

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, May 7, 2009, at 2:15 p.m. in Room 628 of the Dirksen Senate office building to conduct a hearing on the nomination of Larry J. Echo Hawk to be Assistant Secretary for Indian Affairs, U.S. Department of the Interior.

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. LEVIN. 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 May 6, 2009, at 9:30 a.m., to conduct a hearing entitled "Regulating and Resolving Institutions Considered 'Too Big to Fail'."

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, May 6, 2009, at 10 a.m., in room SD-366 of the Dirksen Senate office building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, May 6, 2009, at 9:30 a.m., to hold a hearing entitled "Engaging Iran: Obstacles and Opportunities."

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

COMMITTEE ON FOREIGN RELATIONS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, May 6, 2009, at 2:30 p.m., to hold a subcommittee hearing entitled "NATO Post-60: Institutional Challenges Moving Forward."

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

COMMITTEE ON THE JUDICIARY

Mr. LEVIN. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate, to conduct a hearing entitled "Oversight of the Department of Homeland Security," on Wednesday, May 6, 2009, at 10 a.m., in room SD-224 of the Dirksen Senate office building.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. LEVIN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Wednesday, May 6, 2009, at 9 a.m. The Committee will meet in room 418 of the Russell Senate office building beginning at 9:30 a.m.

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

SUBCOMMITTEE ON COMMUNICATIONS, TECHNOLOGY, AND THE INTERNET

Mr. LEVIN. Mr. President, I ask unanimous consent that the Subcommittee on Communications, Technology, and the Internet of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Wednesday, May 6, 2009, at 2:30 p.m., in room 253 of the Russell Senate office building.

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

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. LEVIN. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, May 6, 2009, at 2:15 p.m.

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

SPECIAL COMMITTEE ON AGING

Mr. LEVIN. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate, on May 6, 2009, from 2 p.m.—4 p.m. in Hart 216 for the purpose of conducting a hearing.

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

PRIVILEGES OF THE FLOOR

Ms. COLLINS. Mr. President, I ask unanimous consent that Eric Cho, a detailee on my Homeland Security and Governmental Affairs staff, be granted the privileges of the floor during the duration of the debate on this legislation S. 454.

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

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that CAPT David Evans, of my staff, be granted the privilege of the floor for the remainder of the discussion of this bill.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 80, 85, 99, 100, 101, 102, 103, 104, 105, 106, 107, and all nominations on the Secretary's desk in the Foreign Service; that the nominations be con-

firmed en bloc, and the motions to reconsider be laid upon the table en bloc; that no further motions be in order; that any statements relating to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate then resume legislative session.

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

The nominations considered and confirmed are as follows:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Ronald C. Sims, of Washington, to be Deputy Secretary of Department of Housing and Urban Development.

EXPORT-IMPORT BANK OF THE UNITED STATES

Fred P. Hochberg, of New York, to be President of the Export-Import Bank of the United States for a term expiring January 20, 2013.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Yvette Roubideaux, of Arizona, to be Director of the Indian Health Service, Department of Health and Human Services, for the term of four years.

DEPARTMENT OF HOMELAND SECURITY

Ivan K. Fong, of Ohio, to be General Counsel, Department of Homeland Security.

Timothy W. Manning, of New Mexico, to be Deputy Administrator for National Preparedness, Federal Emergency Management Agency, Department of Homeland Security.

DEPARTMENT OF THE TREASURY

Alan B. Krueger, of New Jersey, to be an Assistant Secretary of the Treasury.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

William V. Corr, of Virginia, to be Deputy Secretary of Health and Human Services.

EXECUTIVE OFFICE OF THE PRESIDENT

Demetrios J. Marantis, of the District of Columbia, to be a Deputy United States Trade Representative, with the rank of Ambassador.

DEPARTMENT OF STATE

Johnnie Carson, of Illinois, to be an Assistant Secretary of State (African Affairs).

Ivo H. Daalder, of Virginia, to be United States Permanent Representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

Luis C. de Baca, of Virginia, to be Director of the Office to Monitor and Combat Trafficking, with rank of Ambassador at Large.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

FOREIGN SERVICE

PN273 FOREIGN SERVICE nominations (7) beginning Gregory D. Loose, and ending Gregory M. Wong, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 2, 2009.

PN274 FOREIGN SERVICE nominations (154) beginning Laszlo F. Sagi, and ending Daniel E. Harris, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 2, 2009.

PN275 FOREIGN SERVICE nominations (224) beginning John M. Kowalski, and ending Jeremy Terrill Young, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 2, 2009.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

CREDIT CARDHOLDERS' BILL OF RIGHTS ACT OF 2009—MOTION TO PROCEED

Mr. REID. Mr. President, I now move to proceed to Calendar No. 55, which is H.R. 627, and I send a cloture motion to the desk.

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 motion to proceed to the H.R. 627, the Credit Cardholders' Bill of Rights.

