

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2010—Continued

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk on the committee-reported substitute amendment to H.R. 2847.

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

The assistant legislative clerk read as follows:

A bill (H.R. 2847) making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the committee-reported substitute amendment to H.R. 2847, the Departments of Commerce, Justice and Science and Related Agencies Appropriations Act of Fiscal Year 2010.

Harry Reid, Barbara A. Mikulski, Barbara Boxer, Robert Menendez, Charles E. Schumer, Patty Murray, Tom Harkin, Patrick J. Leahy, Roland W. Burris, Mark Begich, Ben Nelson, Daniel K. Inouye, Debbie Stabenow, Bernard Sanders, Dianne Feinstein, John F. Kerry, Edward E. Kaufman.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion on the bill. I ask that it be stated.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on H.R. 2847, the Departments of Commerce, Justice and Science and Related Agencies Appropriations Act of Fiscal Year 2010.

Harry Reid, Barbara A. Mikulski, Barbara Boxer, Robert Menendez, Charles E. Schumer, Patty Murray, Tom Harkin, Patrick J. Leahy, Roland W. Burris, Mark Begich, Ben Nelson, Daniel K. Inouye, Debbie Stabenow, Bernard Sanders, Dianne Feinstein, John F. Kerry, Edward E. Kaufman.

Mr. REID. I ask unanimous consent that the cloture vote on the substitute amendment occur at 5:30 p.m., Tuesday, October 13, that the hour prior to the vote be for debate with respect to the cloture motion, the hour be equally divided and controlled between Senators MIKULSKI and SHELBY or their designees, and that the mandatory quorums be waived.

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

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2010—CONFERENCE REPORT

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of the conference report to accompany H.R. 3183.

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

The report will be stated.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3183), making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2010, and for other purposes, having met, have agreed to recommend and do recommend to their respective Houses that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment and the Senate agree to the same, signed by a majority of the conferees on the part of both Houses.

(The conference report is printed in the House proceedings of the RECORD of September 30, 2009.)

CLOTURE MOTION

Mr. REID. I have a cloture motion on the conference report at the desk. I ask that it be stated.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the conference report to accompany H.R. 3183, the Energy and Water Appropriations Act for Fiscal Year 2010.

Harry Reid, Charles E. Schumer, Patrick J. Leahy, Dianne Feinstein, Evan Bayh, Mark L. Pryor, Jon Tester, Robert Menendez, Frank R. Lautenberg, Kent Conrad, Patty Murray, John F. Kerry, Daniel K. Inouye, Sheldon Whitehouse, Carl Levin, Jack Reed, John D. Rockefeller IV, Bill Nelson.

Mr. REID. I ask unanimous consent that the cloture vote on the conference report occur upon disposition of H.R. 2847, provided that if cloture is not invoked on the substitute amendment to H.R. 2847, then a motion to reconsider the vote by which cloture was not invoked on the substitute be considered entered; that the cloture vote on the bill be delayed to occur upon reconsideration and cloture is not invoked on the substitute, then the cloture motion on the bill be withdrawn; further, that if cloture has not been invoked as specified above, then the vote on the motion to invoke cloture on the conference report to accompany H.R. 3183 occur 1 hour after the Senate convenes on Wednesday, October 14, and that the mandatory quorum be waived.

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

ORDERS FOR FRIDAY, OCTOBER 9, 2009, AND TUESDAY, OCTOBER 13, 2009

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, Friday, October 9, for a pro forma session only, with no business conducted; that following the pro forma session, the Senate adjourn until 2 p.m. on Tuesday, October 13; that following the prayer and pledge on that day, 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 for up to 10 minutes each; that following morning business, the Senate resume consideration of H.R. 2847, the Commerce-Justice-Science appropriations bill. Finally, I ask that the filing deadline for first-degree amendments be at 3 p.m. on Tuesday.

