

### MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 3546. An act to authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012.

### MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 3195. An act to restore the intent and protections of the Americans with Disabilities Act of 1990.

S. 3202. A bill to address record high gas prices at the pump, and for other purposes.

S. 3213. A bill to designate certain land as components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, and for other purposes.

### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 26, 2008, she had presented to the President of the United States the following enrolled bill:

S. 3180. An act to temporarily extend the programs under the Higher Education Act of 1965.

### 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-6746. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, an annual report relative to the conduct of the Defense Acquisition Challenge Program for fiscal year 2007; to the Committee on Armed Services.

EC-6747. A communication from the General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, the report of action on a nomination for the position of Secretary, received on June 25, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-6748. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" (73 FR 33321) received on June 25, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-6749. A communication from the Senior Vice President and Chief Financial Officer, Federal Home Loan Bank of San Francisco, transmitting, pursuant to law, the Bank's 2007 Management Report; to the Committee on Banking, Housing, and Urban Affairs.

EC-6750. A communication from the Deputy Assistant Administrator for Regulatory Programs, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Species: Designation of Critical Habitat for Southern Resident Killer Whale" (RIN0648-AU38) received on June 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6751. A communication from the Acting Assistant Administrator, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants: Threatened Status for Southern Distinct Population Segment of North American Green Sturgeon" (RIN0648-AT02) received on June 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6752. A communication from the Deputy Assistant Administrator for Operations, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Species: Final Protective Regulations for Threatened Upper Columbia River Steelhead" (RIN0648-AU18) received on June 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6753. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Species: Revision of Critical Habitat for the Northern Right Whale in the Pacific Ocean" (RIN0648-AT84) received on June 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6754. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Species: Final Listing Determinations for 10 Distinct Population Segments of West Coast Steelhead" (RIN0648-AR93) received on June 24, 2008; to the Committee on Commerce, Science, and Transportation.

EC-6755. A communication from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Planning and Management Program; Integrated Resource Planning Rules" (RIN1901-AB24) received on June 24, 2008; to the Committee on Energy and Natural Resources.

EC-6756. 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 "Reporting of ESOP Dividends and Section 404(k)" (Announcement 2008-56) received on June 25, 2008; to the Committee on Finance.

EC-6757. 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 "Auction Rate Preferred Stock—Effect of Liquidity Facilities on Equity Character" (Notice 2008-55) received on June 25, 2008; to the Committee on Finance.

EC-6758. 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 "China Earthquake Designated as Qualified Disaster Under Section 139 of the Internal Revenue Code" (Notice 2008-57) received on June 24, 2008; to the Committee on Finance.

EC-6759. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance Under Section 956 for Determining Basis or Property Acquired in Certain Nonrecognition Transactions" ((RIN1545-BH58)(TD 9402)) received on June 24, 2008; to the Committee on Finance.

EC-6760. 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 "Appeals Settlement Guidelines: Methane Gas Project, Credit for Fuel From a Nonconventional Source" (UIL: 0029.06-00) received on June 24, 2008; to the Committee on Finance.

EC-6761. 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 "Claims for Recovery of Overpayments of Arbitrage Rebate and Similar Payments on Tax-Exempt Bonds" (Rev. Proc. 2008-37) received on June 25, 2008; to the Committee on Finance.

EC-6762. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Guidance Under Section 664 Regarding the Effect of UBTI on Charitable Remainder Trusts" (TD 9403) received on June 24, 2008; to the Committee on Finance.

EC-6763. 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 "Applicable Federal Rates—July 2008" (Rev. Rul. 2008-33) received on June 24, 2008; to the Committee on Finance.

EC-6764. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of an application for a license for the manufacture of the AH-64 LONGBOW Fire Control Radar Accelerometers for the Apache Attack Helicopter Program; to the Committee on Foreign Relations.

EC-6765. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed manufacturing license agreement for the export of defense articles to Mexico for the production of electronic assemblies for automated equipment for the United States; to the Committee on Foreign Relations.

