to a witness, a manager, or counsel shall be reduced to writing and put by the Presiding Officer.

SEC. 5. In addition to a certified copy of the transcript of the proceedings and testimony had and given before it, the committee is authorized to report to the Senate a statement of facts that are uncontested and a summary, with appropriate references to the record, of evidence that the parties have introduced on contested issues of fact.

SEC. 6(a). The actual and necessary expenses of the committee, including the employment of staff at an annual rate of pay, and the employment of consultants with prior approval of the Committee on Rules and Administration at a rate not to exceed the maximum daily rate for a standing committee of the Senate, shall be paid from the contingent fund of the Senate from the appropriation account "Miscellaneous Items" upon vouchers approved by the chairman of the committee, except that no voucher shall be required to pay the salary of any employee who is compensated at an annual rate of pay.

(b). In carrying out its powers, duties, and functions under this resolution, the committee is authorized, in its discretion and with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

SEC. 7. The committee appointed pursuant to section one of this resolution shall terminate no later than 60 days after the pronouncement of judgment by the Senate on the articles of impeachment.

SEC. 8. The Secretary shall notify the House of Representatives and counsel for Judge G. Thomas Porteous, Jr. of this resolution.

The Senate proceeded, by unanimous consent, to consider the resolution; and no amendment being proposed,

Resolved, That the Senate agree thereto.

On motion by Mr. REID to reconsider the vote agreeing to the resolution.

On motion by Mr. MCCONNELL,

The motion to reconsider was laid on the table.

Mr. REID, in accordance with the resolution on the appointment of an impeachment trial committee, recommended the following members: Mrs. MCCASKILL, as chairman, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. TOM UDALL, Mrs. SHAHEEN, and Mr. KAUFMAN.

Mr. MCCONNELL, in accordance with the resolution on the appointment of an impeachment trial committee, recommended the following members: Mr. HATCH, Mr. BARRASSO, Mr. DEMINT, Mr. JOHANNS, Mr. RISCH, and Mr. WICKER.

In further pursuance of the provisions of S. Res. 458 and Impeachment Rule XI,

The PRESIDING OFFICER, upon the foregoing recommendations, appointed the following Senators as members of the Committee to Receive and Report Evidence in the Impeachment of Judge G. Thomas Porteous, Jr.: Mrs. MCCASKILL, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. TOM UDALL, Mrs. SHAHEEN, Mr. KAUFMAN, Mr. HATCH, Mr. BARRASSO, Mr. DEMINT, Mr. JOHANNS, Mr. RISCH, and Mr. WICKER.

The PRESIDING OFFICER stated that the Senate will take further proper order, and notify the House of Representatives, and the counsel for Judge Porteous.

The managers on the part of the House of Representatives thereupon withdrew from the Chamber.

MONDAY, APRIL 12, 2010

IMPEACHMENT OF G. THOMAS PORTEOUS, JR.

COURT OF IMPEACHMENT

The ACTING PRESIDENT pro tempore stated that, pursuant to rule IX of the Rules and Procedures in the Senate when Sitting on Impeachment Trials, the Secretary of the Senate will now swear the Deputy Sergeant at Arms.

The Secretary of the Senate, Nancy Erickson, thereupon administered the following oath to the Deputy Sergeant at Arms, who subscribed to the same:

"Do you, Drew Willison, solemnly swear that the return made by you upon the process issued on the 19th of March, 2010, by the Senate of the United States, against G. Thomas Porteous, Jr., is truly made, and that you have performed such service as therein described: So help you God?"

The Deputy Sergeant at Arms thereupon made the following statement:

"Mr. President, I send to the desk the return of service I executed upon service of the summons upon Judge G. Thomas Porteous, Jr., Friday, March 19, 2010, at 8:55 a.m. at his home, 4801 Neyrey Drive, Metairie, Louisiana."

The ACTING PRESIDENT pro tempore directed that the return of service and accompanying Answer to the Articles of Impeachment be spread upon the Journal and printed in the Record, as follows:

The foregoing writ of summons, addressed to G. Thomas Porteous, Jr., United States District Judge for the Eastern District of Louisiana and the foregoing precept, addressed to me, were duly served upon the said G. Thomas Porteous, Jr. by my delivering true and attested copies of the same to G. Thomas Porteous, Jr., at his home, 4801 Neyrey Drive, Metairie, LA, on the 19th day of March 2010, at 8:55 a.m.

By unanimous consent, on the request of Mr. REID,

Ordered, That the Secretary of the Senate be directed to deliver an attested copy of the Answer of G. Thomas Porteous, Jr., Judge of the United States District Court for the Eastern District of Louisiana, to the articles of impeachment to the House of Representatives.

Ordered further, That a copy of the Answer be referred to the Impeachment Trial Committee on the Articles Against Judge G. Thomas Porteous, Jr., established by the Senate on March 17, 2010.

On motion by Mr. REID,

At 2 o'clock and 7 minutes p.m.,

The Senate, sitting as a Court of Impeachment, adjourned.

TUESDAY, APRIL 13, 2010

AUTHORITY FOR COMMITTEE TO MEET

By unanimous consent, on the request of Mr. ROCKEFELLER,

Ordered, That the following committee be authorized to meet during the session of the Senate:

IMPEACHMENT TRIAL COMMITTEE

The Impeachment Trial Committee on the Articles against Judge G. Thomas Porteous, Jr. be authorized to meet during the session of the Senate on April 13, 2010, at 4 p.m.

THURSDAY, APRIL 15, 2010

IMPEACHMENT OF G. THOMAS PORTEOUS, JR.

REPLICATION OF THE HOUSE TO THE ANSWER OF RESPONDENT TO ARTICLES OF IMPEACHMENT

The PRESIDING OFFICER (Mr. BURRIS in the chair) laid before the Senate for printing in the Senate Journal and in the Congressional Record the replication of the House of Representatives to the Answer of Judge G. Thomas Porteous, Jr., to the articles of impeachment against Judge Porteous, pursuant to S. Res. 457, 111th Congress,

Second Session, which was received by the Secretary of the Senate on today:

CONGRESS OF THE UNITED STATES,
Washington, DC, Apr. 15, 2010.

Re Impeachment of G. Thomas Porteous, Jr., United States District Judge for the Eastern District of Louisiana.

Hon. Nancy Erickson,
Secretary of the Senate,
U.S. Senate, Washington, DC.

Dear Ms. Erickson: Pursuant to Senate Resolution 457 of March 17, 2010, enclosed is the Replication of the House of Representatives to the Answer of G. Thomas Porteous Jr., to the Articles of Impeachment.

A copy of the Replication and of this letter will be served upon counsel for Judge Porteous today through electronic mail.

Sincerely,

ALAN I. BARON,
Special Impeachment Counsel.

[In the Senate of the United States Sitting as a Court of Impeachment]

IN RE: IMPEACHMENT OF G. THOMAS PORTEOUS, JR.

REPLICATION OF THE HOUSE OF REPRESENTATIVES TO THE ANSWER OF G. THOMAS PORTEOUS, JR., TO THE ARTICLES OF IMPEACHMENT

The House of Representatives, through its Managers and counsel, respectfully replies to the Answer to Articles of Impeachment as follows:

RESPONSE TO THE PREAMBLE

Judge Porteous in his Answer to the Articles of Impeachment, denies certain of the allegations and makes what are primarily technical arguments as to the charging language that do not address the factual substance of the allegations. However, it is in Judge Porteous's Preamble that he sets forth his real defense and, without denying he committed the conduct that is alleged in the Articles of Impeachment, insists that nevertheless he should not be removed from Office.

At several points in his Preamble, Judge Porteous notes that he was not criminally prosecuted by the Department of Justice, the implication being that the House and the Senate should abdicate their Constitutionally assigned roles of deciding whether the conduct of a Federal judge rises to the level of a high crime or misdemeanor and warrants the Judge's removal, and should instead defer to the Department of Justice on this issue. Judge Porteous maintains that impeachment and removal may only proceed upon conduct that resulted in a criminal prosecution, no matter how corrupt the conduct at issue, or what reasons explain the Department's decision not to prosecute. Judge Porteous provides no support for this contention because there is none—that is not what the Constitution provides.

Indeed, the Senate has by its prior actions made it clear that the decision as to whether a Judge's conduct warrants his removal from Office is the Constitutional prerogative of the Senate—not the Department of Justice—and the existence of a successful (or even an unsuccessful) criminal prosecution is irrelevant to the Senate's decision. The Senate has convicted and removed a Federal judge who was acquitted at a criminal trial (Judge Alcee Hastings). The Senate has also convicted a Federal judge for personal financial misconduct (Judge Harry Claiborne) while at the same time acquitting that same Judge of the Article that was based specifically on the fact of his criminal conviction.\1\ Thus, Judge Porteous's repeated references to what the Department of Justice did or did not do adds nothing to the Senate's evaluation of the charges or the facts in this case.\2\

Further, according to Judge Porteous, pre-Federal bench conduct cannot be the basis of Impeachment, even if that conduct consisted of egregious corrupt activities that was beyond the reach of criminal prosecution because the statute of limitations had run, and even if Judge Porteous fraudulently concealed that conduct from the Senate and the White House at the time of his nomination and confirmation. There is nothing in the Constitution to support this contention, and it flies in the face of common sense. The Senate is entitled to conclude that Judge Porteous's pre-Federal bench conduct reveals him to have been a corrupt state judge with his hand out under the table to bail bondsmen and lawyers. Such conduct, which, as alleged in Articles I and II, continued into his Federal bench tenure, demonstrates that he is not fit to be a Federal judge.

Finally, the notion that Judge Porteous is entitled to maintain a lifetime position of Federal judge that he obtained by acts that included making materially false statements to the United States Senate is untenable. Judge Porteous would turn the confirmation process into a sporting contest, in which, if he successfully were to conceal his corrupt background prior to the Senate vote and thereby obtain the position of a Federal judge, he is home free and the Senate cannot remove him.

ARTICLE I

The House of Representatives denies each and every statement in the Answer to Article I that denies the acts, knowledge, intent or wrongful conduct charged against Respondent.

FIRST AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense and further states that Article I sets forth an impeachable offense as defined in the Constitution of the United States.

SECOND AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, namely, that Article I is vague. To the contrary, Article I sets forth several precise and narrow factual assertions associated with Judge Porteous's handling of a civil case (the Liljeberg litigation), including allegations that Judge Porteous "denied a motion to recuse himself from the case, despite the fact that he had a corrupt financial relationship with the law firm of Amato & Creely, P.C. which had entered the case to represent Liljeberg" and that while that case was pending, Judge Porteous "solicited and accepted things of value from both Amato and his law partner Creely, including a payment of thousands of dollars in cash." There is no vagueness whatsoever in these allegations. Article I's allegation that Judge Porteous deprived the public and the Court of Appeals of his "honest services"—a phrase to which Judge Porteous raises a particular objection—could not he more clear and free of ambiguity as used in this Article, and accurately describes Judge Porteous's dishonesty in handling a case, including his distortion of the factual record so that his ruling on the recusal motion was not capable of appellate review.\3\

THIRD AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of the purported affirmative defense that Article I charges more than one offense. The plain reading of Article I is that Judge Porteous committed misconduct in his handling of the Liljeberg case by means of a course of conduct involving his financial relationships with the attorneys in that case and his failure to disclose those relationships or take other appropriate judicial action. The separate acts set forth in Article I constitute part of a single unified scheme involving Judge Porteous's dishonesty in handling Liljeberg. Further, the charges in this Article are fully consistent with impeachment precedent.\4\

FOURTH AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, which, in effect, seeks to suppress the voluntary statements of a highly educated and experienced Federal judge, made under oath, before other Federal judges. Judge Porteous was provided a grant of immunity in connection with his Fifth Circuit Hearing testimony, and the immunity order provided that his testimony from that proceeding could not be used against him in "any criminal case." Simply put, an impeachment trial is not a criminal case.\5\ Accordingly, there is simply no credible basis to argue that the Senate should not consider Judge Porteous's voluntary and immunized Fifth Circuit testimony.