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

PROGRAM

Mr. REID. Mr. President, the cloture vote on the substitute amendment to CJS will occur at 5:30 p.m. on Tuesday. That will be the first vote of the day. We are still hopeful and confident Senators SHELBY and MIKULSKI can work out a finite list of amendments to be voted on, and we will start voting on those Tuesday. I hope we can do that. If not, we will have to go forward. We worked all afternoon trying to come up with something, but the amendments kept coming. There was a time we had to draw the line. The number of amendments we received had nothing to do with this legislation, so it was determined to be the time to file cloture.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. 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 9:18 p.m., adjourned until Friday, October 9, 2009, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

TENNESSEE VALLEY AUTHORITY

NEIL G. MCBRIDE, OF TENNESSEE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2013, VICE SKILA HARRIS, RESIGNED.

DEPARTMENT OF STATE

DAVID HUEBNER, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO NEW ZEALAND, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO SAMOA.

DAVID DANIEL NELSON, OF MINNESOTA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF

MINISTER—COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE ORIENTAL REPUBLIC OF URUGUAY.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. WILLIAM B. CALDWELL IV

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. DAVID M. RODRIGUEZ

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be vice admiral*

VICE ADM. ROBERT S. HARWARD, JR.

EDWARD M. AVALOS, OF NEW MEXICO, TO BE UNDER SECRETARY OF AGRICULTURE FOR MARKETING AND REGULATORY PROGRAMS.

JILL SOMMERS, OF KANSAS, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING APRIL 13, 2014.

KENNETH ALBERT SPEARMAN, OF FLORIDA, TO BE A MEMBER OF THE FARM CREDIT ADMINISTRATION BOARD, FARM CREDIT ADMINISTRATION FOR THE REMAINDER OF THE TERM EXPIRING MAY 21, 2010.

KENNETH ALBERT SPEARMAN, OF FLORIDA, TO BE A MEMBER OF THE FARM CREDIT ADMINISTRATION BOARD, FARM CREDIT ADMINISTRATION FOR A TERM EXPIRING MAY 21, 2016.

EDWARD M. AVALOS, OF NEW MEXICO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION.

SCOTT D. O'MALLIA, OF MICHIGAN, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING APRIL 13, 2010 VICE WALTER LUKKEN, RESIGNED.

SCOTT D. O'MALLIA, OF MICHIGAN, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING APRIL 13, 2015.

HARRIS D. SHERMAN, OF COLORADO, TO BE UNDER SECRETARY OF AGRICULTURE FOR NATURAL RESOURCES AND ENVIRONMENT.

HARRIS D. SHERMAN, OF COLORADO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

COMMODITY FUTURES TRADING COMMISSION

BARTHOLOMEW CHILTON, OF MARYLAND, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING APRIL 13, 2013.

JILL SOMMERS, OF KANSAS, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING APRIL 13, 2014.

SCOTT D. O'MALLIA, OF MICHIGAN, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING APRIL 13, 2010 VICE WALTER LUKKEN, RESIGNED.

SCOTT D. O'MALLIA, OF MICHIGAN, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING APRIL 13, 2015.

DEPARTMENT OF AGRICULTURE

EDWARD M. AVALOS, OF NEW MEXICO, TO BE UNDER SECRETARY OF AGRICULTURE FOR MARKETING AND REGULATORY PROGRAMS.

EDWARD M. AVALOS, OF NEW MEXICO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION.

HARRIS D. SHERMAN, OF COLORADO, TO BE UNDER SECRETARY OF AGRICULTURE FOR NATURAL RESOURCES AND ENVIRONMENT.

HARRIS D. SHERMAN, OF COLORADO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION.

FARM CREDIT ADMINISTRATION

KENNETH ALBERT SPEARMAN, OF FLORIDA, TO BE A MEMBER OF THE FARM CREDIT ADMINISTRATION BOARD, FARM CREDIT ADMINISTRATION FOR THE REMAINDER OF THE TERM EXPIRING MAY 21, 2010.

KENNETH ALBERT SPEARMAN, OF FLORIDA, TO BE A MEMBER OF THE FARM CREDIT ADMINISTRATION BOARD, FARM CREDIT ADMINISTRATION FOR A TERM EXPIRING MAY 21, 2016.

DISCHARGED NOMINATIONS

The Senate Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration of the following nominations by unanimous consent and the nominations were confirmed:

BARTHOLOMEW CHILTON, OF MARYLAND, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING APRIL 13, 2013.

CONFIRMATIONS

Executive nominations confirmed by the Senate, Thursday, October 8, 2009:

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. DAVID M. RODRIGUEZ