

for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, to provide special pays and allowances to certain members of the Armed Forces, expand concurrent receipt of military recruitment and VA disability benefits to disabled military retirees, and for other purposes.

The message further announced that the House agrees to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 196. Concurrent resolution making corrections in the enrollment of the bill H.R. 2647.

At 4:24 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3590. A bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

H.J. Res. 26. A joint resolution proclaiming Casimir Pulaski to be an honorary citizen of the United States posthumously.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 1016) to amend title 38, United States Code, to provide advance appropriations authority for certain accounts of the Department of Veterans Affairs, and for other purposes; with an amendment, in which it requests the concurrence of the Senate.

#### MEASURES REFERRED

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

H.R. 2092. An act to amend the National Children's Island Act of 1995 to expand allowable uses for Kingman and Heritage Islands by the District of Columbia, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2174. An act to designate the facility of the United States Postal Service located at 18 Main Street in Howland, Maine, as the "Clyde Hichborn Post Office"; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3547. An act to designate the facility of the United States Postal Service located at 936 South 250 East in Provo, Utah, as the "Rex E. Lee Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

H.J. Res. 26. Joint resolution proclaiming Casimir Pulaski to be an honorary citizen of the United States posthumously; to the Committee on the Judiciary.

#### MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 3548. An act to amend the Supplemental Appropriations Act, 2008 to provide for the temporary availability of certain additional emergency unemployment compensation, and for other purposes.

H.R. 3590. An act to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

S. 1772. A bill to require that all legislative matters be available and fully scored by CBO 72 hours before consideration by any subcommittee or committee of the Senate or on the floor of the Senate.

#### EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-3291. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "C10-C18-Alkyl dimethyl amine oxides; Exemption from the Requirement of a Tolerance" (FRL No. 8437-3) received in the Office of the President of the Senate on October 5, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3292. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Ammonium chloride; Exemption from the Requirement of a Tolerance" (FRL No. 8438-1) received in the Office of the President of the Senate on October 6, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3293. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Quinclorac; Pesticide Tolerance for Emergency Exemption" (FRL No. 8434-3) received in the Office of the President of the Senate on October 6, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3294. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Sodium and Ammonium Naphthalenesulfonate Formaldehyde Condensates; Exemption from the Requirement of a Tolerance" (FRL No. 8439-1) received in the Office of the President of the Senate on October 6, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3295. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pyraclostrobin; Pesticide Tolerances" (FRL No. 8793-2) received in the Office of the President of the Senate on October 5, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3296. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, a Uniform Resource Locator (URL) for a document entitled "Issuance of 2009 Revised CERCLA Model Remedial Design/Remedial Action Consent Decree" received in the Office of the President of the Senate on October 6, 2009; to the Committee on Environment and Public Works.

EC-3297. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Operating Permit Programs; Flexible Air Permitting Rule" (FRL No. 8964-8) received in the Office of the President of the Senate on October 5, 2009; to the Committee on Environment and Public Works.

EC-3298. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Standard of Performance for Coal Preparation and Processing Plants" (FRL No. 8965-3) received in the Office of the President of the Senate on October 5, 2009; to the Committee on Environment and Public Works.

EC-3299. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Delaware; Regulation to Reduce Idling of Heavy-Duty Vehicles" (FRL No. 8967-1) received in the Office of the President of the Senate on October 6, 2009; to the Committee on Environment and Public Works.

EC-3300. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Corrections to the Arizona and Nevada State Implementation Plans" (FRL No. 8966-3) received in the Office of the President of the Senate on October 6, 2009; to the Committee on Environment and Public Works.

EC-3301. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Indiana; Extended Permit Terms for Renewal of Federally Enforceable State Operating Permits" (FRL No. 8963-4) received in the Office of the President of the Senate on October 5, 2009; to the Committee on Environment and Public Works.

EC-3302. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Taxation of Fringe Benefits" (Rev. Rul. 2009-28) received in the Office of the President of the Senate on October 5, 2009; to the Committee on Finance.

EC-3303. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Definition of Omission from Gross Income" (RIN1545-BI94) received in the Office of the President of the Senate on October 5, 2009; to the Committee on Finance.

EC-3304. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates" (Notice No. 2009-76) received in the Office of the President of the Senate on October 7, 2009; to the Committee on Finance.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

\*Army nomination of Lt. Gen. David M. Rodriguez, to be Lieutenant General.

By Mr. BINGAMAN for the Committee on Energy and Natural Resources.

\*John R. Norris, of the District of Columbia, to be a Member of the Federal Energy Regulatory Commission for the remainder of the term expiring June 30, 2012.

\*Jose Antonio Garcia, of Florida, to be Director of the Office of Minority Economic Impact, Department of Energy.

\*Joseph G. Pizarchik, of Pennsylvania, to be Director of the Office of Surface Mining Reclamation and Enforcement.

By Mr. LEAHY for the Committee on the Judiciary.

Brendan V. Johnson, of South Dakota, to be United States Attorney for the District of South Dakota for the term of four years.