ANSWER TO ARTICLE II

The House of Representatives denies each and every statement in the Answer to Article II that denies the acts, knowledge, intent or wrongful conduct charged against Respondent.

FIRST AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense and further states that Article II sets forth an impeachable offense as defined in the Constitution of the United States.

SECOND AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, namely, that the Article is vague. To the contrary, Article II sets forth several precise and narrow factual assertions associated with Judge Porteous's relationship with the Marcottes—both prior to and subsequent to Judge Porteous taking the Federal bench. Article II alleges with specificity the things of value given to Judge Porteous over time and identifies the judicial or other acts taken by Judge Porteous for the benefit of the Marcottes and their business.

THIRD AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, namely, that the Article improperly charges multiple offenses. The plain reading of Article II is that Judge Porteous engaged in a corrupt course of conduct whereby, over time, he solicited and accepted things of value from the Marcottes, and, in return, he took judicial acts or other acts while a judge to benefit the Marcottes and their business.

FOURTH AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, namely, that Article II improperly charges pre-Federal bench conduct as a basis for impeachment. First, Article II plainly alleges that Judge Porteous's corrupt relationship with the Marcottes continued while he was a Federal Judge. Second, Judge Porteous's assertion that pre-Federal bench conduct may not form a basis for impeachment finds no support in the Constitution and is not supported by any other sound legal or logical basis.\6\ As a factual matter, it is especially appropriate for the Senate to consider Judge Porteous's pre-Federal bench corrupt relationship with the Marcottes where it was affirmatively concealed from the Senate in the confirmation process, where it involved conduct as a judicial officer directly bearing on whether he was fit to hold a Federal judicial office, and where that conduct, having now been exposed, brings disrepute and scandal to the Federal bench.

ARTICLE III

The House of Representatives denies each and every statement in the Answer to Article 111 that denies the acts, knowledge, intent or wrongful conduct charged against Respondent.

FIRST AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense and further states that Article III sets forth an impeachable offense as defined in the Constitution of the United States.

SECOND AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, which alleges in substance that the allegations in Article III are vague. To the contrary, Article III sets forth several specific allegations associated with Judge Porteous's conduct in his bankruptcy proceedings. There is no credible contention that Judge Porteous cannot understand what he is charged with in this Article.

THIRD AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, which alleges, in substance, that Article III charges more than one offense. The plain reading of Article III is that Judge Porteous committed misconduct in his bankruptcy proceeding by making a series of false statements and representations, and by incurring new debt in violation of a Federal Bankruptcy Court order. This Article alleges a single unified fraud scheme, with the purpose of deceiving the bankruptcy court and creditors as to his assets and his financial affairs, so that Judge Porteous could enjoy undisclosed wealth and income for personal purposes including gambling.

FOURTH AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, which, in effect, seeks to suppress the voluntary statements of a highly educated and experienced Federal judge, made under oath, before other Federal judges. Judge Porteous was provided a grant of immunity in connection with his Fifth Circuit Hearing testimony, effectively eliminating the possibility that any of that testimony could be used against him in any criminal case. An impeachment trial is not a criminal case. There is simply no credible basis to argue that the Senate should not consider Judge Porteous's voluntary and immunized Fifth Circuit testimony.

FIFTH AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense—which does not take issue with the proposition that Judge Porteous committed misconduct in a Federal judicial bankruptcy proceeding, but contends only that the acts as alleged do not warrant impeachment. First, this is not an affirmative defense. It is up to the Senate to decide whether the facts surrounding the bankruptcy warrant impeachment.

Second, the Senate has in fact removed a judge for personal financial misconduct, and in 1986 convicted Federal Judge Harry Claiborne and removed him from office for evading taxes. It is significant that the Senate did not convict Judge Claiborne for the crime of evading taxes. Rather, the Senate acquitted Judge Claiborne of the one Article that charged him with having committed and having been convicted of a crime.

Third, what the Department of Justice may consider material for purposes of a criminal prosecution has nothing to do with what the Senate may deem to be material for purposes of determining whether Judge Porteous should be removed, from Office—an Office which requires that he oversee bankruptcy cases and administer and enforce the oath to tell the truth.\7\

ARTICLE IV

The House of Representatives denies each and every statement in the Answer to Article IV that denies the acts, knowledge, intent or wrongful conduct charged against Respondent.

FIRST AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense and further states that Article IV sets forth an impeachable offense as defined in the Constitution of the United States.

SECOND AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, which alleges the Article is vague. The allegations sets forth in Article IV are specific and precise. In fact, Judge Porteous's description of the charge fairly characterizes the offense: "In essence, Article IV alleges that Judge Porteous gave false answers on various forms that were presented in connection with the background investigation.... It is apparent, therefore, that Judge Porteous has a clear understanding of these allegations in Article IV, which specify the dates and circumstances when the statements were made, and the contents of the statements that are alleged to have been false. There is no credible contention that Article IV does not provide Judge Porteous specific notice as to what this Article alleges.

THIRD AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense. The allegations set forth in Article IV are specific and precise. They charge in substance that Judge Porteous made a series of false statements to conceal the fact of his improper and corrupt relationships with the Marcottes and with attorneys Creely and Amato in order to procure the position of

United States District Court Judge. Charging these four false statements, all involving a single issue, in a single Article is consistent with precedent.'

FOURTH AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, alleging that the Senate cannot impeach Judge Porteous based on pre-Federal bench conduct. First, Judge Porteous's assertion that pre-Federal bench conduct may not form a basis for impeachment is not supported by the Constitution. Notwithstanding Judge Porteous's assertions to the contrary, the Constitution does not limit Congress from considering pre-Federal bench conduct in deciding whether to impeach, and there are compelling reasons for Congress to consider such conduct—especially where such conduct consists of making materially false statements to the Senate. The logic of Judge Porteous's position is that he cannot be removed by the Senate, even though the false statements he made to the Senate concealed dishonest behavior that goes to the core of his judicial qualifications and fitness to hold the Office of United States District Court Judge. The proposition that the Senate lacks power under these circumstances to remedy the wrong committed by Judge Porteous is simply untenable.

Respectfully submitted,

THE UNITED STATES HOUSE OF REPRESENTATIVES

By
ADAM SCHIFF,
Manager.
BOB GOODLATTE,
Manager.
ALAN I. BARON,
Special Impeachment Counsel.

Managers of the House of Representatives: Adam B. Schiff, Bob Goodlatte, Zoe Lofgren, Henry C. "Hank" Johnson, F. James Sensenbrenner, Jr.

April 15, 2010.

ENDNOTES

\1\Judge Harry E. Claiborne was acquitted of Article III, charging that he "was found guilty by a twelve-person jury" of criminal violations of the tax code, and that "a judgement of conviction was entered against [him]." See "Impeachment of Harry E. Claiborne," H. Res. 471, 99th Cong., 2d Sess. (1986) (Articles of Impeachment); 132 Cong. Rec. S15761 (daily ed. Oct. 9, 1986) (acquitting him on Article III).

\2\Moreover, the Department of Justice's investigation hardly vindicated Judge Porteous. To the contrary, the Department viewed Judge Porteous's misconduct as so significant that it referred the matter to the Fifth Circuit for disciplinary review and potential impeachment, and set forth its findings in its referral letter.

\3\Judge Porteous treats Article I as if it alleges the criminal offense of "honest services fraud," in violation of Title 18, United States Code, Section 1346, and that because the term "honest services" has been challenged as vague in the criminal context, the term is likewise vague as used in Article I. Despite Judge Porteous's suggestion to the contrary, Article I does not allege a violation of the "honest services" statute. Moreover, it could hardly be contended that proof that Judge Porteous acted dishonestly in the performance of his official duties does not go to the very heart of the Senate's determination of whether he is fit to hold office.

\4\The respective Articles of Impeachment against Judges Halsted L. Ritter, Harold Louderback, and Robert W. Archbald each set forth lengthy descriptions of judicial misconduct arising from improper financial relationships between those judges and the private parties. These consist of detailed narration specifying numerous discrete acts. *See* "Impeachment of Judge Halsted L. Ritter, "H. Res. 422, 74th Cong., 2d Sess. (March 2, 1936) and "Amendments to Articles of Impeachment Against Halsted L. Ritter," H. Res. 471, 74th Cong., 2d Sess. (March 30, 1936), reprinted in "Impeachment, Selected Materials, House Comm. on the Judiciary," Comm. Print (1973) [hereinafter "1973 Committee Print"] at 188-197 (H. Res. 422), 198-2902 (H. Res. 471); ["Articles of Impeachment against Judge Robert W. Archbald"], H. Res. 622, 62d Cong., 2d Sess (1912), 48 Cong Rec. (House) July, 1912 (8705-08), reprinted in 1973 Committee Print at 176; and ["Articles of Impeachment against George W. English,"] Cong Rec. (House), Mar. 25, 1926 (6283-87), reprinted in 1973 Committee Print at 162.

\5\The Constitution makes it clear that impeachment was not considered by the Framers to be a criminal proceeding. It provides: "Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law." U.S. Const., Art. 3, cl. 7. Sec also, United States v. Nixon, 506 U.S. 224, 234 (1993) ("There are two additional reasons why the Judiciary, and the Supreme Court in particular, were not chosen to have any role in impeachments. First, the Framers recognized that most likely there would be two sets of proceedings for individuals who commit impeachable offenses—the impeachment trial and a separate criminal trial. In fact, the Constitution explicitly provides for two separate proceedings.... The Framers deliberately separated the two forums to avoid raising the specter of bias and to ensure independent judgments ...").

\6\As but one example, if the pre-Federal bench conduct consisted of treason, there could be no credible contention that such conduct would not provide a basis for impeachment.

\7\It should be noted that Judge Porteous has testified and cross-examined witnesses at the Fifth Circuit Hearing on the subject of his bankruptcy, and the House therefore possesses evidence that was unavailable to the Department of Justice.

\8\As but one example, Article III of the Articles of Impeachment against Judge Walter Nixon charged that he concealed material facts from the Federal Bureau of Investigation and the Department of Justice by making six, specified, false statements on April 18, 1984 at an interview, and by making seven discrete false statements under oath to the Grand Jury. "Impeachment of Walter L. Nixon, Jr.," H. Res. 87, 101st Cong., 1st Sess. (1989) (Article III).