EC-6766. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a nomination and action on a nomination for the position of Under Secretary of State for Public Diplomacy, received on June 24, 2008; to the Committee on Foreign Relations.

EC-6767. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed manufacturing license agreement for the export of technical data to Turkey for the manufacture and repair of the upgradeable AN/APX-117 Transponder; to the Committee on Foreign Relations.

EC-6768. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Performance Report relative to the Animal Drug User Fee Act for fiscal year 2007; to the Committee on Health, Education, Labor, and Pensions.

EC-6769. A communication from the Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Medical Device Reporting; Baseline Reports" (Docket No. FDA-2008-N-0310) received on June 25, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC-6770. A communication from the Chief, Division of Coverage, Reporting and Disclosure, Department of Labor, transmitting, pursuant to law, a report relative to the redesignation of a previously submitted rule, which has been assigned Regulation Identification Number 1210-AB10, as a "non-major

rule"; to the Committee on Health, Education, Labor, and Pensions.

EC-6771. A communication from the Acting Chief Acquisition Officer and Senior Procurement Executive, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation" (FAC 2005-26) received on June 24, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-6772. A communication from the Acting Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting the text of the 2008 Prohibited List of Substances which is to replace the 2007 Prohibited List of Substances that was originally transmitted to the Senate as a part of Annex I of the International Convention Against Doping in Sport (TD 110-14, 110th Congress, 2nd Session); to the Committee on Foreign Relations.

### PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-409. A concurrent resolution adopted by the Senate of the State of Louisiana urging Congress to allow immediate family to visit military personnel on extended deployment overseas who are in a rest and relaxation period; to the Committee on Armed Services.

#### SENATE CONCURRENT RESOLUTION NO. 101

Whereas, on April 12, 2007, when Defense Secretary Robert M. Gates announced that all active-duty soldiers currently deployed would see their one-year tour extended to a fifteen months tour, the war-weary Army faced its longest combat tours since World War; and

Whereas, although Defense Secretary Gates termed this a "difficult but necessary" order, many referred to it as the decision that would break the Army because of the chilling effect it would have on the recruiting, retention, and readiness of troops; and

Whereas, the reunion plans of troops and their families were suddenly placed on hold because of the deployment extension orders; and

Whereas, such orders unleashed a flood of emotions including feelings of sadness, disappointment, worry, anxiety, anger, stress, and a sense of betrayal or of promises being broken for service men, women, and their families; and

Whereas, mental health experts agree that deployment extensions are extremely difficult on service members and their families; and

Whereas, extended deployment submerges our service men, women, and their families under tremendous economic, employment, and emotional sacrifices; and

Whereas, service men and women do receive a period of rest and relaxation (R&R); and

Whereas, the continued development of strong family relationships for our service men and women who have repeatedly placed themselves in harm's way in the name of freedom, duty, and honor for us and our country should be supported. Therefore, be it

*Resolved*, That the Legislature of Louisiana memorializes the Congress of the United States to make provisions to allow immediate family to visit military personnel on extended deployment overseas when they are in a period of rest and relaxation (R&R). Be it further

*Resolved*, That a copy of this Resolution be transmitted to the secretary of the United States Senate and the clerk of the United

States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment:

H.R. 5690. To remove the African National Congress from treatment as a terrorist organization for certain acts or events, provide relief for certain members of the African National Congress regarding admissibility, and for other purposes.

By Mr. LEAHY, from the Committee on the Judiciary, without amendment and with a preamble:

S. Res. 594. A resolution designating September 2008 as "Tay-Sachs Awareness Month".

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 2979. A bill to exempt the African National Congress from treatment as a terrorist organization, and for other purposes.

### EXECUTIVE REPORT OF COMMITTEE

The following executive report of committee was submitted:

By Mr. BIDEN, from the Committee on Foreign Relations:

[Treaty Doc. 110-9; Protocol of Amendments to Convention on International Hydrographic Organization (Ex. Rept. 110-10)]

The text of the committee-recommended resolution of advice and consent to ratification is as follows:

*Resolved (two-thirds of the Senators present concurring therein)*, That the Senate advises and consents to the ratification of the Protocol of Amendments to the Convention on the International Hydrographic Organization done at Monaco on April 14, 2005 (Treaty Doc. 110-9).

### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

\*Army nomination of Gen. David H. Petraeus, to be General.

\*Army nomination of Lt. Gen. Raymond T. Odierno, to be General.

Air Force nominations beginning with Colonel William J. Bender and ending with Colonel Timothy M. Zadalis, which nominations were received by the Senate and appeared in the Congressional Record on March 31, 2008.

Air Force nomination of Maj. Gen. Paul J. Selva, to be Lieutenant General.

Army nomination of Col. Kenny C. Montoya, to be Brigadier General.

Army nomination of Brig. Gen. Errol R. Schwartz, to be Major General.

Army nomination of Maj. Gen. Ricky Lynch, to be Lieutenant General.

Army nomination of Col. Patricia D. Horoho, to be Major General.

Army nominations beginning with Brigadier General Timothy E. Albertson and ending with Colonel Larry W. Triphahn, which nominations were received by the Senate and appeared in the Congressional Record on June 16, 2008.

Marine Corps nomination of Maj. Gen. John R. Allen, to be Lieutenant General.

Navy nomination of Rear Adm. (1h) Moira N. Flanders, to be Rear Admiral.

Navy nomination of Rear Adm. (1h) Karen A. Flaherty, to be Rear Admiral.

Navy nomination of Rear Adm. (1h) Raymond P. English, to be Rear Admiral.

Navy nomination of Capt. Scott A. Weikert, to be Rear Admiral (lower half).

Navy nomination of Capt. Bruce A. Doll, to be Rear Admiral (lower half).

Navy nomination of Capt. Steven M. Talson, to be Rear Admiral (lower half).

Navy nominations beginning with Capt. Mark J. Belton and ending with Capt. Nicholas T. Kalathas, which nominations were received by the Senate and appeared in the Congressional Record on March 11, 2008.

Navy nomination of Rear Adm. Dirk J. Debbink, to be Vice Admiral.

\*Nelson M. Ford, of Virginia, to be Under Secretary of the Army.

\*Joseph A. Benkert, of Virginia, to be an Assistant Secretary of Defense.

\*Sean Joseph Stackley, of Virginia, to be an Assistant Secretary of the Navy.

\*Frederick S. Celec, of Virginia, to be Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense Programs.

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

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

Air Force nomination of Andrew P. Armacost, to be Colonel.

Air Force nomination of Hans C. Bruntmyer, to be Lieutenant Colonel.

Air Force nominations beginning with Dwight Peake and ending with Trevor S. Petrou, which nominations were received by the Senate and appeared in the Congressional Record on June 3, 2008.

Air Force nominations beginning with Christine Cornish and ending with David G. Watson, which nominations were received by the Senate and appeared in the Congressional Record on June 3, 2008.

Air Force nomination of John L. Baeke, to be Major.

Air Force nominations beginning with Joseph C. Lee and ending with Brad A. Nieset, which nominations were received by the Senate and appeared in the Congressional Record on June 4, 2008.

Air Force nominations beginning with Robert B. Kohl and ending with Alvin W. Rowell, which nominations were received by the Senate and appeared in the Congressional Record on June 4, 2008.

Air Force nominations beginning with James D. Barber, Jr. and ending with Mark John Zechman, which nominations were received by the Senate and appeared in the Congressional Record on June 16, 2008.

Army nominations beginning with Marvin P. Anderson and ending with Mark V. Vail, which nominations were received by the Senate and appeared in the Congressional Record on February 5, 2008.

Army nominations beginning with John P. Albano and ending with D060387, which nominations were received by the Senate and appeared in the Congressional Record on February 5, 2008.

Army nomination of John Kissler, to be Major.

Army nominations beginning with Mark A. Arturi and ending with Dana F. Campbell,