

123 b., the period of 60 days of continuous session provided for in section 123 d. shall commence.

BARACK OBAMA.  
THE WHITE HOUSE, May 21, 2009.

#### MESSAGES FROM THE HOUSE

##### ENROLLED BILLS SIGNED

At 9:04 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 131. An act to establish the Ronald Reagan Centennial Commission.

H.R. 627. An act to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes.

Under the authority of the order of today, May 21, 2009, the enrolled bills were subsequently signed by the Majority Leader (Mr. REID).

At 1:21 p.m., a message from the House of Representatives, delivered by Mr. Zapata, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2352. An act to amend the Small Business Act, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 133. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

At 2:21 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 454) to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes.

##### ENROLLED BILL SIGNED

At 5:19 p.m., a message from the House of Representatives, delivered by Mr. Zapata, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 454. An act to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes.

Under the authority of the order of today, May 21, 2009, the enrolled bill was subsequently signed by the Majority Leader (Mr. REID).

##### MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2352. An act to amend the Small Business Act, and for other purposes; to the Committee on Small Business and Entrepreneurship.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 103. Concurrent resolution supporting the goals and ideals of Malaria Awareness Day; to the Committee on Foreign Relations.

##### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that today, May 21, 2009, she had presented to the President of the United States the following enrolled bill:

S. 454. An act to improve the organization of procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes.

##### 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-1707. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ‘‘Mushroom Promotion, Research, and Consumer Information Order; Correction to Referendum Procedures’’ (Docket No. AMS-FV-09-0019)(FV-09-703) received in the Office of the President of the Senate on May 18, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1708. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ‘‘Honey Research, Promotion, and Consumer Information Order; Termination’’ (Docket No. AMS-FV-09-0006)(FV-09-701) received in the Office of the President of the Senate on May 18, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1709. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ‘‘Onions Grown in South Texas; Change in Regulatory Period’’ (Docket No. AMS-FV-09-0012)(FV-09-959-1 IFR)) received in the Office of the President of the Senate on May 18, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1710. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ‘‘Walnuts Grown in California; Order Amending Marketing Order No. 984; Correction’’ (Docket No. AMS-FV-07-0004)(FV-06-984-1 C)) received in the Office of the President of the Senate on May 18, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1711. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ‘‘Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Salable Quantities and Allotment Percentages for the 2009-2010 Marketing Year’’ (Docket No. AMS-FV-08-0104)(FV-09-985-1 FR)) received in the Office of the President of the Senate on May 18, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1712. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report on the Department’s activities during Calendar Year 2008 relative to the Equal Credit Opportunity Act; to the Committee on Banking, Housing, and Urban Affairs.

EC-1713. A communication from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting, pursuant to law, (3) reports relative to vacancy announcements within the Department; to the Committee on Banking, Housing, and Urban Affairs.

EC-1714. A communication from the Acting Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ‘‘Revisions to License Requirements and License Exception Eligibility for Certain Thermal Imaging Cameras and Foreign Made Military Commodities Incorporating Such Cameras’’ (RIN0694-AD71) received in the Office of the President of the Senate on May 19, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-1715. A communication from the Assistant Director for Policy, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ‘‘Darfur Sanctions Regulations’’ (31 CFR Parts 546) received in the Office of the President of the Senate on May 19, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-1716. A communication from the Assistant Director for Policy, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ‘‘Democratic Republic of the Congo Sanctions Regulations’’ (31 CFR Parts 547) received in the Office of the President of the Senate on May 19, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-1717. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department’s Biennial Report On the 2008 Regulatory Status of National Transportation Safety Board Open Safety Recommendations Concerning 15-Passenger Van Safety, Railroad Grade Crossing Safety, and Medical Certifications for a Commercial Driver’s License; to the Committee on Commerce, Science, and Transportation.

EC-1718. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ‘‘Replacement Digital Television Translator Service’’ (MB Docket No. 08-253) received in the Office of the President of the Senate on May 18, 2009; to the Committee on Commerce, Science, and Transportation.

EC-1719. 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 ‘‘Health Saving Accounts Inflation Adjustments for 2010’’ (Rev. Proc. 2009-29) received in the Office of the President of the Senate on May 18, 2009; to the Committee on Finance.

EC-1720. 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 ‘‘Self-determination of Deficiency Dividend under 860(e)(4)’’ (Rev. Proc. 2009-28) received in the Office of the President of the Senate on May 18, 2009; to the Committee on Finance.

EC-1721. 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 "Formless Conversion of Partnership to S Corporation" (Rev. Rul. 2009-15) received in the Office of the President of the Senate on May 18, 2009; to the Committee on Finance.

EC-1722. 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 "Industry Director's Directive #2 on Enhanced Oil Recovery Credit" (LMSB-4-0409-014) received in the Office of the President of the Senate on May 18, 2009; to the Committee on Finance.

EC-1723. A communication from the Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Acquisition Regulation: Security Clause" (RIN1991-AB71) received on May 19, 2009; to the Committee on Energy and Natural Resources.

EC-1724. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to a proposed sale or export of defense articles and/or defense services to a Middle East country; to the Committee on Foreign Relations.