WEDNESDAY, APRIL 21, 2010

IMPEACHMENT OF G. THOMAS PORTEOUS, JR.

REPLICATION-ERRATA OF HOUSE TO ANSWER OF THE RESPONDENT TO ARTICLES OF IMPEACHMENT

The PRESIDING OFFICER (Mr. BEGICH in the chair) laid before the Senate the replication-errata of the House of Representatives to the Answer of Judge G. Thomas Porteous, Jr., to the Articles of Impeachment against Judge Porteous, pursuant to S. Res. 457, 111th Congress, Second Session, which replication was received by the Secretary of the Senate on today; as follows:

CONGRESS OF THE UNITED STATES,
Washington, DC, April 21, 2010.

Re Impeachment of G. Thomas Porteous, Jr., United States District Judge for the Eastern District of Louisiana, Replication—Errata

Hon. Nancy Erickson,
Secretary of the Senate, U.S. Senate, Washington, DC.

Dear Ms. Erickson: On behalf of the House Managers, I am writing to inform the Senate of the following errata in the Replication that the House filed April 15, 2010.

Page 5, first sentence in the Section entitled "Fourth Affirmative Defense," the word "voluntary" should be deleted, so that the sentence now reads: "The House of Representatives denies each and every allegation of this purported affirmative defense, which, in effect, seeks to suppress

the statements of a highly educated and experienced Federal judge, made under oath, before other Federal judges."

Page 6, last sentence in the Section entitled "Fourth Affirmative Defense," the words "voluntary and" should be deleted, so that the sentence now reads: "Accordingly, there is simply no credible basis to argue that the Senate should not consider Judge Porteous's immunized Fifth Circuit testimony."

Page 9, first sentence in the Section entitled "Fourth Affirmative Defense," the word "voluntary" should be deleted, so that the sentence now reads: "The House of Representatives denies each and every allegation of this purported affirmative defense, which, in effect, seeks to suppress the statements of a highly educated and experienced Federal judge, made under oath, before other Federal judges."

Page 9, last sentence in the Section entitled "Fourth Affirmative Defense," the words "voluntary and" should be deleted, so that the sentence now reads: "There is simply no credible basis to argue that the Senate should not consider Judge Porteous's immunized Fifth Circuit testimony."

I would request that any future published versions of this Replication incorporate and reflect the above changes. Further, in that the Replication has been published in the Congressional Record, to the extent consistent with the Senate rules, we respectfully request that this letter likewise be published.

A copy of this letter will be served upon counsel for Judge Porteous today through electronic mail.

Sincerely,

ALAN I. BARON,
Special Impeachment Counsel.

THURSDAY, APRIL 22, 2010

IMPEACHMENT OF G. THOMAS PORTEOUS, JR.

AMENDED REPLICATION OF HOUSE TO ANSWER OF THE RESPONDENT TO ARTICLES OF IMPEACHMENT

The PRESIDING OFFICER (Mr. BURRIS in the chair) laid before the Senate the amended replication of the House of Representatives to the Answer of Judge G. Thomas Porteous, Jr., to the Articles of Impeachment against Judge Porteous, pursuant to S. Res. 457, 111th Congress, Second Session, which replication was received by the Secretary of the Senate on today; as follows:

CONGRESS OF THE UNITED STATES,
Washington, DC, Apr. 22, 2010.

Impeachment of G. Thomas Porteous, Jr., United States District Judge for the Eastern District of Louisiana, Amended Replication.

Hon. Nancy Erickson,
Secretary of the Senate, U.S. Senate, Washington, DC.

Dear Ms. Erickson: Enclosed please find the Amended Replication of the House of Representatives to the Answer of G. Thomas Porteous, Jr., to the Articles of Impeachment.

A copy of this letter and the Amended Replication will be served upon counsel for Judge Porteous today through electronic mail.

Sincerely,

ALAN I. BARON,
Special Impeachment Counsel.

[In the Senate of the United States Sitting as a Court of Impeachment]

IN RE: IMPEACHMENT OF G. THOMAS PORTEOUS, JR.

AMENDED

REPLICATION OF THE HOUSE OF REPRESENTATIVES TO THE ANSWER OF G. THOMAS PORTEOUS, JR., TO THE ARTICLES OF IMPEACHMENT

The House of Representatives, through its Managers and counsel, respectfully replies to the Answer to Articles of Impeachment as follows:

RESPONSE TO THE PREAMBLE

Judge Porteous in his Answer to the Articles of Impeachment, denies certain of the allegations and makes what are primarily technical arguments as to the charging language that do not address the factual substance of the allegations. However, it is in Judge Porteous's Preamble that he sets forth his real defense and, without denying he committed the conduct that is alleged in the Articles of Impeachment, insists that nevertheless he should not be removed from Office.

At several points in his Preamble, Judge Porteous notes that he was not criminally prosecuted by the Department of Justice, the implication being that the House and the Senate should abdicate their Constitutionally assigned roles of deciding whether the conduct of a Federal judge rises to the level of a high crime or misdemeanor and warrants the Judge's removal, and should instead defer to the Department of Justice on this issue. Judge Porteous maintains that impeachment and removal may only proceed upon conduct that resulted in a criminal prosecution, no matter how corrupt the conduct at issue, or what reasons explain the Department's decision not to prosecute. Judge Porteous provides no support for this contention because there is none—that is not what the Constitution provides.

Indeed, the Senate has by its prior actions made it clear that the decision as to whether a Judge's conduct warrants his removal from Office is the Constitutional prerogative of the Senate—not the Department of Justice—and the existence of a successful (or even an unsuccessful) criminal prosecution is irrelevant to the Senate's decision. The Senate has convicted and removed a Federal judge who was acquitted at a criminal trial (Judge Alcee Hastings). The Senate has also convicted a Federal judge for personal financial misconduct (Judge Harry Claiborne) while at the same time acquitting that same Judge of the Article that was based specifically on the fact of his criminal conviction.\1\ Thus, Judge Porteous's repeated references to what the Department of Justice did or did not do adds nothing to the Senate's evaluation of the charges or the facts in this case.\2\

Further, according to Judge Porteous, pre-Federal bench conduct cannot be the basis of Impeachment, even if that conduct consisted of egregious corrupt activities that was beyond the reach of criminal prosecution because the statute of limitations had run, and even if Judge Porteous fraudulently concealed that conduct from the Senate and the White House at the time of his nomination and confirmation. There is nothing in the Constitution to support this contention, and it flies in the face of common sense. The Senate is entitled to conclude that Judge Porteous's pre-Federal bench conduct reveals him to have been a corrupt state judge with his hand out under the table to bail bondsmen and lawyers. Such conduct, which, as alleged in Articles I and II, continued into his Federal bench tenure, demonstrates that he is not fit to be a Federal judge.

Finally, the notion that Judge Porteous is entitled to maintain a lifetime position of Federal judge that he obtained by acts that included making materially false statements to the United States Senate is untenable. Judge Porteous would turn the confirmation process into a sporting contest, in which, if he successfully were to conceal his corrupt background prior to the Senate vote and thereby obtain the position of a Federal judge, he is home free and the Senate cannot remove him.

ARTICLE I

The House of Representatives denies each and every statement in the Answer to Article I that denies the acts, knowledge, intent or wrongful conduct charged against Respondent.

FIRST AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense and further states that Article I sets forth an impeachable offense as defined in the Constitution of the United States.

SECOND AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, namely, that Article I is vague. To the contrary, Article I sets forth several precise and narrow factual assertions associated with Judge Porteous's handling of a civil case (the Liljeberg litigation), including allegations that Judge Porteous "denied a motion to recuse himself from the case, despite the fact that he had a corrupt financial relationship with the law firm of Amato & Creely, P.C. which had entered the case to represent Liljeberg" and that while that case was pending, Judge Porteous "solicited and accepted things of value from both Amato and his law partner Creely, including a payment of thousands of dollars in cash." There is no vagueness whatsoever in these allegations. Article I's allegation that Judge Porteous deprived the public and the Court of Appeals of his "honest services"—a phrase to which Judge Porteous raises a particular objection—could not be more clear and free of ambiguity as used in this Article, and accurately describes Judge Porteous's dishonesty in handling a case, including his distortion of the factual record so that his ruling on the recusal motion was not capable of appellate review.\3\

THIRD AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of the purported affirmative defense that Article I charges more than one offense. The plain reading of Article I is that Judge Porteous committed misconduct in his handling of the Liljeberg case by means of a course of conduct involving his financial relationships with the attorneys in that case and his failure to disclose those relationships or take other appropriate judicial action. The separate acts set forth in Article I constitute part of a single unified scheme involving Judge Porteous's dishonesty in handling Liljeberg. Further, the charges in this Article are fully consistent with impeachment precedent.\4\

FOURTH AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, which, in effect, seeks to suppress the statements of a highly educated and experienced Federal judge, made under oath, before other Federal judges. Judge Porteous was provided a grant of immunity in connection with his Fifth Circuit Hearing testimony, and the immunity order provided that his testimony from that proceeding could not be used against him in "any criminal case." Simply put, an impeachment trial is not a criminal case.\5\ Accordingly, there is simply no credible basis to argue that the Senate should not consider Judge Porteous's immunized Fifth Circuit testimony.

ANSWER TO ARTICLE II

The House of Representatives denies each and every statement in the Answer to Article II that denies the acts, knowledge, intent or wrongful conduct charged against Respondent.

FIRST AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense and further states that Article II sets forth an impeachable offense as defined in the Constitution of the United States.

SECOND AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, namely, that the Article is vague. To the contrary, Article II sets forth several precise and narrow factual assertions associated with Judge Porteous's relationship with the Marcottes—both prior to and subsequent to Judge Porteous taking the Federal bench. Article II alleges with specificity the things of value given to Judge Porteous over time and identifies the judicial or other acts taken by Judge Porteous for the benefit of the Marcottes and their business.

THIRD AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, namely, that the Article improperly charges multiple offenses. The plain reading of Article II is that Judge Porteous engaged in a corrupt course of conduct whereby, over time, he solicited and accepted things of value from the Marcottes, and, in return, he took judicial acts or other acts while a judge to benefit the Marcottes and their business.

FOURTH AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, namely, that Article II improperly charges pre-Federal bench conduct as a basis for impeachment. First, Article II plainly alleges that Judge Porteous's corrupt relationship with the Marcottes continued while he was a Federal Judge. Second, Judge Porteous's assertion that pre-Federal bench conduct may not form a basis for impeachment finds no support in the Constitution and is not supported by any other sound legal or logical basis.\6\ As a factual matter, it is especially appropriate for the Senate to consider Judge Porteous's pre-Federal bench corrupt relationship with the Marcottes where it was affirmatively concealed from the Senate in the confirmation process, where it involved conduct as a judicial officer directly bearing on whether he was fit to hold a Federal judicial office, and where that conduct, having now been exposed, brings disrepute and scandal to the Federal bench.

ARTICLE III

The House of Representatives denies each and every statement in the Answer to Article III that denies the acts, knowledge, intent or wrongful conduct charged against Respondent.

FIRST AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense and further states that Article III sets forth an impeachable offense as defined in the Constitution of the United States.

