

S. 3406. A bill to restore the intent and protections of the Americans with Disabilities Act of 1990.

### 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-7322. A communication from the Assistant Inspector General for Communications and Congressional Liaison, Office of Inspector General, Department of Defense, transmitting, pursuant to law, the report of a vacancy and designation of acting officer in the position of Inspector General, Department of Defense received on July 30, 2008; to the Committee on Armed Services.

EC-7323. A communication from the Assistant to the Secretary and White House Liaison, Department of Housing and Urban Development, transmitting, pursuant to law, the report of an action on a nomination in the position of President, Government National Mortgage Association received on July 30, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-7324. A communication from the Assistant to the Secretary and White House Liaison, Department of Housing and Urban Development, transmitting, pursuant to law, the report of an action on a nomination in the position of Assistant Secretary for Congressional and Intergovernmental Relations received on July 30, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-7325. A communication from the Assistant to the Secretary and White House Liaison, Department of Housing and Urban Development, transmitting, pursuant to law, the report of the discontinuation of service in an acting role in the position of President, Government National Mortgage Association received on July 30, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-7326. A communication from the Assistant to the Secretary and White House Liaison, Department of Housing and Urban Development, transmitting, pursuant to law, the report of an action on a nomination in the position of Assistant Secretary for Community Planning and Development received on July 30, 2008; to the Committee on Banking, Housing, and Urban Affairs.

EC-7327. A communication from the Assistant Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, a report entitled, "The 2007 Annual Homeless Assessment Report (AHAR)"; to the Committee on Banking, Housing, and Urban Affairs.

EC-7328. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled, "Periodic Report to Congress on the National Emergency Regarding Proliferation of Weapons of Mass Destruction"; to the Committee on Banking, Housing, and Urban Affairs.

EC-7329. A communication from the Secretary, Department of the Treasury, transmitting, pursuant to law, a report entitled, "Periodic Report on the National Emergency with respect to Côte d'Ivoire"; to the Committee on Banking, Housing, and Urban Affairs.

EC-7330. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the West Yakutat District of the Gulf of Alaska"

(RIN0648-XJ17) received on July 30, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7331. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pelagic Shelf Rockfish in the West Yakutat District of the Gulf of Alaska" (RIN0648-XJ16) received on July 30, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7332. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska" (RIN0648-XJ19) received on July 30, 2008; to the Committee on Commerce, Science, and Transportation.

EC-7333. A communication from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program for Consumer Products: Energy Conservation Standards for Residential Furnaces and Boilers" (RIN1904-AA78) received on July 30, 2008; to the Committee on Energy and Natural Resources.

EC-7334. A communication from the Program Manager, Administration for Children and Families, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and State Health Care Programs; Fraud and Abuse; Issuance of Advisory Opinions by the Office of Inspector General" (42 CFR part 1008) received on July 30, 2008; to the Committee on Finance.

EC-7335. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled "A New Transportation Approach for America"; to the Committee on Environment and Public Works.

EC-7336. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, a report entitled "Fiscal Year 2007 Superfund Five-Year Review Report to Congress"; to the Committee on Environment and Public Works.

EC-7337. A communication from the Deputy Director for Operations, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Rules for Administrative Review of Agency Decisions" (RIN1212-AB15) received on July 30, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC-7338. A communication from the Deputy Director for Operations, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR parts 4022 and 4044) received on July 30, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC-7339. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "New Animal Drugs; Cephalosporin Drugs; Extralabel Animal Drug Use; Order of Prohibition" (Docket No. FDA-2008-N-0326) received on July 30, 2008; to

the Committee on Health, Education, Labor, and Pensions.

EC-7340. A communication from the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a nomination in the position of Assistant Secretary for Employment and Training received on July 30, 2008; to the Committee on Health, Education, Labor, and Pensions.

EC-7341. A communication from the Director, Office of Management, Department of Energy, transmitting, pursuant to law, a report entitled "Federal Activities Inventory Reform Act of 1998"; to the Committee on Homeland Security and Governmental Affairs.

