

(Mr. BOND), the Senator from Maryland (Mr. CARDIN), the Senator from Mississippi (Mr. COCHRAN) and the Senator from Nebraska (Mr. JOHANNIS) were added as cosponsors of S. 1026, a bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to improve procedures for the collection and delivery of marked absentee ballots of absent overseas uniformed service voters, and for other purposes.

S. 1111

At the request of Mr. ROCKEFELLER, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1111, a bill to require the Secretary of Health and Human Services to enter into agreements with States to resolve outstanding claims for reimbursement under the Medicare program relating to the Special Disability Workload project.

S. 1118

At the request of Mrs. LINCOLN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1118, a bill to amend title 38, United States Code, to provide for an increase in the amount of monthly dependency and indemnity compensation payable to surviving spouses by the Secretary of Veterans Affairs, and for other purposes.

S. 1126

At the request of Mr. REID, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1126, a bill to require the Director of National Intelligence to submit a report to Congress on retirement benefits for former employees of Air America and for other purposes.

S. 1131

At the request of Mr. WYDEN, the names of the Senator from Massachusetts (Mr. KENNEDY) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 1131, a bill to amend title XVIII of the Social Security Act to provide certain high cost Medicare beneficiaries suffering from multiple chronic conditions with access to coordinated, primary care medical services in lower cost treatment settings, such as their residences, under a plan of care developed by a team of qualified and experienced health care professionals.

S. 1132

At the request of Mr. LEAHY, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 1132, a bill to amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, and for other purposes.

S.J. RES. 1

At the request of Mr. VITTER, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S.J. Res. 1, a joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve.

S. CON. RES. 14

At the request of Mrs. LINCOLN, the names of the Senator from North Carolina (Mrs. HAGAN) and the Senator from New Hampshire (Mr. GREGG) were added as cosponsors of S. Con. Res. 14, a concurrent resolution supporting the Local Radio Freedom Act.

S. CON. RES. 23

At the request of Mr. CARDIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. Con. Res. 23, a concurrent resolution supporting the goals and objectives of the Prague Conference on Holocaust Era Assets.

S. RES. 157

At the request of Mr. LUGAR, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from North Dakota (Mr. DORGAN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. Res. 157, a resolution recognizing Bread for the World, on the 35th anniversary of its founding, for its faithful advocacy on behalf of poor and hungry people in our country and around the world.

NOTICE OF HEARING

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a business meeting has been scheduled before Committee on Energy and Natural Resources. The business meeting will be held on Thursday, June 4, 2009, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the business meeting is to consider pending energy legislation.

For further information, please contact Sam Fowler at (202) 224-7571 or Amanda Kelly at (202) 224-6836.

RAILROAD ANTITRUST ENFORCEMENT ACT

Mr. REID. Madam President, I ask unanimous consent that the order with respect to resuming the motion to proceed to S. 146 be vitiated.

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

Mr. REID. Mr. President, I ask unanimous consent that the cloture motion with respect to the motion to proceed to S. 146 be withdrawn.

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

Mr. REID. Madam President, I wish to thank Senators ROCKEFELLER and KOHL and others for their work in securing an agreement to work together on comprehensive rail competition legislation. I ask unanimous consent that the Dear Colleague letter they jointly signed be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, June 1, 2009.

DEAR COLLEAGUES: We wanted to let you know that we have jointly decided to ask

Senator Reid to withdraw the pending cloture petition on S. 146, the Railroad Antitrust Enforcement Act. We share the common goals of addressing the longstanding concerns of rail shippers and making the rail industry more competitive.

The Commerce and Judiciary Committees intend to work together on comprehensive rail competition legislation. We hope to shortly have a bipartisan package that reforms the Surface Transportation Board and repeals the railroads' antitrust exemption available for the consideration by the full Senate. We are working on harmonizing our two efforts to produce a robust reform package.

This is a high priority for both of us and we are absolutely committed to finding real solutions that can be enacted into law this year.