SECOND AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, which alleges in substance that the allegations in Article III are vague. To the contrary, Article III sets forth several specific allegations associated with Judge Porteous's conduct in his bankruptcy proceedings. There is no credible contention that Judge Porteous cannot understand what he is charged with in this Article.

THIRD AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, which alleges, in substance, that Article III charges more than one offense. The plain reading of Article III is that Judge Porteous committed misconduct in his bankruptcy proceeding by making a series of false statements and representations, and by incurring new debt in violation of a Federal Bankruptcy Court order. This Article alleges a single unified fraud scheme, with the purpose of deceiving the bankruptcy court and creditors as to his assets and his financial affairs, so that Judge Porteous could enjoy undisclosed wealth and income for personal purposes—including gambling.

FOURTH AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, which, in effect, seeks to suppress the statements of a highly educated and experienced Federal judge, made under oath, before other Federal judges. Judge Porteous was provided a grant of immunity in connection with his Fifth Circuit Hearing testimony, effectively eliminating the possibility that any of that testimony could be used against him in any criminal case. An impeachment trial is not a criminal case. There is simply no credible basis to argue that the Senate should not consider Judge Porteous's immunized Fifth Circuit testimony.

FIFTH AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense—which does not take issue with the proposition that Judge Porteous committed misconduct in a Federal judicial bankruptcy proceeding, but contends only that the acts as alleged do not warrant

impeachment. First, this is not an affirmative defense. It is up to the Senate to decide whether the facts surrounding the bankruptcy warrant impeachment.

Second, the Senate has in fact removed a judge for personal financial misconduct, and in 1986 convicted Federal Judge Harry Claiborne and removed him from office for evading taxes. It is significant that the Senate did not convict Judge Claiborne for the crime of evading taxes. Rather, the Senate acquitted Judge Claiborne of the one Article that charged him with having committed and having been convicted of a crime.

Third, what the Department of Justice may consider material for purposes of a criminal prosecution has nothing to do with what the Senate may deem to be material for purposes of determining whether Judge Porteous should be removed from Office—an Office which requires that he oversee bankruptcy cases and administer and enforce the oath to tell the truth.'

ARTICLE IV

The House of Representatives denies each and every statement in the Answer to Article IV that denies the acts, knowledge, intent or wrongful conduct charged against Respondent.

FIRST AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense and further states that Article IV sets forth an impeachable offense as defined in the Constitution of the United States.

SECOND AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, which alleges the Article is vague. The allegations sets forth in Article IV are specific and precise. In fact, Judge Porteous's description of the charge fairly characterizes the offense: "In essence, Article IV alleges that Judge Porteous gave false answers on various forms that were presented in connection with the background investigation. ..." It is apparent, therefore, that Judge Porteous has a clear understanding of these allegations in Article IV, which specify the dates and circumstances when the statements were made, and the contents of the statements that are alleged to have been false. There is no credible contention that the Article IV does not provide Judge Porteous specific notice as to what this Article alleges.

THIRD AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense. The allegation sets forth in Article IV are specific and precise. They charge in substance that Judge Porteous made a series of false statements to conceal the fact of his improper and corrupt relationships with the Marcottes and with attorneys Creely and Amato in order to procure the position of United States District Court Judge. Charging these four false statements, all involving a single issue, in a single Article is consistent with precedent.\8\

FOURTH AFFIRMATIVE DEFENSE

The House of Representatives denies each and every allegation of this purported affirmative defense, alleging that the Senate cannot impeach Judge Porteous based on pre-Federal bench conduct. First, Judge Porteous's assertion that pre-Federal bench conduct may not form a basis for impeachment is not supported by the Constitution. Notwithstanding Judge Porteous's assertions to the contrary, the Constitution does not limit Congress from considering pre-Federal bench conduct in deciding whether to impeach, and there are compelling reasons for Congress to consider such conduct—especially where such conduct consists of making materially false statements to the Senate. The logic of Judge Porteous's position is that he cannot be removed by the Senate, even though the false statements he made to the Senate concealed dishonest behavior that goes to the core of his judicial qualifications and fitness to hold the Office of United States District Court Judge. The proposition that the Senate lacks power under these circumstances to remedy the wrong committed by Judge Porteous is simply untenable.

Respectfully submitted,

THE U.S. HOUSE OF REPRESENTATIVES
By

ADAM SCHIFF,
Manager,
BOB GOODLATTE,
Manager,
ALAN I. BARON,
Special Impeachment Counsel.

Managers of the House of Representatives: Adam B. Schiff, Bob Goodlatte, Zoe Lofgren, Henry C. "Hank" Johnson, F. James Sensenbrenner, Jr.

April 22, 2010.

ENDNOTES

\1\Judge Harry E. Claiborne was acquitted of Article III, charging that he "was found guilty by a twelve-person jury" of criminal violations of the tax code, and that "a judgement of conviction was entered against [him]." See "Impeachment of Harry E. Claiborne," H. Res. 471, 99th Cong., 2d Sess. (1986) (Articles of Impeachment); 132 Cong. Rec. S 15761 (daily ed. Oct. 9, 1986) (acquitting him on Article III).

\2\Moreover, the Department of Justice's investigation hardly vindicated Judge Porteous. To the contrary, the Department viewed Judge Porteous's misconduct as so significant that it referred the matter to the Fifth Circuit for disciplinary review and potential impeachment, and set forth its findings in its referral letter.

\3\Judge Porteous treats Article I as if it alleges the criminal offense of "honest services fraud," in violation of Title 18, United States Code, Section 1346, and that because the term "honest services" has been challenged as vague in the criminal context, the term is likewise vague as used in Article I. Despite Judge Porteous's suggestion to the contrary, Article I does not allege a violation of the "honest services" statute. Moreover, it could hardly be contended that proof that Judge Porteous acted dishonestly in the performance of his official duties does not go to the very heart of the Senate's determination of whether he is fit to hold office.

\4\The respective Articles of Impeachment against Judges Halsted L. Ritter, Harold Louderback, and Robert W. Archbald each set forth lengthy descriptions of judicial misconduct arising from improper financial relationships between those judges and the private parties. These consist of detailed narration specifying numerous discrete acts. See "Impeachment of Judge Halsted L. Ritter," H. Res. 422, 74th Cong., 2d Sess. (March 2, 1936) and "Amendments to Articles of Impeachment Against Halsted L. Ritter," H. Res. 471, 74th Cong., 2d Sess. (March 30, 1936), reprinted in "Impeachment, Selected Materials, House Comm. on the Judiciary," Comm. Print (1973) [hereinafter "1973 Committee Print"] at 188-197 (H. Res. 422), 198-202 (H. Res. 471); ["Articles of Impeachment against Judge Robert W. Archbald"], H. Res. 622, 62d Cong., 2d Sess (1912), 48 Cong Rec. (House) July 8, 1912 (8705-08), reprinted in 1973 Committee Print at 176; and ["Articles of Impeachment against George W. English,"] Cong Rec. (House), Mar. 25, 1926 (6283-87), reprinted in 1973 Committee Print at 162.

\5\The Constitution makes it clear that impeachment was not considered by the Framers to be a criminal proceeding. It provides: "Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law." U.S. Const., Art. 3, cl. 7. See also, *United States v. Nixon*, 506 U.S. 224, 234 (1993) ("There are two additional reasons why the Judiciary, and the Supreme Court in particular, were not chosen to have any role in impeachments. First, the Framers recognized that most likely there would be two sets of proceedings for individuals who commit impeachable offenses—the impeachment trial and a separate criminal trial. In fact, the Constitution explicitly provides for two separate proceedings. ... The Framers deliberately separated the two forums to

avoid raising the specter of bias and to ensure independent judgments ...").

\6\As but one example, if the pre-Federal bench conduct consisted of treason, there could be no credible contention that such conduct would not provide a basis for impeachment.

\7\It should be noted that Judge Porteous has testified and cross-examined witnesses at the Fifth Circuit Hearing on the subject of his bankruptcy, and the House therefore possesses evidence that was unavailable to the Department of Justice.

\8\As but one example, Article III of the Articles of Impeachment against Judge Walter Nixon charged that he concealed material facts from the Federal Bureau of Investigation and the Department of Justice by making six, specified, false statements on April 18, 1984 at an interview, and by making seven discrete false statements under oath to the Grand Jury. "Impeachment of Walter L. Nixon, Jr.," H. Res. 87, 101st Cong., 1st Sess. (1989) (Article III).

MONDAY, JULY 19, 2010

IMPEACHMENT TRIAL COMMITTEE RULES

Mrs. McCASKILL. Mr. President, on April 13, 2010, the Impeachment Trial Committee on the Articles of Impeachment Against Judge G. Thomas Porteous, Jr., adopted two rules to govern aspects of its pretrial proceedings. On July 14, 2010, the committee adopted two additional rules.

The first rule, adopted pursuant to rule 26.7(a)(1) of the Standing Rules of the Senate, establishes seven members as the committee quorum. In the interest of fairness and continuity, and consistent with prior impeachment trials, the committee adopted this rule and established a "natural" quorum of at least seven of its members to receive evidence and conduct the business of the committee.

The second rule delegates the authority of the committee to the chairman and vice chairman to conduct the daily operations of the committee. This includes, but is not limited to, hiring staff, issuing administrative orders, ensuring compliance with those orders, communicating with counsel for the parties, determining a course of proceeding, and for any other purposes necessary for the committee to discharge its responsibilities and address any other administrative or procedural matters.

The third rule delegates to the chairman, in consultation with the vice chairman, the committee's authority to issue subpoenas for witnesses called to testify or produce documents during all committee proceedings. Senate impeachment rule XI grants to the Impeachment Trial Committee the power granted by Senate impeachment rule VI to the Senate "to compel the attendance of witnesses."

The fourth rule, adopted pursuant to rule 26.7(a)(2) of the Standing Rules of the Senate, reduces to one member the committee quorum for taking sworn pretrial testimony. Judge Porteous has asked to examine certain witnesses in advance of the committee's evidentiary hearings, which will begin on September 13, 2010. Although the pretrial examination of witnesses in a Senate impeachment trial remains rare, the committee has concluded that it should, in the circumstances of the present impeachment, permit a limited number of them. The rule implements the committee's determination that pretrial examinations may proceed before a quorum of one member. As with prior impeachment proceedings, and pursuant to the rules of this committee, the evidentiary hearings will take place in the presence of a natural quorum of at least 7 of its 12 members.

I ask unanimous consent to have those rules printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RULE 1—DELEGATION OF AUTHORITY

The Chairman and Vice Chairman are delegated the authority to communicate as necessary with House counsel and counsel to Judge Porteous, for the purpose of determining a course of proceeding, pretrial and trial scheduling, and for any other purposes necessary for the Committee to discharge its responsibilities. The Chairman and Vice Chairman are further delegated the authority to address any other administrative or procedural matters necessary for the Committee to discharge its responsibilities.

RULE 2—QUORUM FOR RECEIVING EVIDENCE

A natural number of seven members shall constitute a quorum for the purpose of receiving evidence.

RULE 3—SUBPOENAS

The Chairman and Vice Chairman are delegated the authority to issue subpoenas on behalf of the Committee.