EC-7342. A communication from the Assistant Inspector General, Communications and Congressional Liaison, Department of Defense, transmitting, pursuant to law, a report entitled "Federal Activities Inventory Reform Act of 1998"; to the Committee on Homeland Security and Governmental Affairs.

EC-7343. A communication from the Chairman, U.S. Merit Systems Protection Board, transmitting, pursuant to law, a report entitled, "Federal Appointment Authorities, Cutting through the Confusion"; to the Committee on Homeland Security and Governmental Affairs.

EC-7344. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-441, "Priority Employment for Economically Disadvantaged Youth in the Youth Employment Program Amendment Act of 2008" received on July 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-7345. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-442, "Marriage Amendment Act of 2008" received on July 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-7346. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-443, "Access to Youth Employment Programs Amendment Act of 2008" received on July 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-7347. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-444, "Metropolitan Police Department Retirement Options Amendment Act of 2008" received on July 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-7348. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-445, "Closing of a Public Alley in Square 127, S.O. 07-1209, Act of 2008" received on July 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-7349. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-446, "Closing of Public Alleys in Squares 564, 566, and 568, S.O. 07-122, Act of 2008" received on July 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-7350. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-447, "Downtown BID Amendment Act of 2008" received on July 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-7351. A communication from the Chairman, Council of the District of Columbia,

transmitting, pursuant to law, a report on D.C. Act 17-448, "New Convention Center Hotel Technical Amendments Temporary Amendment Act of 2008" received on July 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-7352. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-449, "Adams Morgan Taxicab Zone Enforcement Temporary Amendment Act of 2008" received on July 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

EC-7353. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 17-450, "Spam Deterrence Act of 2008" received on July 30, 2008; to the Committee on Homeland Security and Governmental Affairs.

### 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-435. A message from the National Assembly of Kuwait to the President pro tempore of the Senate expressing congratulations on the occasion of the National Day of the United States of America; to the Committee on Foreign Relations.

### REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. 1193. A bill to direct the Secretary of the Interior to take into trust 2 parcels of Federal land for the benefit of certain Indian Pueblos in the State of New Mexico (Rept. No. 110-434).

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

H.J. Res. 62. A joint resolution to honor the achievements and contributions of Native Americans to the United States, and for other purposes (Rept. No. 110-435).

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

S. Res. 620. A resolution designating the week of September 14-20, 2008, as National Polycystic Kidney Disease Awareness Week, to raise public awareness and understanding of polycystic kidney disease, and to foster understanding of the impact polycystic kidney disease has on patients and future generations of their families.

S. Res. 622. A resolution designating the week beginning September 7, 2008, as "National Historically Black Colleges and Universities Week".

S. Res. 624. A resolution designating August 2008 as "National Truancy Prevention Month".

### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

\*Air Force nomination of Gen. Norton A. Schwartz, to be General.

\*Air Force nomination of Gen. Duncan J. McNabb, to be General.

Air Force nomination of Lt. Gen. William L. Shelton, to be Lieutenant General.

Air Force nomination of Maj. Gen. Larry D. James, to be Lieutenant General.

Air Force nominations beginning with Brigadier General William S. Busby III and ending with Colonel Delilah R. Works, which nominations were received by the Senate and appeared in the Congressional Record on July 23, 2008.

Air Force nomination of Brig. Gen. Lawrence A. Stutzriem, to be Major General.

Army nomination of Col. James R. Anderson, to be Brigadier General.

Army nominations beginning with Brigadier General Lie-Ping Chang and ending with Colonel Eugene R. Woolridge III, which nominations were received by the Senate and appeared in the Congressional Record on July 22, 2008.

Army nominations beginning with Colonel Heidi V. Brown and ending with Colonel Mark W. Yenter, which nominations were received by the Senate and appeared in the Congressional Record on July 15, 2008.

Marine Corps nomination of Lt. Gen. John M. Paxton, Jr., to be Lieutenant General.