Karen Louise Loeffler, of Alaska, to be United States Attorney for the District of Alaska for the term of four years.

Steven Gerard O'Donnell, of Rhode Island, to be United States Marshal for the District of Rhode Island for the term of four years.

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

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

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. FRANZEN (for himself, Mr. WHITEHOUSE, and Mr. BROWN):

S. 1763. A bill to amend the Internal Revenue Code of 1986 to deny the deduction for advertising and promotional expenses for prescription pharmaceuticals; to the Committee on Finance.

By Mr. LAUTENBERG:

S. 1764. A bill to clarify the application of section 14501(d) of title 19, United States Code, to prevent the imposition of unreasonable transportation fees; to the Committee on Commerce, Science, and Transportation.

By Mr. CARDIN (for himself, Ms. COLLINS, Mr. BROWN, Ms. MIKULSKI, Mr. WHITEHOUSE, Mr. SCHUMER, and Mr. BURRIS):

S. 1765. A bill to amend the Hate Crime Statistics Act to include crimes against the homeless; to the Committee on the Judiciary.

By Mr. BROWN (for himself and Mrs. HAGAN):

S. 1766. A bill to enhance reciprocal market access for United States domestic producers in the negotiating process of bilateral, regional, and multilateral trade agreements; to the Committee on Finance.

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

S. 1767. A bill to authorize a land exchange to acquire land for the Blue Ridge Parkway from the Town of Blowing Rock, North Carolina, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 1768. A bill to adjust the boundaries of Pisgah National Forest in McDowell County, North Carolina; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. VITTER:

S. 1769. A bill to amend the Internal Revenue Code of 1986 to allow certain coins to be acquired by individual retirement accounts and other individually directed pension plan accounts, and for other purposes; to the Committee on Finance.

By Ms. MURKOWSKI (for herself, Mr. CRAPO, and Mr. NELSON of Nebraska):

S. 1770. A bill to recognize the heritage of recreational fishing, hunting, and shooting on Federal public lands and ensure continued opportunities for these activities; to the Committee on Energy and Natural Resources.

By Mr. CASEY (for himself and Mr. SPECTER):

S. 1771. A bill to authorize the Secretary of Health and Human Services to establish a program of grants to newly accredited allopathic medical schools for the purpose of increasing the supply of physicians; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BUNNING:

S. 1772. A bill to require that all legislative matters be available and fully scored by CBO 72 hours before consideration by any subcommittee or committee of the Senate or on the floor of the Senate; read the first time.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. REID (for himself and Mr. ENSIGN):

S. Res. 309. A resolution recognizing and celebrating the 145th anniversary of the entry of Nevada into the Union as the 36th State; considered and agreed to.

By Mr. CASEY (for himself, Mr. ROBERTS, Mr. SANDERS, Mr. BROWN, Mr. FEINGOLD, and Mr. AKAKA):

S. Res. 310. A resolution expressing support for the designation of October 20, 2009, as the National Day on Writing; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 484

At the request of Mrs. FEINSTEIN, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 484, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 624

At the request of Mr. DURBIN, the name of the Senator from Nebraska (Mr. JOHANNIS) was added as a cosponsor of S. 624, a bill to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis by 2015 by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

S. 632

At the request of Mr. BAUCUS, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of S. 632, a bill to amend the Internal Revenue Code of 1986 to require that the payment of the manufacturers' excise tax on recreational equipment be paid quarterly.

S. 825

At the request of Mrs. LINCOLN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 825, a bill to amend the Internal Revenue Code of 1986 to restore, increase, and make permanent the exclusion from gross income for amounts received under qualified group legal services plans.

S. 844

At the request of Mr. LAUTENBERG, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 844, a bill to amend the Public Health Service Act to prevent and treat diabetes, to promote and improve the care of individuals with diabetes, and to reduce health disparities relating to diabetes within racial and ethnic minority groups, including African-American, Hispanic American, Asian American, Native Hawaiian and Other Pacific Islander, and American Indian and Alaskan Native communities.

S. 868

At the request of Mr. BAUCUS, the name of the Senator from Idaho (Mr. RISCHE) was added as a cosponsor of S. 868, a bill to repeal certain provisions of the Federal Lands Recreation Enhancement Act.

S. 870

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

S. 883

At the request of Mr. KERRY, the names of the Senator from Vermont (Mr. SANDERS), the Senator from Texas (Mrs. HUTCHISON), the Senator from Utah (Mr. HATCH), the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. 883, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the establishment of the Medal of Honor in 1861, America's highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Services of the United States, to honor the American military men and women who have been recipients of the Medal of Honor, and to promote awareness of what the Medal of Honor represents and how ordinary Americans, through courage, sacrifice, selfless service and patriotism, can challenge fate and change the course of history.

S. 907

At the request of Mr. CARPER, the name of the Senator from Florida (Mr. LEMIEUX) was added as a cosponsor of S. 907, a bill to establish procedures for