RULE 4—QUORUM FOR THE TAKING OF PRETRIAL TESTIMONY

One member shall constitute a quorum for the purpose of a pretrial examination of a witness at which sworn testimony is heard and evidence taken.

WEDNESDAY, AUGUST 4, 2010

AUTHORITY FOR COMMITTEE TO MEET

By unanimous consent, on the request of Mr. SPECTER,

Ordered, That the following committee be authorized to meet during the session of the Senate:

IMPEACHMENT TRIAL COMMITTEE

The Impeachment Trial Committee on the Articles Against Judge G. Thomas Porteous, Jr. be authorized to meet during the session of the Senate on August 4, 2010, at 1 p.m.

MONDAY, NOVEMBER 15, 2010

AUTHORITY FOR IMPEACHMENT COMMITTEE TO REPORT

By unanimous consent, on the request of Mr. WYDEN,

Ordered, That the Senate impeachment committee be authorized to file its report with respect to the impeachment of Judge Porteous, on tomorrow from 12 noon until 2 p.m., notwithstanding an adjournment.

TUESDAY, NOVEMBER 16, 2010

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Pursuant to the provision of resolution S. Res. 458, and

Under the authority of the order of the Senate of November 15, 2010, the following report of a committee was submitted on today:

By Mrs. McCASKILL, from the Committee on Impeachment Trial Committee (Porteous), under the authority of the order of the Senate of November 15, 2010.

Special Report entitled "Report of the Impeachment Trial Committee on the Articles Against Judge G. Thomas Porteous, Jr." (Rept. No. 111-347).

TUESDAY, DECEMBER 7, 2010

QUESTION OF A QUORUM

Mr. REID raised a question as to the presence of a quorum.

Whereupon,

The ACTING PRESIDENT pro tempore directed the roll to be called.

Pending ascertainment of a quorum.

When

Seventy-eight Senators answered to their names, as follows:

[Quorum No. 6]

Akaka, Alexander, Barrasso, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Bunning, Burr, Cantwell, Cardin, Carper, Casey, Chambliss, Coburn, Collins, Conrad, Coons, Corker, Cornyn, Crapo, DeMint, Dorgan, Durbin, Enzi, Feingold, Feinstein, Franken, Gillibrand, Grassley, Gregg, Hagan, Hatch, Inouye, Isakson, Johanns, Johnson, Kerry, Kirk, Klobuchar, Kyl, Leahy, LeMieux, Levin, Lugar, Manchin, McCain, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Risch, Roberts, Rockefeller, Schumer, Sessions, Snowe, Stabenow, Tester, Thune, Udall (NM), Vitter, Voinovich, Warner, Webb, Wyden.

The PRESIDENT pro tempore announced that a quorum was present.

IMPEACHMENT OF G. THOMAS PORTEOUS, JR.

A quorum having been established,

At 10 o'clock and 12 minutes a.m.,

Pursuant to the order of yesterday,

The Senate resumed its consideration of the Articles of Impeachment against G. Thomas Porteous, Jr., Judge of the United States District Court for the Eastern District of Louisiana.

The managers appointed by the House of Representatives to conduct the trial, to wit, namely, Mr. SCHIFF, Ms. GOODLATTE, Mr. JOHNSON of Georgia, and Mr. SENSENBRENNER, and their counsel, entered the Chamber and took seats provided for them; and

The respondent, Judge G. Thomas Porteous, Jr., and his counsel, having done the same,

The PRESIDENT pro tempore directed the Sergeant at Arms to make proclamation; whereupon

The Sergeant at Arms made proclamation, as follows:

"Hear ye! Hear ye! Hear ye! All persons are commanded to keep silence on pain of imprisonment while the Senate of the United States is sitting for the trial of the Articles of Impeachment exhibited by the House of Representatives against G. Thomas Porteous, Jr., United States District Judge for the Eastern District of Louisiana."

The PRESIDENT pro tempore recognized Mr. REID, who made the following statement:

Mr. President, on March 17, 2010, the House of Representatives exhibited to the Senate four articles of impeachment against U.S. District Judge G. Thomas Porteous, Jr., of the Eastern District of Louisiana. Judge Porteous was summoned to answer, which he did on April 7, 2010, and the House of Representatives filed a reply to the answer on April 17, 2010.

On the same day that the articles of impeachment were exhibited to the Senate, Members present in the Chamber were administered the oath, as required by the Constitution for impeachment trials. Those Senators who were not present to take the oath, and those who have been elected to this body since the oath was administered, should be sworn today.

However, before the oath is administered to those Senators not yet sworn, there is one preliminary matter to be addressed. The Senator from Illinois, Mr. KIRK, was a Member of the House of Representatives during this Congress when the House voted on the articles of impeachment. If the Senator wishes to make a statement about his participation in the Senate phase of this impeachment, this would be an appropriate time to do so.

Mr. KIRK was recognized, and asked that he be recused from further participation in the present proceedings, and stated his reasons therefor; and the PRESIDENT pro tempore stated that Mr. KIRK was excused from further participation in this impeachment for the reasons stated.

The PRESIDENT pro tempore recognized Mr. REID, who made the following statement:

Mr. President, the remaining preliminary matter is to administer the impeachment oath to the other newly elected Members of the Senate, and any Member of the Senate who did not take the oath when the articles of impeachment were first exhibited.

Article I, section 3, clause 6 of the Constitution provides in part: The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation.

The impeachment oath that was taken by Members of the Senate earlier this session remains in effect. The four current Members who did not take the oath at that time have been so advised by the Secretary of the Senate. The two newly elected Members also should be sworn now.

The PRESIDENT pro tempore directed those Senators who had not been sworn to rise and raise their right hands; and he administered to them the following oath, and they subscribed to the same: Do you solemnly swear that in all things appertaining to the trial of the impeachment of G. Thomas Porteous, Jr., Judge of the United States District Court for the Eastern District of Louisiana, now pending, you will do impartial justice according to the Constitution and laws. So help you God?

The following-named Senators are recorded as having subscribed to the oath:

BENNETT, COONS, JOHNSON, LEAHY, MANCHIN, and WYDEN.

Mr. REID was recognized, and then made the following statement:

Mr. President, the Secretary will note the names of the Senators who have been sworn and will present to them for signature the book, which is the Senate's permanent record of the taking of the impeachment oath by the Members of this body.

The PRESIDENT pro tempore recognized Mr. REID, who made the following statement and inquiries of the President pro tempore, whose responses are indicated:

Mr. President, on March 17, 2010, the PRESIDENT pro tempore appointed, pursuant to Senate Resolution 458, Senators MCCASKILL, HATCH, KLOBUCHAR, WHITEHOUSE, TOM UDALL, SHAHEEN, Kaufman, BARRASSO, DEMINT, JOHANNS, RISCH, and WICKER to perform the duties provided for by Rule XI of the Senate's impeachment rules.

Under the leadership of its chairman, the Senator from Missouri [Mrs. MCCASKILL] and its vice chairman, the Senator from Utah [Mr. HATCH], the committee heard five days of testimony between September 13 and September 21. During that time the committee heard from 26 witnesses, 14 who were called by the House of Representatives and 12 witnesses who were called by Judge Porteous. The committee also conducted pretrial depositions of four witnesses and admitted into evidence the testimony of a number of witnesses, including Judge Porteous, who had testified in prior proceedings, more than 300 factual stipulations, and hundreds of exhibits.

Mr. President, the Senate is indebted to all of the Members of this committee, who so conscientiously discharged their responsibility in this important constitutional matter. In addition to the committee's leadership, I would like to take particular note of the contribution of Senator Kaufman, who actively participated in the committee's proceedings, although his tenure in the Senate concluded before the committee filed the report of its proceedings in the Senate.

The committee filed its report on November 16, and the report was received as Senate Report 111-347. In accordance with impeachment Rule XI, the committee certified that Senate Hearing Report 111-691, which reprints the committee's proceedings, is a transcript of the proceedings and testimony had and given before the committee.

Before proceeding further, I would like to verify with the Presiding Officer that the evidence and testimony received by the

Senate from the committee shall, as prescribed in Rule XI, "be considered to all intents and purposes, subject to the right of the Senate to determine competency, relevancy and materiality, as having been received and taken before the Senate . . ." Will the Presiding Officer advise the Senate whether this is correct?

The PRESIDENT pro tempore. The majority leader is correct. The testimony and other evidence reported by the committee will be considered, in accordance with impeachment Rule XI, as having been received and taken before the Senate. The majority leader is recognized.

Mr. REID. Mr. President, Rule XI provides that the Senate's receipt of evidence reported by the committee is subject to the Senate's right to determine competency, relevancy and materiality. Further, Rule XI explicitly provides that nothing in it prevents the Senate from sending for any witness and hearing that witness's testimony in open Senate, or by order of the Senate having the entire trial before the full Senate.

Will the Presiding Officer advise the Senate whether, following the report of the committee, any motions have been filed asking that any witnesses be heard in open Senate?

The PRESIDENT pro tempore. In response to the majority leader, neither party, following the report of the committee, has moved that any witness be called in open Senate and the Senate may now proceed to hear final arguments on the basis of the record reported by its committee. The majority leader is recognized.

Mr. REID. Mr. President, the parties have filed their final written briefs, and the Senate is now ready to hear argument. Prior to consideration of the articles of impeachment, Judge Porteous has requested time to present argument on three motions that take issue with the sufficiency under the Constitution of several aspects of the impeachment articles framed by the House. First, Judge Porteous has moved to dismiss Article II, or for alternative relief, based on the House's inclusion of allegations of misconduct occurring prior to the commencement of the Judge's federal service as a United States District Judge. Second, Judge Porteous has moved to dismiss Article I, or for alternative relief, based on the House's inclusion of unconstitutionally vague allegations that Judge Porteous's conduct deprived the public of its right to the honest services of his office. Third, Judge Porteous objects to the manner in which each article of impeachment was framed to aggregate discrete allegations of misconduct. He accordingly moves to dismiss the articles of impeachment or seeks alternative curative relief. The parties' written arguments on those legal issues are addressed in their post-trial briefs, as well as the motion papers submitted by the parties to the committee, which are available to all Members. In accordance with the unanimous-consent agreement, each side will be permitted no more than one hour to present its argument on the motions.

Upon the conclusion of argument on the motions, the Senate will then turn to hearing final argument by the parties on the impeachment articles. Under impeachment Rule XXII, final argument will be opened and closed by the House. By unanimous consent, each party shall have up to one and one-half hours to present final argument on the merits.

As the Senate has done in the past, we have provided that counsel may face the full Senate during their presentations. They should remain mindful, nevertheless, that the proceedings are under the direction of the Presiding Officer. On their part, Senators should recall that any questions they have of counsel should, pursuant to impeachment Rule XIX, "be reduced to writing, and put by the Presiding Officer." There is assistance available in the respective cloakrooms to aid Members in putting any questions in writing. Questions may be sent to the Chair during the argument, for reading by the Chair at the appropriate times.