Patrick J. Leahy, Barbara Boxer, Mark Udall, Robert P. Casey, Jr., Kent Conrad, Patty Murray, Herb Kohl, Jeff Bingaman, Russell D. Feingold, Bernard Sanders, Ben Nelson, Ron Wyden, Debbie Stabenow, Bill Nelson, Richard Durbin, Jack Reed, Amy Klobuchar, Harry Reid.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum be waived.

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

Mr. REID. I now withdraw the motion, Mr. President.

The PRESIDING OFFICER. The motion is withdrawn.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

COMMENDING HEROIC EFFORTS OF PEOPLE FIGHTING FLOODS IN NORTH DAKOTA

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 132, submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 132) commending the heroic efforts of the people fighting the floods in North Dakota.

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

Mrs. MURRAY. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 132) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 132

Whereas 47 of the 53 counties in North Dakota have been declared Federal disaster areas;

Whereas wide swaths of North Dakota have faced unprecedented flooding crises, including cities along the Des Lacs, Heart, James, Knife, Missouri, Little Missouri, Park, Pembina, Red, Sheyenne, Souris, and Wild Rice Rivers and Beaver Creek;

Whereas the people of North Dakota have suffered tremendous damage to their homes, livelihoods, and communities;

Whereas the ranchers of North Dakota are estimated to have lost nearly 100,000 head of livestock;

Whereas many of the roads and bridges, and much of the other infrastructure, in North Dakota are in need of repair;

Whereas, despite terrible conditions, the people of North Dakota have shown the strength of their shared bond, coming together in large numbers to save their cities, towns, businesses, farms, and ranches;

Whereas stories of exceptional efforts abound, from people filling millions of sandbags on short notice, to people saving lives and effecting rapid emergency evacuations;

Whereas Federal, State, and local officials have provided outstanding leadership and effective service throughout the crisis in North Dakota; and

Whereas the response of the people of North Dakota to the disaster has shown the world how communities can unite, fight, and win in a crisis: Now, therefore, be it

Resolved, That the Senate—

(1) commends the people of North Dakota for their heroic efforts in fighting the floods in North Dakota;

(2) commends the many people from around the United States who assisted the people of North Dakota during this time of need;

(3) expresses appreciation to the officials of the numerous Federal agencies working on the ground in North Dakota for their consistently rapid, efficient, and effective response to the disaster; and

(4) continues to stand with the communities of North Dakota in the efforts to recover from the flooding during 2009, and to improve protections against flooding in the future.

NATIONAL PHYSICAL EDUCATION AND SPORT WEEK

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 133, submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 133) designating May 1 through May 7, 2009, as "National Physical Education and Sport Week."

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

Mrs. MURRAY. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 133) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 133

Whereas childhood obesity has reached epidemic proportions in the United States;

Whereas the Department of Health and Human Services estimates that, by 2010, 20 percent of children in the United States will be obese;

Whereas a decline in physical activity has contributed to the unprecedented epidemic of childhood obesity;

Whereas regular physical activity is necessary to support normal and healthy growth in children;

Whereas overweight adolescents have a 70 to 80 percent chance of becoming overweight adults, increasing their risk for chronic disease, disability, and death;

Whereas Type II diabetes can no longer be referred to as "late in life" or "adult onset" diabetes because it occurs in children as young as 10 years old;

Whereas the Physical Activity Guidelines for Americans recommend that children engage in at least 60 minutes of physical activity on most, and preferably all, days of the week;

Whereas children spend many of their waking hours at school and therefore need to be active during the school day to meet the recommendations of the Physical Activity Guidelines for Americans;

Whereas teaching children about physical education and sports not only ensures that they are physically active during the school day, but also educates them on how to be physically active and its importance;

Whereas only 3.8 percent of elementary schools, 7.9 percent of middle schools, and 2.1 percent of high schools provide daily physical education or its equivalent for the entire school year, and 22 percent of schools do not require students to take any physical education at all;

Whereas research shows that fit and active children are more likely to thrive academically;

Whereas participation in sports and physical activity improves self-esteem and body image in children and adults;

Whereas the social and environmental factors affecting children are in the control of the adults and the communities in which they live, and therefore this Nation shares a collective responsibility in reversing the childhood obesity trend; and

Whereas Congress strongly supports efforts to increase physical activity and participation of youth in sports: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 1 through May 7, 2009, as "National Physical Education and Sport Week";

(2) recognizes "National Physical Education and Sport Week" and the central role of physical education and sports in creating a healthy lifestyle for all children and youth;

(3) calls on school districts to implement local wellness policies as defined by the Child Nutrition and WIC Reauthorization Act of 2004 that include ambitious goals for physical education, physical activity, and other activities addressing the childhood obesity epidemic and promoting child wellness; and

(4) encourages schools to offer physical education classes to students and work with community partners to provide opportunities and safe spaces for physical activities before and after school and during the summer months for all children and youth.