

SEC. 202. DESIGNATION OF THE E-VERIFY PROGRAM.

(a) DESIGNATION.—Sections 401(c)(1), 403(a), 403(b)(1), 403(c)(1), and 405(b)(2) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 8 U.S.C. 1324a note) are amended by striking “basic pilot program” each place that term appears and inserting “E-Verify Program”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 8 U.S.C. 1324a note) is amended—

(1) in the heading of section 403(a) by striking “BASIC PILOT” and inserting “E-VERIFY”; and

(2) in section 404(h)(1) by striking “under a pilot program” and inserting “under this subtitle”.

SEC. 203. REQUIREMENT FOR RECIPIENTS OF UNEMPLOYMENT COMPENSATION BENEFITS TO PARTICIPATE IN THE E-VERIFY PROGRAM.

(a) IN GENERAL.—No individual may receive unemployment compensation benefits under any State or Federal law until after the date that the individual's identity and employment eligibility are verified through E-Verify Program (as designated by section 202) under title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 8 U.S.C. 1324a note).

(b) EFFECTIVE DATE.—The requirements of subsection (a) shall take effect on the date that is 180 days after the date of enactment of this Act.

SEC. 204. REQUIREMENT FOR CONTRACTORS TO PARTICIPATE IN THE E-VERIFY PROGRAM.

The head of each agency or department of the United States that enters into a contract shall require, as a condition of the contract, that the contractor participate in the E-Verify Program (as designated by section 202) under title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 8 U.S.C. 1324a note) to verify the identity and employment eligibility of—

(1) all individuals hired during the term of the contract by the contractor to perform employment duties within the United States; and

(2) all individuals assigned by the contractor to perform work within the United States the under such contract.

NOTICE OF HEARING**COMMITTEE ON INDIAN AFFAIRS**

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, October 22, 2009, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct a business meeting pending committee issues, to be followed immediately by an oversight hearing on Indian Energy and Energy Efficiency.

Those wishing additional information may contact the Indian Affairs Committee at 202-224-2251.

AUTHORITY FOR COMMITTEES TO MEET**COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS**

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on

Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on October 20, 2009, at 9:30 a.m. to conduct a hearing entitled “The State of the Nation's Housing Market.”

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

COMMITTEE ON FINANCE

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on October 20, 2009, at 10 a.m. in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled “S. 1631, the Customs Facilitation and Trade Enforcement Act of 2009.”

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Tuesday, October 20, 2009, at 2:30 p.m.

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on October 20, 2009, at 10:30 a.m. to conduct a hearing entitled “Reform Done Right: Sensible Health Care Solutions for America's Small Businesses.”

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. BYRD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on October 20, 2009, at 2:30 p.m.

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

SUBCOMMITTEE ON ADMINISTRATIVE OVERSIGHT AND THE COURTS

Mr. BYRD. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Administrative Oversight and the Courts, be authorized to meet during the session of the Senate, on October 20, 2009, at 10 a.m. in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Medical Debt: Can Bankruptcy Reform Facilitate a Fresh Start?” The witness list is attached.

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

PRIVILEGES OF THE FLOOR

Mr. BYRD. Mr. President, I ask unanimous consent that Alex Avanni, a detailee to the Committee on Appropriations, be given full privileges during debate on H.R. 2892 today.

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. I now ask unanimous consent that on Wednesday morning, October 21, following the period of morning business, the Senate proceed to executive session to consider Calendar No. 469, the nomination of Roberto Lange to be U.S. District Judge for the District of South Dakota; that debate on the nomination be limited to 2 hours equally divided and controlled between Senators LEAHY and SESSIONS or their designees, with the vote on confirmation occurring at 2 p.m.; that upon confirmation, the motion to reconsider be considered made and laid on the table, no further motions be in order, the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY AMENDMENTS ACT OF 2009

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 1818.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1818) to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to honor the legacy of Stewart L. Udall, and for other purposes.

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

Mr. REID. Mr. President, I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, there be no intervening action or debate, and any statements relating to this bill be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (S. 1818) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1818

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Morris K. Udall Scholarship and Excellence in National Environmental Policy Amendments Act of 2009”.

SEC. 2. SHORT TITLE.

Section 1 of the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5601 note; Public Law 102-259) is amended to read as follows:

“SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘Morris K. Udall and Stewart L. Udall Foundation Act.’”

SEC. 3. FINDINGS.

Section 3 of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5601) is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(5) the Foundation—

“(A) since 1995, has operated exceptional scholarship, internship, and fellowship programs for areas of study related to the environment and Native American tribal policy and health care;

“(B) since 1999, has provided valuable environmental conflict resolution services and leadership through the United States Institute for Environmental Conflict Resolution; and

“(C) is committed to continue making a substantial contribution toward public policy in the future by—

“(i) playing a significant role in developing the next generation of environmental and Native American leaders; and

“(ii) working with current leaders to improve decisionmaking on—

“(I) challenging environmental, energy, and related economic problems; and

“(II) tribal governance and economic issues;

“(6) Stewart L. Udall, as a member of Congress, Secretary of the Interior, environmental lawyer, and author, has provided distinguished national leadership in environmental and Native American policy for more than 50 years;

“(7) as Secretary of the Interior from 1961 to 1969, Stewart L. Udall oversaw the creation of 4 national parks, 6 national monuments, 8 national seashores and lakeshores, 9 recreation areas, 20 historic sites, and 56 wildlife refuges; and

“(8) it is fitting that the leadership and vision of Stewart L. Udall in the areas of environmental and Native American policy be jointly honored with that of Morris K. Udall through the foundation bearing the Udall name.”.