The managers on behalf of the House of Representatives -- Representative SCHIFF, Representative GOODLATTE, and Representative JOHNSON, Representative SENSENBRENNER – and special impeachment counsel to the House, Alan Baron, are present at the managers' table. Jonathan Turley, Daniel C. Schwartz, P.J. Meitl, and Daniel T. O'Connor are counsel to Judge Porteous and are present with him.

Mr. President, the motions will be argued first by Jonathan Turley, counsel to the judge, who is the moving party. By the unanimous consent order, argument on the motions on behalf of the House will be divided between Representative SCHIFF and Representative GOODLATTE. Mr. Turley may, under the unanimous consent agreement, reserve a portion of Judge Porteous's time for rebuttal.

For the argument on the articles, the managers will likewise divide their time between the two managers, and Mr. Turley will present argument on behalf of Judge Porteous. Under impeachment Rule XXII, the House will open and close final argument on the impeachment articles.

The PRESIDENT pro tempore recognized Mr. Turley, counsel for Judge Porteous, to open the argument of the respondent, who indicated he wished to reserve 20 minutes for rebuttal.

Upon the conclusion of the remarks by Mr. Turley,

The PRESIDENT pro tempore stated that the Chair heretofore had not received written questions of counsel, and thereupon recognized Mr. SCHIFF, a manager on the part of the House of Representatives, who opened the argument for the House in opposition to the motions.

Upon the conclusion of the remarks by Mr. SCHIFF,

Mr. Turley was recognized for rebuttal.

Upon the conclusion of the remarks by Mr. Turley,

The PRESIDENT pro tempore, on behalf of Mr. DURBIN, directed a question to both the managers on the part of the House, and to the counsel for the respondent; and Mr. Turley responded thereto for Judge Porteous, and Mr. SCHIFF made response thereto for the House managers.

The PRESIDENT pro tempore, on behalf of Mr. LEAHY, directed a question to both the managers on the part of the House, and to the counsel for the respondent; and Mr. Turley responded thereto for Judge Porteous, and Mr. SCHIFF made response thereto for the House managers.

The PRESIDENT pro tempore stated that argument on the motions was concluded; and

LEGISLATIVE SESSION

Pursuant to the order of yesterday,

The Senate resumed its legislative session.

Pending debate,

RECESS

Pursuant to the order of yesterday, as modified,

At 12:49 p.m.,

The PRESIDING OFFICER (Mrs. SHAHEEN in the chair) declared the Senate recessed until 2:30 p.m.

AT 2:30 P.M.

The PRESIDING OFFICER (Mr. BEGICH in the chair) called the Senate to order.

QUESTION OF A QUORUM

Mr. DURBIN raised a question as to the presence of a quorum.

Whereupon,

The PRESIDING OFFICER directed the roll to be called.

Pending ascertainment of a quorum.

When

Fifty-seven Senators answered to their names, as follows:

[Quorum No. 7]

Akaka, Alexander, Barrasso, Begich, Bennet, Bennett, Bingaman, Bond, Brown (OH), Burr, Cantwell, Cardin, Coburn, Cochran, Collins, Crapo, Dorgan, Durbin, Enzi, Feingold, Franken, Grassley, Gregg, Hagan, Hatch, Inouye, Isakson, Johanns, Klobuchar, Kyl, Leahy, Levin, Lugar, McCain, McCaskill, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Whitehouse, Wyden.

The PRESIDENT pro tempore announced that a quorum was present.

IMPEACHMENT OF G. THOMAS PORTEOUS, JR.

Pursuant to the order of yesterday,

The Senate resumed its consideration of the Articles of Impeachment against G. Thomas Porteous, Jr., Judge of the United States District Court for the Eastern District of Louisiana.

The managers appointed by the House of Representatives to conduct the trial, and their counsel, having takens seats provided them in the Chamber, and

The respondent, Judge G. Thomas Porteous, Jr., having done likewise,

The PRESIDENT pro tempore recognized Mr. SCHIFF, a manager on the part of the House of Representatives, to open the final argument for the House on the Articles of Impeachment (Mr. SCHIFF reserved such time of the managers as might remain after arguments by himself and Mr. GOODLATTE).

Upon conclusion of remarks by Mr. SCHIFF,

Mr. GOODLATTE, a manager on the part of the House of Representatives, was recognized to continue the final argument for the House; and

Upon conclusion of remarks by Mr. GOODLATTE,

Mr. Turley, counsel for the defendant, was recognized for the final argument in support of the motions.

Upon conclusion of remarks by Mr. Turley,

The PRESIDENT pro tempore, on behalf of Mr. FRANKEN, directed a question to the respondent; and Mr. Turley responded thereto for Judge Porteous.

The PRESIDENT pro tempore, on behalf of Mr. SPECTER, directed a question to the respondent; and Mr. Turley responded thereto for Judge Porteous.

The PRESIDENT pro tempore, on behalf of Mr. WYDEN, directed a question to the respondent; and Mr. Turley responded thereto for Judge Porteous.

By unanimous consent, on the request of Mr. REID,

Ordered, That floor privilege during closed door session be granted to the following:

IMPEACHMENT CLOSED SESSION FLOOR PRIVILEGES

Parliamentarians: Alan Frumin, Elizabeth MacDonough, Peter Robinson, Leigh Hildebrand.

Legislative Clerks: Kathie Alvarez, John Merlino, Mary Anne Clarkson.

Journal Clerks: Scott Sanborn, William Walsh, Ken Dean.

Official Reporters: Valentin Mihalache, Pam Garland, Joel Breitner, Mark Stuart, Rebecca Eyster, Patrick Renzi, Julie Bryan and Paul Nelson.

Executive Clerk's Office: Jennifer Gorham.

Majority Leader: Gavin Parke, Mike Castellano, Serena Hoy, Gary Myrick.

Republican Leader's Office: John Abegg.

Democratic Secretary's Office: Tim Mitchell, Tricia Engle, Meredith Mellody.

Republican Secretary's Office: Laura Dove, Jody Hernandez.

CLOSED SESSION

On motion by Mr. REID, pursuant to Impeachment Rule XX, that the Senate now close its doors to commence deliberations on the motions and impeachment articles.

At five o'clock and 45 minutes p.m.,

The PRESIDENT pro tempore stated that the Senate now close its doors and only Members and staff granted floor privileges may remain. The Sergeant at Arms will ensure the Chamber, the galleries, and the adjoining corridors are cleared of unauthorized persons.

The Senate resumed consideration of deliberations on the Articles of Impeachment against Judge G. Thomas Porteous, Jr.

After deliberations in closed door session,

At seven o'clock and 56 minutes p.m.,

The Senate returned to open session, and resumed its (regular) legislative session.

TUESDAY, DECEMBER 7, 2010

ORDERS FOR ADJOURNMENT UNTIL 9:30 A.M. ON TOMORROW, AND FOR PROGRAM

By unanimous consent, on the request of Mr. REID,

Ordered, That, when the Senate concludes its business on today, it adjourn until 9:30 a.m. on tomorrow; that, on tomorrow, immediately following the prayer and reciting of the Pledge of Allegiance to the Flag of the United States of America, the Journal of the proceedings of the Senate be approved to date, the morning hour be deemed expired, and the times for the two leaders be reserved; and that the Senate then resume the Court of Impeachment of Judge G. Thomas Porteous.

WEDNESDAY, DECEMBER 8, 2010

QUESTION OF A QUORUM

Mr. REID raised a question as to the presence of a quorum.

Whereupon,

The ACTING PRESIDENT pro tempore directed the roll to be called.

Pending ascertainment of a quorum.

When

Eighty-three Senators answered to their names, as follows:

[Quorum No. 8]

Akaka, Alexander, Barrasso, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Bunning, Burr, Cantwell, Cardin, Casey, Chambliss, Coburn, Cochran, Collins, Conrad, Coons, Corker, Cornyn, Crapo, DeMint, Dorgan, Durbin, Ensign, Enzi, Feingold, Feinstein, Franken, Gillibrand, Graham, Grassley, Gregg, Hagan, Harkin, Inhofe, Inouye, Isakson, Johanns, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Leahy, LeMieux, Levin, Lieberman, Lugar, Manchin, McCain, McCaskill, McConnell, Menendez, Merkley, Murkowski, Murray, Nelson (NE), Nelson (FL), Reed, Reid, Risch, Roberts, Schumer, Shaheen, Shelby, Snowe, Specter, Tester, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Webb, Whitehouse, Wicker, Wyden.

The PRESIDENT pro tempore announced that a quorum was present.

IMPEACHMENT OF G. THOMAS PORTEOUS, JR.

A quorum having been established,

At 9 o'clock and 55 minutes a.m.,

Pursuant to the order of yesterday,

The Senate resumed its consideration of the Articles of Impeachment against G. Thomas Porteous, Jr., Judge of the United States District Court for the Eastern District of Louisiana.

The managers appointed by the House of Representatives to conduct the trial, to wit, namely, Mr. SCHIFF, Ms. GOODLATTE, Mr. JOHNSON of Georgia, and Mr. SENSENBRENNER, and their counsel, entered the Chamber and took seats provided for them; and

The respondent, Judge G. Thomas Porteous, Jr., and his counsel, having done the same,

The PRESIDENT pro tempore directed the Sergeant at Arms to make proclamation; whereupon

The Sergeant at Arms made proclamation, as follows:

"Hear ye! Hear ye! Hear ye! All persons are commanded to keep silence on pain of imprisonment while the Senate of the United States is sitting for the trial of the Articles of Impeachment exhibited by the House of Representatives against G. Thomas Porteous, Jr., United States District Judge for the Eastern District of Louisiana."

The PRESIDENT pro tempore recognized Mr. REID, who made the following statement and inquiry of the President pro tempore, whose response is indicated:

Mr. President, the Senate deliberated yesterday evening for a long time on the Articles of Impeachment against Judge

Porteous and related motions. We meet today to vote on the articles.

Before proceeding to vote on each of the articles, however, the Senate has agreed to vote on a motion that notwithstanding impeachment rule No. XXIII, the Senate shall disaggregate the Articles of Impeachment by holding preliminary votes on individual allegations in the articles.

Can the Chair confirm, for the benefit of Senators, that a "yes" vote is a vote to disaggregate the articles sought by Judge Porteous and a "no" vote is a vote to proceed directly to voting on the four Articles of Impeachment.

The PRESIDENT pro tempore. Before I proceed, will the panel be seated.

The majority leader is correct. The Senate will now vote on the motion to disaggregate the articles. Granting the motion requires a majority of Senators present.

The question being on agreeing question of agreeing to the motion of Judge Porteous, through his counsel, to disaggregate the Articles of Impeachment, notwithstanding provisions of rule XXIII of the Rules and Procedure in the Senate When Sitting on Impeachment Trials.

The question being taken.

It was determined in the negative---
yeas... 0, nays... 94

[Rollcall Vote No. 260 Imp.]

NAYS --- 94

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Bunning, Burr, Cantwell, Cardin, Casey, Chambliss, Coburn, Cochran, Collins, Conrad, Coons, Corker, Cornyn, Crapo, DeMint, Dorgan, Durbin, Ensign, Enzi, Feingold, Feinstein, Franken, Gillibrand, Graham, Grassley, Gregg, Hagan, Harkin, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lugar, Manchin, McCain, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Risch, Roberts, Rockefeller, Schumer, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Whitehouse, Wicker, Wyden.

So the motion was not agreed to.

On motion by Mr. REID to reconsider the vote disagreeing to the motion.

On motion by Mr. MCCONNELL,

The motion to reconsider was laid on the table.

By unanimous consent, on the request of Mr. REID,

Ordered, That Senators be permitted, within 7 days from today, to have printed in the Record opinions or statements explaining their votes; and that the Secretary be authorized to include these statements, along with the record of the Senate's proceedings, in a Senate document printed to complete the documentation of the Senate's handling of these impeachment proceedings.

Mr. REID was recognized, and made the following statement: Mr. President, I remind all Senators to remain in their seats during voting on all four Articles of Impeachment. Under impeachment rule XXII, once we have begun voting on the first article, voting will proceed on each of the Articles of Impeachment. When their name is called, Senators shall rise from their seat and cast their vote. This will ensure that a decorum of the Senate is maintained while these grave proceedings are underway. These proceedings affect not only Judge Porteous but also the Senate and our system of government.

Upon conclusion of his remarks,

The Legislative Clerk, upon direction by the PRESIDENT pro tempore, read the first Article of Impeachment; as follows:

ARTICLE I

G. Thomas Porteous, Jr., while a Federal judge of the United States District Court for the Eastern District of Louisiana, engaged in a pattern of conduct that is incompatible with the trust and confidence placed in him as a Federal judge, as follows:

Judge Porteous, while presiding as a United States district judge in Lifemark Hospitals of Louisiana, Inc. v. Liljeberg Enterprises, denied a motion to recuse himself from the case, despite the fact that he had a corrupt financial relationship with the law firm of Amato & Creely, P.C. which had entered the case to represent Liljeberg. In denying the motion to recuse, and in contravention of clear canons of judicial ethics, Judge Porteous failed to disclose that beginning in or about the late 1980s while he was a State court judge in the 24th judicial district in the State of Louisiana, he engaged in a corrupt scheme with attorneys, Jacob Amato, Jr., and Robert Creely, whereby Judge Porteous appointed Amato's law partner as a "curator" in hundreds of cases and thereafter requested and accepted from Amato and Creely a portion of the curatorship fees which had been paid to the firm. During the period of this scheme, the fees received by Amato and Creely amounted to approximately $40,000, and the amounts paid by Amato and Creely to Judge Porteous amounted to approximately $20,000.

Judge Porteous also made intentionally misleading statements at a recusal hearing intended to minimize the extent of his personal relationship with the two attorneys. In doing so, and in failing to disclose to Lifemark and its counsel the true circumstances of his relationship with the Amato & Creely law firm, Judge Porteous deprived the Fifth Circuit Court of Appeals of critical information for its review of a petition for writ of mandamus, which sought to overrule Judge Porteous's denial of the recusal motion. His conduct deprived the parties and the public of the right to the honest services of his office.

Judge Porteous also engaged in corrupt conduct after the Lifemark v. Liljeberg bench trial, and while he had the case under advisement, in that he solicited and accepted things of value from both Amato and his law partner Creely, including a payment of thousands of dollars in cash. Thereafter, and without disclosing his corrupt relationship with the attorneys of Amato & Creely PLC or his receipt from them of cash and other things of value, Judge Porteous ruled in favor of their client, Liljeberg.

By virtue of this corrupt relationship and his conduct as a Federal judge, Judge Porteous brought his court into scandal and disrepute, prejudiced public respect for, and confidence in, the Federal judiciary, and demonstrated that he is unfit for the office of Federal judge.

Wherefore, Judge G. Thomas Porteous, Jr., is guilty of high crimes and misdemeanors and should be removed from office.

The PRESIDENT pro tempore stated the question to be: "Senators, how say you? Is the respondent, G. Thomas Porteous, Jr., guilty or not guilty?

The roll was called, and the result was as follows:

It was determined in the affirmative---
guilty... 96, not guilty... 0

[Rollcall Vote No. 261 Imp.]

GUILTY --- 96

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Bunning, Burr, Cantwell, Cardin, Carper, Casey, Chambliss, Coburn, Cochran, Collins, Conrad, Coons, Corker, Cornyn, Crapo, DeMint, Dorgan, Durbin, Ensign, Enzi, Feingold, Feinstein, Franken, Gillibrand, Graham, Grassley, Gregg, Hagan, Harkin, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lieberman, Lugar, Manchin, McCain, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Risch, Roberts, Rockefeller, Sanders, Schumer, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Whitehouse, Wicker, Wyden.

The PRESIDENT pro tempore announced that upon this Article of Impeachment, ninety-six Senators had voted guilty, no Senator had voted not guilty, two-thirds of the Senators present and having voted guilty, the Senate adjudged the respondent, G. Thomas Porteous, Jr., guilty as charged.

The Assistant Legislative Clerk, upon direction by the PRESIDENT pro tempore, read the second Article of Impeachment; as follows:

ARTICLE II

G. Thomas Porteous, Jr., engaged in a longstanding pattern of corrupt conduct that

demonstrates his unfitness to serve as a United States District Court judge. That conduct included the following: Beginning in or about the late 1980s while he was a State court judge in the 24th JDC in the State of Louisiana, and continuing while he was a Federal judge in the United States District Court for the Eastern District of Louisiana, Judge Porteous engaged in a corrupt relationship with bail bondsman Louis M. Marcotte, III, and his sister Lori Marcotte. As part of this corrupt relationship, Judge Porteous solicited and accepted numerous things of value, including meals, trips, home repairs, and car repairs, for his personal use and benefit, while at the same time taking official actions that benefitted the Marcottes. These official actions by Judge Porteous included, while on the State bench, setting, reducing, and splitting bonds as requested by the Marcottes, and improperly setting aside or expunging felony convictions for two Marcotte employees (in one case after Judge Porteous had been confirmed by the Senate but before being sworn in as a Federal judge). In addition, both while on the State bench and on the Federal bench, Judge Porteous used the power and prestige of his office to assist the Marcottes in forming relationships with State judicial officers and individuals important to the Marcottes' business. As Judge Porteous well knew and understood, Louis Marcotte also made false statements to the Federal Bureau of Investigation in an effort to assist Judge Porteous in being appointed to the Federal bench.

Accordingly, Judge G. Thomas Porteous, Jr., has engaged in conduct so utterly lacking in honesty and integrity that he is guilty of high crimes and misdemeanors, is unfit to hold the office of Federal judge, and should be removed from office.

The PRESIDENT pro tempore stated the question to be: "Senators, how say you? Is the respondent, G. Thomas Porteous, Jr., guilty or not guilty?

The roll was called, and the result was as follows:

It was determined in the affirmative---

guilty... 69, not guilty... 27

[Rollcall Vote No. 262 Imp.]

GUILTY --- 69

Barrasso, Baucus, Bayh, Begich, Bennet, Bingaman, Boxer, Bunning, Cantwell, Cardin, Carper, Casey, Coburn, Cochran, Conrad, Coons, Crapo, DeMint, Dorgan, Durbin, Enzi, Feingold, Feinstein, Franken, Gillibrand, Grassley, Hagan, Inhofe, Isakson, Johanns, Johnson, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, Levin, Lugar, McCain, McConnell, Menendez, Merkley, Mikulski, Murray, Nelson (NE), Nelson (FL), Pryor, Risch, Roberts, Rockefeller, Sanders, Schumer, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Wyden.

NOT GUILTY --- 27

Akaka, Alexander, Bennett, Bond, Brown (MA), Brown (OH), Burr, Chambliss, Collins, Corker, Cornyn, Ensign, Graham, Gregg, Harkin, Hatch, Hutchison, Inouye, LeMieux, Lieberman, Manchin, McCaskill, Murkowski, Reed, Reid, Whitehouse, Wicker.

The PRESIDENT pro tempore announced that upon this Article of Impeachment, sixty-nine Senators had voted guilty, twenty-seven Senators had voted not guilty, two-thirds of the Senators present and having voted guilty, the Senate adjudged the respondent, G. Thomas Porteous, Jr., guilty as charged.

The Legislative Clerk, upon direction by the PRESIDENT pro tempore, read the third Article of Impeachment; as follows:

ARTICLE III

Beginning in or about March 2001 and continuing through about July 2004, while a Federal judge in the United States District Court for the Eastern District of Louisiana, G. Thomas Porteous, Jr., engaged in a pattern of conduct inconsistent with the trust and confidence placed in him as a Federal judge by knowingly and intentionally making material false statements and representations under penalty of perjury related to his personal bankruptcy filing and by repeatedly violating a court order in his bankruptcy case. Judge Porteous did so by—

No. 1, using a false name and post office box address to conceal his identity as a debtor in the case;

No. 2, concealing assets;

No. 3, concealing preferential payments to certain creditors;

No. 4, concealing gambling losses and other gambling debts; and,

No. 5, incurring new debts while the case was pending in violation of the bankruptcy court's order.

In doing so, Judge Porteous brought his court into scandal and disrepute, prejudiced public respect for and confidence in the Federal judiciary, and demonstrated that he is unfit for the office of Federal judge.

Wherefore, Judge G. Thomas Porteous, Jr., is guilty of high crimes and misdemeanors and should be removed from office.

The PRESIDENT pro tempore stated the question to be: "Senators, how say you? Is the respondent, G. Thomas Porteous, Jr., guilty or not guilty?

The roll was called, and the result was as follows:

It was determined in the affirmative---

guilty... 88, not guilty... 8

[Rollcall Vote No. 263 Imp.]

GUILTY --- 88

Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Bunning, Burr, Cantwell, Cardin, Carper, Casey, Chambliss, Coburn, Cochran, Collins, Conrad, Coons, Corker, Cornyn, Crapo, DeMint, Dorgan, Durbin, Ensign, Enzi, Feingold, Feinstein, Gillibrand, Graham, Grassley, Gregg, Hagan, Harkin, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lugar, McCain, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Risch, Roberts, Rockefeller, Sanders, Schumer, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Whitehouse, Wyden.

NOT GUILTY --- 8

Akaka, Franken, Hatch, Lieberman, Manchin, McCaskill, Reid, Wicker.

The PRESIDENT pro tempore announced that upon this Article of Impeachment, eighty-eight Senators had voted guilty, eight Senators had voted not guilty, two-thirds of the Senators present and having voted guilty, the Senate adjudged the respondent, G. Thomas Porteous, Jr., guilty as charged.

The Assistant Legislative Clerk, upon direction by the PRESIDENT pro tempore, read the fourth Article of Impeachment; as follows:

ARTICLE IV

In 1994, in connection with his nomination to be a judge of the United States District Court for the Eastern District of Louisiana, G. Thomas Porteous, Jr., knowingly made material false statements about his past to both the United States Senate and to the Federal Bureau of Investigation in order to obtain the office of United States District Court Judge. These false statements included the following:

No. 1. On his Supplemental SF-86, Judge Porteous was asked if there was anything in his personal life that could be used by someone to coerce or blackmail him, or if there was anything in his life that would cause an embarrassment to Judge Porteous or the President if publicly known. Judge Porteous answered "no" to these questions and signed the form under the warning that a false statement was punishable by law.