Sincerely,

JOHN D. ROCKEFELLER IV,
*Chairman, Committee
on Commerce,
Science, and Transportation.*
HERB KOHL,
*Chairman, Antitrust
Subcommittee, Judiciary Committee.*

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 139; that the nomination be confirmed and the motion to reconsider be laid upon the table; that no further motions be in order and any statements relating to this matter be printed in the RECORD, the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

The nomination considered and confirmed is as follows:

DEPARTMENT OF STATE

Susan Flood Burk, of Virginia, a Career Member of the Senior Executive Service, to be Special Representative of the President, with the rank of Ambassador.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

ORDERS FOR TUESDAY, JUNE 2, 2009

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, Tuesday, June 2; 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 until 11 a.m., with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees; further I ask unanimous consent that following morning business,

the Senate proceed to executive session under the previous order; finally, I ask unanimous consent that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus luncheons.

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

PROGRAM

Mr. REID. Madam President, tomorrow, following morning business, the Senate will proceed to vote on confirmation of the nomination of Regina McCarthy to be an Assistant Administrator of the Environmental Protection Agency. That vote should be a voice vote. We will have to wait and see for sure.

Earlier today we were able to reach an agreement to vitiate the cloture motion on the motion to proceed to the railroad antitrust legislation. As a result, upon disposition of the McCarthy nomination, the Senate will immediately proceed to a cloture vote on the motion to proceed to H.R. 1256, the FDA tobacco regulation legislation. Therefore, Senators should expect at least one rollcall vote to begin around 11 a.m. tomorrow.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:59 p.m., adjourned until Tuesday, June 2, 2009, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF AGRICULTURE

EVAN J. SEGAL, OF PENNSYLVANIA, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF AGRICULTURE, VICE CHARLES R. CHRISTOPHERSON, JR., RESIGNED.

NATIONAL CREDIT UNION ADMINISTRATION

DEBORAH MATZ, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL CREDIT UNION ADMINISTRATION BOARD FOR A TERM EXPIRING APRIL 10, 2015, VICE RODNEY E. HOOD, TERM EXPIRED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ELLEN GLONINGER MURRAY, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES, VICE CHARLES E. JOHNSON, RESIGNED.

DEPARTMENT OF STATE

PATRICIA A. BUTENIS, OF VIRGINIA, 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 DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALDIVES.

CHRISTOPHER WILLIAM DELL, OF NEW JERSEY, 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 REPUBLIC OF KOSOVO.

CHARLES H. RIVKIN, OF CALIFORNIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO FRANCE, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO MONACO.

THOMAS ALFRED SHANNON, JR., OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE,

CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERATIVE REPUBLIC OF BRAZIL.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

NICOLE LURIE, OF MARYLAND, TO BE MEDICAL DIRECTOR IN THE REGULAR CORPS OF THE PUBLIC HEALTH SERVICE, SUBJECT TO QUALIFICATIONS THEREFOR AS PROVIDED BY LAW AND REGULATIONS, AND TO BE ASSISTANT SECRETARY FOR PREPAREDNESS AND RESPONSE, DEPARTMENT OF HEALTH AND HUMAN SERVICES, VICE W. CRAIG VANDERWAGEN, RESIGNED.

SUPREME COURT OF THE UNITED STATES

SONIA SOTOMAYOR, OF NEW YORK, TO BE AN ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES, VICE DAVID H. SOUTER, RETIRING.

DEPARTMENT OF DEFENSE

GORDON S. HEDDELL, OF THE DISTRICT OF COLUMBIA, TO BE INSPECTOR GENERAL, DEPARTMENT OF DEFENSE, VICE CLAUDE M. KICKLIGHTER, RESIGNED.

J. MICHAEL GILMORE, OF VIRGINIA, TO BE DIRECTOR OF OPERATIONAL TEST AND EVALUATION, DEPARTMENT OF DEFENSE, VICE CHARLES E. MCQUEARY.

DENNIS M. MCCARTHY, OF OHIO, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE THOMAS FORREST HALL.