Navy nominations beginning with Capt. Christopher J. Paul and ending with Capt. Michael J. Yurina, which nominations were received by the Senate and appeared in the Congressional Record on March 3, 2008. (minus 1 nominee: Capt. George W. Ballance)

Navy nomination of Captain Terry B. Kraft, to be Rear Admiral (Lower Half).

Navy nomination of Rear Adm. Bruce W. Clingan, to be Vice Admiral.

Navy nomination of Vice Adm. James A. Winnefeld, Jr., to be Vice Admiral.

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 nominations beginning with Christian L. Biscotti and ending with Barry K. Wells, which nominations were received by the Senate and appeared in the Congressional Record on March 11, 2008.

Air Force nominations beginning with Timothy M. French and ending with Rachelle M. Nowlin, which nominations were received by the Senate and appeared in the Congressional Record on July 23, 2008.

Air Force nomination of Jeffrey T. Butler, to be Colonel.

Army nominations beginning with Robert S. Dempster and ending with Fred A. Karnik, which nominations were received by the Senate and appeared in the Congressional Record on July 22, 2008.

Army nominations beginning with Thomas G. Norbie and ending with David K. Rhinehart, which nominations were received by the Senate and appeared in the Congressional Record on July 22, 2008.

Army nominations beginning with Anne M. Andrews and ending with Kim N. Thomsen, which nominations were received by the Senate and appeared in the Congressional Record on July 22, 2008.

Army nominations beginning with David E. Bentzel and ending with Shannon M. Wallace, which nominations were received by the Senate and appeared in the Congressional Record on July 22, 2008.

Army nominations beginning with Carlos C. Amaya and ending with Selina G. Williams, which nominations were received by the Senate and appeared in the Congressional Record on July 22, 2008.

Army nominations beginning with Kimberlee A. Aiello and ending with D060789, which nominations were received by the Senate and appeared in the Congressional Record on July 22, 2008.

Army nomination of Deborah J. McDonald, to be Colonel.

Army nomination of Lemuel H. Clement, to be Colonel.

Army nomination of Marco E. Harris, to be Colonel.

Army nominations beginning with Robert J. Howell, Jr. and ending with Stanley R. Jones, Jr., which nominations were received by the Senate and appeared in the Congressional Record on July 24, 2008.

Army nomination of Francis B. Magurn II, to be Colonel.

Army nomination of Joseph W. Brown, to be Major.

Army nomination of Victor Ursua, to be Major.

Army nomination of Yvonne M. Beale, to be Major.

Army nomination of Gerald P. Johnson, to be Lieutenant Colonel.

Army nominations beginning with Mael Laborde and ending with Anthony Wojcik, which nominations were received by the Senate and appeared in the Congressional Record on July 24, 2008.

Army nominations beginning with George J. Jicha and ending with William H. Smithson, which nominations were received by the Senate and appeared in the Congressional Record on July 24, 2008.

Army nominations beginning with Christopher M. Hartley and ending with Lajohnne A. White, which nominations were received by the Senate and appeared in the Congressional Record on July 24, 2008.

Army nominations beginning with Samuel M. Ruben and ending with George D. Horn, which nominations were received by the Senate and appeared in the Congressional Record on July 24, 2008.

Navy nominations beginning with Timothy J. McCullough and ending with Jae Woo Chung, which nominations were received by the Senate and appeared in the Congressional Record on July 22, 2008.

Navy nominations beginning with Phillip J. Bachand and ending with Gilbert L. Williams, which nominations were received by the Senate and appeared in the Congressional Record on July 22, 2008.

Navy nomination of Eric D. Seeland, to be Captain.

Navy nominations beginning with William L. Hendrickson and ending with Orlando Gallardo, Jr., which nominations were received by the Senate and appeared in the Congressional Record on July 24, 2008.

\*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. BIDEN (for himself, Mr. LUGAR, Mr. LAUTENBERG, Mr. WARNER, Mr. LEAHY, Mr. LEVIN, and Mr. VOINOVICH):

S. 3370. A bill to resolve pending claims against Libya by United States nationals,