No. 2. During his background check, Judge Porteous falsely told the Federal Bureau of Investigation on two separate occasions that he was not concealing any activity or conduct that could be used to influence, pressure, coerce, or compromise him in any way or that would impact negatively on his character, reputation, judgment, or discretion.

No. 3. On the Senate Judiciary Committee's "Questionnaire for Judicial Nominees", Judge Porteous was asked whether any unfavorable information existed that could affect his nomination. Judge Porteous answered that, to the best of his knowledge, he did not know of any unfavorable information that may affect [his] nomination. Judge Porteous signed that questionnaire by swearing that "the information provided in this statement is, to the best of my knowledge, true and accurate".

However, in truth and in fact, as Judge Porteous then well knew, each of these answers was materially false because Judge Porteous had engaged in a corrupt relationship with the law firm Amato & Creely, whereby Judge Porteous appointed Creely as a "curator" in hundreds of cases and thereafter requested and accepted from Amato and Creely a portion of the curatorship fees which had been paid to the firm and also had engaged in a corrupt relationship with Louis and Lori Marcotte, whereby Judge Porteous solicited and accepted numerous things of value, including meals, trips, home repairs, and car repairs, for his personal use and benefit, while at the same time taking official actions that benefitted the Marcottes. As Judge Porteous well knew and understood, Louis Marcotte also made false statements to the Federal Bureau of Investigation in an effort to assist Judge Porteous in being appointed to the Federal bench. Judge Porteous's failure to disclose these corrupt relationships deprived the United States Senate and the public of information that would have had a material impact on his confirmation. Wherefore, Judge G. Thomas Porteous, Jr., is guilty of high crimes and misdemeanors and should be removed from office.

The PRESIDENT pro tempore stated the question to be: "Senators, how say you? Is the respondent, G. Thomas Porteous, Jr., guilty or not guilty?"

The roll was called, and the result was as follows:

It was determined in the affirmative---
guilty... 90, not guilty... 6

[Rollcall Vote No. 264 Imp.]

GUILTY --- 90

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bennett, Bingaman, Bond, Boxer, Brown (MA), Brown (OH), Bunning, Burr, Cantwell, Carper, Casey, Chambliss, Coburn, Cochran, Collins, Conrad, Coons, Corker, Cornyn, Crapo, DeMint, Dorgan, Ensign, Enzi, Feingold, Feinstein, Gillibrand, Graham, Grassley, Gregg, Hagan, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, LeMieux, Lieberman, Lugar, Manchin, McCain, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Risch, Roberts, Rockefeller, Sanders, Schumer, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Whitehouse, Wicker, Wyden.

NOT GUILTY --- 6

Cardin, Durbin, Franken, Harkin, Levin, Reid.

The PRESIDENT pro tempore announced that upon this Article of Impeachment, eighty-eight Senators had voted guilty, eight Senators had voted not guilty, two-thirds of the Senators present and having voted guilty, the Senate adjudged the respondent, G. Thomas Porteous, Jr., guilty as charged.

The PRESIDENT pro tempore then directed judgment to be entered, in accordance with the vote of the Senate, as follows:

The Senate having tried G. Thomas Porteous, Jr., U.S. District Judge for the Eastern District of Louisiana, upon four articles of impeachment exhibited against him by the House of Representatives, and two-thirds of the Senators present having found him guilty of the charges contained in Articles I, II, III, IV of the articles of Impeachment: it is therefore

Ordered and Adjudged, That the said G. Thomas Porteous, Jr. be, and he is hereby, removed from office.

The PRESIDENT pro tempore recognized Mr. REID, who made the following statement and inquiry of the PRESIDENT pro tempore, whose response is indicated:

Mr. REID. Mr. President, it is my understanding that Judge Porteous is forever disqualified to hold and enjoy any office of trust, honor, or profit of the United States; is that true?

The PRESIDENT pro tempore. The leader is correct.

Mr. REID submitted an order, which was read, as follows:

Ordered, That the Secretary be directed to communicate to the Secretary of the State, as provided by Rule XXIII of the Rules and Procedure in the Senate When Sitting on Impeachment Trials, and also to the House of Representatives the judgment of the Senate in the case of G. Thomas Porteous, Jr., and transmit a certified copy of the judgment to each.

The PRESIDENT pro tempore ruled that, without objection, the order will be entered.

On motion by Mr. REID,

Resolved, That the Senate, sitting as a court of impeachment for the Articles against G. Thomas Porteous, Jr., adjourn sine die.

(In the above inquiry of Mr. REID, and the response of the PRESIDENT pro tempore thereto, a misrepresentation arose with respect to part of the judgment having been stated and unresolved, and a question of disqualification having been raised; therefore, an adjournment was not in order at that time.)

On motion by Mr. REID that G. Thomas Porteous be forever disqualified to hold and enjoy any office of honor, trust, or profit under the United States.

The question being taken.

It was determined in the affirmative---
yeas... 94, nays... 2

[Rollcall Vote No. 265 Imp.]

YEAS --- 94

Akaka, Alexander, Barrasso, Baucus, Bayh, Begich, Bennet, Bennett, Bond, Boxer, Brown (MA), Brown (OH), Bunning, Burr, Cantwell, Cardin, Carper, Casey, Chambliss, Coburn, Cochran, Collins, Conrad, Coons, Corker, Cornyn, Crapo, DeMint, Dorgan, Durbin, Ensign, Enzi, Feingold, Feinstein, Franken, Gillibrand, Graham, Grassley, Gregg, Hagan, Harkin, Hatch, Hutchison, Inhofe, Inouye, Isakson, Johanns, Johnson, Kerry, Klobuchar, Kohl, Kyl, Landrieu, Lautenberg, Leahy, LeMieux, Levin, Lugar, Manchin, McCain, McCaskill, McConnell, Menendez, Merkley, Mikulski, Murkowski, Murray, Nelson (NE), Nelson (FL), Pryor, Reed, Reid, Risch, Roberts, Rockefeller, Sanders, Schumer, Sessions, Shaheen, Shelby, Snowe, Specter, Stabenow, Tester, Thune, Udall (CO), Udall (NM), Vitter, Voinovich, Warner, Webb, Whitehouse, Wicker, Wyden.

NAYS --- 2

Bingaman, Lieberman.

The PRESIDENT pro tempore stated that, the Senate having tried G. Thomas Porteous, Jr., U.S. District Judge for the Eastern District of Louisiana, upon four articles of impeachment exhibited against him by the House of Representatives, and two-thirds of the Senators present having found him guilty of the charges contained in Articles I, II, III, IV of the articles of Impeachment: it is therefore

Ordered and Adjudged, That the said G. Thomas Porteous, Jr. be, and he is hereby, removed from office, and is forever disqualified to hold and enjoy any office of honor, trust, or profit under the United States.

Mr. REID submitted an order, which was read, as follows:

Ordered, That the Secretary be directed to communicate to the Secretary of the State, as provided by Rule XXIII of the Rules and Procedure in the Senate When Sitting on Impeachment Trials, and also to the House of Representatives the judgment of the Senate in the case of G. Thomas Porteous, Jr., and transmit a certified copy of the judgment to each.

The PRESIDENT pro tempore ruled that, without objection, the order will be entered.

ADJOURNMENT SINE DIE

On motion by Mr. REID,

At 11 o'clock and 38 minutes a.m.,

Resolved, That the Senate, sitting as a court of impeachment for the Articles against G. Thomas Porteous, Jr., adjourn sine die.

APPENDIX

SENATORS OF THE UNITED STATES WHOSE SEATS WILL BECOME VACANT IN—

2015 Class 2	2011 Class 3	2013 Class 1
Mr. ALEXANDER of Tennessee	Mr. BAYH of Indiana	Mr. AKAKA of Hawaii
BAUCUS of Montana	BENNET of Colorado[2]	BARRASSO of Wyoming[1]
BEGICH of Alaska	BENNETT of Utah	BINGAMAN of New Mexico
CHAMBLISS of Georgia	BOND of Missouri	BROWN of Massachusetts[1]
COCHRAN of Mississippi	Mrs. BOXER of California	BROWN of Ohio
Ms. COLLINS of Maine	Mr. BROWNBACK of Kansas	Ms. CANTWELL of Washington
Mr. COONS of Delaware[4]	BUNNING of Kentucky	Mr. CARDIN of Maryland
CORNYN of Texas	BURR of North Carolina	CARPER of Delaware
DURBIN of Illinois	COBURN of Oklahoma	CASEY of Pennsylvania
ENZI of Wyoming	CRAPO of Idaho	CONRAD of North Dakota
FRANKEN of Minnesota	DEMINT of South Carolina	CORKER of Tennessee
GRAHAM of South Carolina	DODD of Connecticut	ENSIGN of Nevada
Mrs. HAGAN of North Carolina	DORGAN of North Dakota	Mrs. FEINSTEIN of California
Mr. HARKIN of Iowa	FEINGOLD of Wisconsin	GILLIBRAND of New York[2]
INHOFE of Oklahoma	GRASSLEY of Iowa	Mr. HATCH of Utah
JOHANNS of Nebraska	GREGG of New Hampshire	Mrs. HUTCHISON of Texas
JOHNSON of South Dakota	INOUYE of Hawaii	Ms. KLOBUCHAR of Minnesota
KERRY of Massachusetts	ISAKSON of Georgia	Mr. KOHL of Wisconsin
Ms. LANDRIEU of Louisiana	KIRK of Illinois[4]	KYL of Arizona
Mr. LAUTENBERG of New Jersey	LEAHY of Vermont	LIEBERMAN of Connecticut
LEVIN of Michigan	LEMIEUX of Florida[2]	LUGAR of Indiana
MCCONNELL of Kentucky	Mrs. LINCOLN of Arkansas	MANCHIN of West Virginia[1]
MERKLEY of Oregon	Mr. MCCAIN of Arizona	Mrs. MCCASKILL of Missouri
PRYOR of Arkansas	Ms. MIKULSKI of Maryland	Mr. MENENDEZ of New Jersey
REED of Rhode Island	MURKOWSKI of Alaska	NELSON of Florida
RISCH of Idaho	Mrs. MURRAY of Washington	NELSON of Nebraska
ROBERTS of Kansas	Mr. REID of Nevada	SANDERS of Vermont
ROCKEFELLER of West Virginia	SCHUMER of New York	Ms. SNOWE of Maine
SESSIONS of Alabama	SHELBY of Alabama	STABENOW of Michigan
Mrs. SHAHEEN of New Hampshire	SPECTER of Pennsylvania	Mr. TESTER of Montana
Mr. UDALL of Colorado	THUNE of South Dakota	WEBB of Virginia
UDALL of New Mexico	VITTER of Louisiana	WHITEHOUSE of Rhode Island
WARNER of Virginia	VOINOVICH of Ohio	WICKER of Mississippi[1]
	WYDEN of Oregon	

[1]Elected to fill an unexpired term until January 3, 2013.
[2]Appointed to fill an unexpired term until such vacancy is filled as provided by law.
[3]Elected to fill an unexpired term until January 3, 2015.
[4]Elected to fill an unexpired term until January 3, 2011.

HISTORY OF BILLS AND RESOLUTIONS