SEC. 4. DEFINITIONS.

Section 4 of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5602) is amended—

(1) in paragraph (1), by striking “Morris K. Udall Scholarship and Excellence in National Environmental Policy”;

(2) in paragraph (5), by striking “Scholarship and Excellence in National Environmental Policy” and inserting “and Stewart L. Udall”; and

(3) in paragraph (9), by striking “Scholarship and Excellence in National Environmental Policy” and inserting “and Stewart L. Udall”.

SEC. 5. ESTABLISHMENT OF FOUNDATION.

Section 5 of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5603) is amended—

(1) in the section heading, by striking “**SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY**” and inserting “**AND STEWART L. UDALL**”; and

(2) in subsection (a), by striking “Scholarship and Excellence in National Environmental Policy” and inserting “and Stewart L. Udall”; and

(3) in subsection (f)(2), by striking “the rate specified for employees in level IV of the Executive Schedule under section 5315 of title 5, United States Code” and inserting “a rate determined by the Board in accordance with section 5383 of title 5, United States Code”.

SEC. 6. AUTHORITY OF FOUNDATION.

Section 7 of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5605) is amended—

(1) in subsection (a)(5)—

(A) in subparagraph (C), by striking “and” at the end;

(B) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(E) to conduct training, research, and other activities under section 6(7).”; and

(2) by striking subsection (b) and inserting the following:

“(b) UDALL SCHOLARS.—Recipients of scholarships, fellowships, and internships under this Act shall be known as ‘Udall Scholars’, ‘Udall Fellows’, and ‘Udall Interns’, respectively.”.

SEC. 7. ESTABLISHMENT OF TRUST FUND.

Section 8 of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5606) is amended—

(1) in the section heading, by striking “**SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY**” and inserting “**AND STEWART L. UDALL**”; and

(2) in subsection (a), by striking “Scholarship and Excellence in National Environmental Policy” and inserting “and Stewart L. Udall”.

SEC. 8. EXPENDITURES AND AUDIT OF TRUST FUND.

Section 9(a) of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5607(a)) is amended by inserting before the period at the end the following: “, including a reasonable amount for official reception and representation expenses, as determined by the Board, not to exceed \$5,000 for a fiscal year”.

SEC. 9. USE OF INSTITUTE BY FEDERAL AGENCY OR OTHER ENTITY.

Section 11 of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5607b) is amended by adding at the end the following:

“(f) AGENCY MANAGEMENT OR CONTROL.—Use of the Foundation or Institute to provide independent and impartial assessment, mediation, or other dispute or conflict resolution under this section shall not be considered to be the establishment or use of an advisory committee within the meaning of the Federal Advisory Committee Act (5 U.S.C. App.).”.

SEC. 10. ADMINISTRATIVE PROVISIONS.

Section 12(a) of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5608(a)) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1)(A) appoint such personnel as may be necessary to carry out the provisions of this Act, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service; and

“(B) fix the compensation of the personnel appointed under subparagraph (A) at a rate not to exceed the maximum rate for employees in grade GS-15 of the General Schedule under section 5332 of title 5, United States Code, except that up to 4 employees (in addition to the Executive Director under section 5(f)(2)) may be paid at a rate determined by the Board in accordance with section 5383 of that title.”;

(2) in paragraph (6), by striking “and” at the end;

(3) by redesignating paragraph (7) as paragraph (8); and

(4) by inserting after paragraph (6) the following:

“(7) to rent office space in the District of Columbia or its environs; and”.

APPOINTMENTS

The ACTING PRESIDENT pro tempore. The Chair announces, on behalf of the President pro tempore, pursuant to P.L. 110-315, the appointment of the following to be members of the Na-

tional Advisory Committee on Institutional Quality and Integrity: Daniel Klaich of Nevada, Cameron Staples of Connecticut, and Larry Vanderhoef of California.

ORDERS FOR WEDNESDAY, OCTOBER 21, 2009

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, October 21; 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 for 2 hours, with Senators permitted to speak for up to 10 minutes each, with the time divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate proceed to executive session as provided for under the previous order.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, Senators should expect two rollcall votes tomorrow at around 2 p.m. The first vote will be on the confirmation of Roberto Lange to be a U.S. district judge for the District of South Dakota. We anticipate setting up a second vote which would be on the motion to invoke cloture on the motion to proceed to S. 1776, the Medicare Physicians Fairness Act.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. 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 7:38 p.m., adjourned until Wednesday, October 21, 2009, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

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 general

LT. GEN. KEITH B. ALEXANDER

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

REAR ADM. JOHN T. BLAKE