

which was ordered to lie on the table; as follows:

On page 52, after line 21, add the following:  
SEC. 229. (a) ADDITIONAL AMOUNT FOR HOMELESS VETERANS COMPREHENSIVE SERVICE PROGRAMS AND HOUSING ASSISTANCE AND SUPPORTIVE SERVICES.—The amount appropriated by this title under the heading “MEDICAL SERVICES” under the heading “VETERANS HEALTH ADMINISTRATION” is increased by \$750,000, with the amount of the increase to be available for the following:

(1) The grant program under section 2011 of title 38, United States Code.

(2) Per diem payments under section 2012 of such title.

(3) Housing assistance and supportive services under subchapter V of chapter 20 of such title.

(b) OFFSET.—The amount appropriated or otherwise made available by this title under the heading “GENERAL OPERATING EXPENSES” under the heading “DEPARTMENTAL ADMINISTRATION” is decreased by \$750,000.

**SA 2744.** Mr. DODD submitted an amendment intended to be proposed by him to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. Section 129 of the Continuing Appropriations Resolution, 2010 (Public Law 111-68) is amended by striking “by substituting” and all that follows through the period at the end, and inserting “by substituting June 30, 2010 for the date specified in each such section.”.

**SA 2745.** Mr. FRANKEN (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 52, after line 21, add the following:  
SEC. 229. Of the amounts appropriated or otherwise made available by this title for the Department of Veterans Affairs, \$5,000,000 shall be available for the study required by section 1077 of the National Defense Authorization Act for Fiscal Year 2010.

#### PRIVILEGES OF THE FLOOR

Mr. DORGAN. Mr. President, I ask unanimous consent that LTC Joseph J. Martin, a U.S. Army Special Forces officer currently serving as Senator REID’s military legislative fellow this year, be granted floor privileges for the duration of H.R. 3082, the Military Construction and Veterans Affairs Appropriations Act for fiscal year 2010.

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

#### CONSTITUTING MAJORITY PARTY MEMBERSHIP

Mr. DORGAN. Mr. President, I ask unanimous consent that the Senate proceed to immediate consideration of S. Res. 343, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 343) to constitute the majority party’s membership on certain committees for the One Hundred Eleventh Congress, or until their successors are chosen.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DORGAN. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table without further intervening action or debate.

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

The resolution (S. Res. 343) was agreed to, as follows:

#### S. RES. 343

*Resolved*, That the following shall constitute the majority party’s membership on the following committee for the One Hundred Eleventh Congress, or until their successors are chosen:

COMMITTEE ON RULES AND ADMINISTRATION: Mr. Schumer (Chairman), Mr. Byrd, Mr. Inouye, Mr. Dodd, Mrs. Feinstein, Mr. Durbin, Mr. Nelson (Nebraska), Mrs. Murray, Mr. Pryor, Mr. Udall (New Mexico), Mr. Warner.

#### REGARDING THE TRAGIC SHOOTING AT FORT HOOD, TEXAS

Mr. DORGAN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 344, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 344) expressing the sense of the Senate regarding the tragic shooting at Fort Hood, Texas on November 5, 2009.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DORGAN. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 344) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 344

Whereas Fort Hood, Texas, the largest military installation in the world, is home to numerous distinguished units of the Armed Forces of the United States, including the Third Corps, the First Cavalry Division, the Third Armored Cavalry Regiment, and others;

Whereas Fort Hood has long been a source of pride for the State of Texas and for all the people of the United States who value the selfless service and sacrifice of our men and women in uniform;

Whereas the soldiers, family members, and civilian employees who live and serve at Fort Hood play a critical role in the defense of our Nation;

Whereas the soldiers of Fort Hood have served with honor and distinction in the Global War on Terror, frequently on the front lines in the combat theaters of Iraq and Afghanistan; and

Whereas the Fort Hood community experienced a monumental tragedy on November 5, 2009, when a gunman opened fire on large groups of soldiers on the installation: Now, therefore, be it

*Resolved*, That the Senate—

(1) offers its deepest and most sincere condolences to the families, friends, and loved ones of the innocent victims killed or wounded in the senseless violence that occurred on November 5, 2009;

(2) offers support and hope for a full recovery for those who have been wounded.

(3) honors the heroic service, actions, and sacrifices of law enforcement personnel, first responders, soldiers present on the scene, medical personnel, and countless others who aided the innocent victims of this attack; and

(4) shares in the pain and grief felt by the people of the United States in the aftermath of this tragic event.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. DORGAN. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider en bloc Calendar Nos. 480 and 522; that the nominations be confirmed, and the motions to reconsider be laid upon the table en bloc; that no further motions be in order; that any statements be printed in the RECORD; and that the President be immediately notified of the Senate’s action.

#### NOMINATION DISCHARGED

I further ask unanimous consent that the Environment and Public Works Committee be discharged of PN931, the nomination of Barbara Bennett to be CFO of the EPA; that the Senate then proceed to the nomination; that the nomination be confirmed and the motion to reconsider be laid upon the table; that no further motions be in order; the President be immediately notified of the Senate’s action; that the Senate return to legislative session; and that any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered. Both requests are agreed to.

The nominations considered and confirmed en bloc are as follows:

#### OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

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

#### NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

David S. Ferriero, of North Carolina, to be Archivist of the United States.

#### ENVIRONMENTAL PROTECTION AGENCY

Barbara J. Bennett, of Virginia, to be Chief Financial Officer, Environmental Protection Agency.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

ORDER FOR RECORD TO REMAIN  
OPEN

Mr. DORGAN. I ask unanimous consent that notwithstanding an adjournment of the Senate, the RECORD remain open today until 1:30 p.m. for the submission of legislation, statements, and cosponsorships.

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

ORDERS FOR MONDAY, NOVEMBER  
9, 2009

Mr. DORGAN. I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. Monday, November 9; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business until 3 p.m., with Senators permitted to speak up to 10 minutes each; that following morning business, the Senate resume consideration of H.R. 3082, Military Construc-

tion and Veterans Affairs appropriations.

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

## PROGRAM

Mr. DORGAN. Under a previous order, at 4:30 p.m. Monday the Senate will debate the nomination of Andre Davis to be U.S. Circuit judge for the Fourth Circuit. At 5:30 p.m. the Senate will proceed to vote on the confirmation of the nomination. We could also have a vote on an amendment to the Military Construction bill following the 5:30 vote.

ADJOURNMENT UNTIL MONDAY,  
NOVEMBER 9, 2009, AT 2 P.M.

Mr. DORGAN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 12:34 p.m., adjourned until Monday, November 9, 2009, at 2 p.m.

## DISCHARGED NOMINATION

The Senate Committee on Environment and Public Works was discharged from further consideration of the following nomination by unanimous consent and the nomination was confirmed:

BARBARA J. BENNETT, OF VIRGINIA, TO BE CHIEF FINANCIAL OFFICER, ENVIRONMENTAL PROTECTION AGENCY.

## CONFIRMATIONS

Executive nominations confirmed by the Senate, Friday, November 6, 2009:

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

JOSEPH G. PIZARCHIK, OF PENNSYLVANIA, TO BE DIRECTOR OF THE OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

DAVID S. FERRIERO, OF NORTH CAROLINA, TO BE ARCHIVIST OF THE UNITED STATES.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

ENVIRONMENTAL PROTECTION AGENCY

BARBARA J. BENNETT, OF VIRGINIA, TO BE CHIEF FINANCIAL OFFICER, ENVIRONMENTAL PROTECTION AGENCY.