EC-1725. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to providing information on U.S. military personnel and U.S. civilian contractors involved in the anti-narcotics campaign in Colombia; to the Committee on Foreign Relations.

EC-1726. A communication from the Chairman, Committee on Public Safety and the Judiciary, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Bill 18-10, "Disclosure to the United States District Court Amendment Act of 2009" received in the Office of the President of the Senate on May 20, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-1727. A communication from the Director, Strategic Human Resources Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Prevailing Rate Systems: Redefinition of Certain Appropriated Fund Federal Wage System Wage Areas" (RIN3206-AL77) received in the Office of the President of the Senate on May 19, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-1728. A communication from the Acting Assistant Attorney General, Department of Justice, transmitting, pursuant to law, the Department's Office of Justice Programs (OJP) Annual Report to Congress for Fiscal Year 2008; to the Committee on the Judiciary.

EC-1729. A communication from the Chief, Office of Congressional Relations, Citizenship and Immigration Services, Department of Homeland Security, transmitting, the U.S. Citizenship and Immigration Services Annual Report for Fiscal Year 2008; to the Committee on the Judiciary.

EC-1730. A communication from the Federal Register Liaison Officer, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Reimbursement for Interment Costs" (RIN2900-AM98) received in the Office of the President of the Senate on May 19, 2009; to the Committee on Veterans Affairs.

EC-1731. A communication from the Assistant Secretary of the Navy (Installations and Environment), transmitting, pursuant to law, a report relative to the Department of the Navy converting to contract the information assurance functions currently being performed by eight (8) military personnel of

the Fleet Area Control and Surveillance Facility, located in Virginia Beach, Virginia; to the Committee on Armed Services.

EC-1732. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Acibenzolar-S-methyl; Pesticide Tolerances" (FRL-8413-7) received in the Office of the President of the Senate on May 20, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1733. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Cry1A.105 protein; Time Limited Exemption from the Requirement of a Tolerance" (FRL-8417-3) received in the Office of the President of the Senate on May 20, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1734. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Importation of Longan From Taiwan" (Docket No. APHIS-2007-0161) received in the Office of the President of the Senate on May 20, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1735. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans: California; Determination of Attainment of the 1-Hour Ozone Standard for the Ventura County Area" (FRL-8909-6) received in the Office of the President of the Senate on May 20, 2009; to the Committee on Environment and Public Works.

EC-1736. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans: Maryland; Reasonably Available Control Technology Requirements for Volatile Organic Compounds: Correction" (FRL-8909-5) received in the Office of the President of the Senate on May 20, 2009; to the Committee on Environment and Public Works.

EC-1737. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Imported Directly Requirement Under the United States-Bahrain Free Trade Agreement" (RIN1505-AC13) received in the Office of the President of the Senate on May 20, 2009; to the Committee on Finance.

EC-1738. 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 "State Parent Locator Service; Safeguarding Child Support Information: Delay of Effective Date" (RIN0970-AC01) received in the Office of the President of the Senate on May 20, 2009; to the Committee on Finance.

EC-1739. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the establishment of a Danger Pay Allowance for FBI personnel serving in Mexico; to the Committee on Foreign Relations.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and

were referred or ordered to lie on the table as indicated:

POM-25. A petition from a citizen of California relative to amending the Constitution; to the Committee on the Judiciary.

POM-26. A joint memorial adopted by the Legislature of the State of Washington relative to passing H.R. 5698, the Restoring Partnership for County Health Care Costs Act of 2008; to the Committee on Finance.

#### HOUSE JOINT MEMORIAL NO. 4000

Whereas, our system of justice presumes that a person accused of committing a crime is innocent until proven guilty; and

Whereas, under current federal law, persons awaiting trial or other disposition of their cases in county jails or juvenile detention facilities are ineligible to receive medicare, medicaid, supplementary security income, or state children's health insurance program benefits, even though their culpability in a criminal case has not been proven; and

Whereas, counties must bear the financial burden of providing medical care to persons who are held in county jails; and

Whereas, Many persons in custody who are affected by mental illness suffer further and are at higher risk of reoffending after they are released because of a delay in the reinstatement of their federal benefits; Now, therefore, Your Memorialists respectfully pray that the United States Congress pass HR 5698, the Restoring Partnership for County Health Care Costs Act of 2008.

*Be it Resolved*, That copies of this Memorial be immediately transmitted to the Honorable Barack Obama, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. DODD for the Committee on Banking, Housing, and Urban Affairs.

Francisco J. Sanchez, of Florida, to be Under Secretary of Commerce for International Trade.

\*Sandra Brooks Henriquez, of Massachusetts, to be an Assistant Secretary of Housing and Urban Development.

\*Peter M. Rogoff, of Virginia, to be Federal Transit Administrator.

\*Michael S. Barr, of Michigan, to be an Assistant Secretary of the Treasury.

\*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 Mrs. HUTCHISON:

S. 1115. A bill to amend title 23, United States Code, to prohibit the imposition of new tolls on the Federal-aid system, and for