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 admiral

ADM. ROBERT F. WILLARD

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

MARK W. ANDERSON
MARK DAVID AUER
DAVID M. BAKOS
JOHN MICHAEL BALBIERER
STEPHEN E. BEAUCHAMP
MARK W. BECK
STEPHEN M. BECKER
SANDRA M. BLALOCK
MONTE J. BOETTGER
EUGENE H. BRISLIN, JR.
TODD ALLEN BROWN
WALTER A. BRYAN, JR.
LARRY RANDOLPH BURRIS
MARY S. BURRUS
JOHNNIE A. BURTON, JR.
JOHN D. CAINE
JEFFREY B. CASHMAN
MICHAEL R. CASTALDI
TIMOTHY J. CATHCART
KIMBERLY R. CHATFIELD
ALAN J. CLARKE
PATRICK J. COBB
KELLY WARD COBBLE
SEAN THOMAS COLLINS
JAMES BRADLEY CUSHMAN
JOEL K. DARBO
JOHN C. DAVIS
KURT R. DAVIS
STEPHEN P. DEPTULA
BRADLEY M. DERRIG
NICOLE L. DESHLETSBIXLER
MARK J. DIVINE
WADE FRANKLIN DEWEY
VITO AUGUST DIMICCO, JR.
DALE F. FATH
RUBEN FERNANDEZVERA
MICHAEL E. FLANAGAN
BRYAN P. FOX
MICHAEL J. FRANCIS
TIMOTHY H. FUJINO
HELEN R. GALLOWAY
JOSEPH A. GELINETT
DANIEL E. GELINAS
EDITH M. GRUNWALD
LAUN R. HALLSTROM
KEVIN J. HEER
CHRISTOPHER A. HEGARTY
DOUGLAS J. HENRY
LANCE A. HESTER
JEFFREY W. HICKMAN
EDWARD J. HIGGINS
ROBERT J. HOFFMAN
RANDY C. HUFFMAN
LEONARD WESLEY ISABELLE, JR.

ADAM H. JENKINS
GREGORY F. JONES
RONALD M. KICHURA
ROBERT G. KILGORE
ANTHONY J. KISSIK
ROBERT C. KORTE
KENNETH L. LAMBRICH
GERALD D. LAYER
CHRISTIAN P. LEDET
DONNA D. LOOMIS
TIMOTHY THOMAS LUNDERMAN
EDWARD C. LUTZ
PAUL S. LYMAN
MICHAEL T. MACK
DANIEL B. MARINO

KEITH P. MARTIN
STUART K. MATHEW
EDWARD P. MAXWELL
STEPHEN C. MELTON
JESSICA MEYERAAN
MICHAEL H. MORGAN
TIMOTHY ALOYSIUS MULLEN
THAD L. MYERS
DAVID R. NARDI
RICHARD ROBERT NEELY
JILL J. NELSON
JEFFREY L. NEWTON
PAUL E. NORRIS
MICHAEL J. NOWICKI
JAMES A. OEHMCKE
PIERRE B. OURY
EILEEN K. PANACEK
JONATHAN RAY PAYNE
JEFFREY L. PETERS
JAMES E. RAMSEY
MICHAEL J. RAND
MICHAEL T. RAY
PAUL EDGAR RESEL
ADALBERTO RIVERA
GREGORY J. ROMAIN
GLENN ALAN ROWLEY
WALTER C. RUSTMANN
STEPHEN M. RYAN
MARK T. SCHARF
PETER R. SCHNEIDER
DAVID W. SILVA II
MARK C. SNYDER
MITCHELL D. SPERLING
PETER D. STAVROS
PAUL E. SWANSON
GARY J. SZABO
GLENN A. TAYLOR
BRYAN J. TEFF
LARRY D. THORPE
JAMES R. TREUTEL
EDWARD L. VAUGHN IV
MATTHEW WALLACE WESSEL
BRYAN F. WITTEOF
JEFFREY S. WOELBLING
STEVEN W. WRIGHT

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 4333(B) AND 4336(A):

To be colonel

EDWARD P. NAESSENS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

DONALD R. ANDERSON

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

SANDRA M. KEAVEY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTION 531 AND 3064:

To be major

THAMIUS J. MORGAN

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

CONSTANCE ROSSER

To be major

AVERY E. DAVIS

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

NORMA G. SANDOW

To be major

CENK AYRAL
PAUL J. SINQUEFIELD

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

CHARLES W. HIPP

To be major

ROBER B. BANCHEFSKY
RAYMOND V. DEMPSEY
ANITA M. KIMBROUGHJACOB

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE