

(d) TECHNICAL AND CONFORMING AMENDMENTS.—Section 1005(d)(2) of title 39, United States Code, is amended—

(1) by striking “(1)(2)” and inserting “(m)(2)”;

(2) by striking “(i)(2)” and inserting “(j)(2)”.

**SEC. 3. GENERAL ACCOUNTABILITY OFFICE REPORT.**

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report regarding the use of the authority under the amendments made by section 2.

(b) CONTENTS.—The report submitted under subsection (a) shall—

(1) include the number of annuitants for whom a waiver was made under subsection (1) of section 8344 of title 5, United States Code, as amended by this title, or subsection (i) of section 8468 of title 5, United States Code, as amended by this title; and

(2) identify each agency that used the authority described in paragraph (1).

(c) AGENCY DATA.—Each head of an agency (as defined under sections 8344(1)(1) and 8468(i)(1)(A) of title 5, United States Code, as added by section 2 of this title) shall—

(1) collect and maintain data necessary for purposes of the Comptroller General report submitted under subsection (a); and

(2) submit to the Comptroller General that data as the Comptroller General requires in a timely fashion.

**SA 1302.** Mrs. HAGAN submitted an amendment intended to be proposed to amendment SA 1251 submitted by Mrs. HAGAN and intended to be proposed to the bill H.R. 1256, to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, to amend title 5, United States Code, to make certain modifications in the Thrift Savings Plan, the Civil Service Retirement System, and the Federal Employees' Retirement System, and for other purposes; which was ordered to lie on the table; as follows:

On page 1 of the amendment, line 6, strike “includes” and all that follows through line 7 on page 2, and insert the following: “means a tobacco product manufacturer that employs fewer than 350 employees. For purposes of determining the number of employees of a manufacturer under the preceding sentence—

“(A) the employees of a manufacturer are deemed to include the employees of each entity that controls, is controlled by, or is under common control with such manufacturer; and

“(B) except that in the case of a farmer owned tobacco grower cooperative that is also tobacco manufacturer, any employees whose responsibilities and compensation in no way support, are connected to, or are dependent upon the manufacture, fabrication, assembly, processing, labeling, storage or marketing of tobacco products, including cigarettes, roll-your-own tobacco, cigars, small cigar or cigarette tubes shall not be deemed employees of the tobacco product manufacturer.”.

**NOTICES OF HEARINGS**

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. BINGAMAN. Mr. President, I would like to announce for the infor-

mation of the Senate and the public that a hearing has been scheduled before Committee on Energy and Natural Resources Subcommittee on National Parks.

The hearing will be held on Tuesday, June 16, 2009, at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the President's proposed fiscal year 2010 budget for the National Park Service and proposed expenditures under the American Recovery and Reinvestment Act.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to [anna\\_fox@energy.senate.gov](mailto:anna_fox@energy.senate.gov).

For further information, please contact David Brooks at (202) 224-9863 or Anna Fox at (202) 224-1219.

**COMMITTEE ON INDIAN AFFAIRS**

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, June 11, 2009, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct an oversight hearing on Reforming the Indian Health Care System.

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

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**

Mr. SANDERS. 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 Monday, June 8, 2009, at 5:30 p.m.

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

**PRIVILEGES OF THE FLOOR**

Mr. ENZI. Mr. President, I ask unanimous consent that privileges of the floor be granted to Len Zwelling, a fellow in my office, for the remainder of the debate on H.R. 1256.

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

**COMBAT METHAMPHETAMINE ENHANCEMENT ACT OF 2009**

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 38, S. 256.

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

The legislative clerk read as follows:

A bill (S. 256) to enhance the ability to combat methamphetamine.

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

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

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

The bill (S. 256) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 256

*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 “Combat Methamphetamine Enhancement Act of 2009”.

**SEC. 2. REQUIREMENT OF SELF-CERTIFICATION BY ALL REGULATED PERSONS SELLING SCHEDULED LISTED CHEMICALS.**

Section 310(e)(2) of the Controlled Substances Act (21 U.S.C. 830(e)(2)) is amended by inserting at the end the following:

“(C) Each regulated person who makes a sale at retail of a scheduled listed chemical product and is required under subsection (b)(3) to submit a report of the sales transaction to the Attorney General may not sell any scheduled listed chemical product at retail unless such regulated person has submitted to the Attorney General a self-certification including a statement that the seller understands each of the requirements that apply under this paragraph and under subsection (d) and agrees to comply with the requirements. The Attorney General shall by regulation establish criteria for certifications of mail-order distributors that are consistent with the criteria established for the certifications of regulated sellers under paragraph (1)(B).”.

**SEC. 3. PUBLICATION OF SELF-CERTIFIED REGULATED SELLERS AND REGULATED PERSONS LISTS.**

Section 310(e)(1)(B) of the Controlled Substances Act (21 U.S.C. 830(e)(1)(B)) is amended by inserting at the end the following:

“(v) PUBLICATION OF LIST OF SELF-CERTIFIED PERSONS.—The Attorney General shall develop and make available a list of all persons who are currently self-certified in accordance with this section. This list shall be made publicly available on the website of the Drug Enforcement Administration in an electronically downloadable format.”.

**SEC. 4. REQUIREMENT THAT DISTRIBUTORS OF LISTED CHEMICALS SELL ONLY TO SELF-CERTIFIED REGULATED SELLERS AND REGULATED PERSONS.**

Section 402(a) of the Controlled Substances Act (21 U.S.C. 842(a)) is amended—

(1) in paragraph (13), by striking “or” after the semicolon;

(2) in paragraph (14), by striking the period and inserting “; or”;

(3) by inserting after paragraph (14) the following:

“(15) to distribute a scheduled listed chemical product to a regulated seller, or to a regulated person referred to in section 310(b)(3)(B), unless such regulated seller or regulated person is, at the time of such distribution, currently registered with the Drug Enforcement Administration, or on the list of persons referred to under section 310(e)(1)(B)(v).”;

(4) inserting at the end the following: “For purposes of paragraph (15), if the distributor is temporarily unable to access the list of persons referred to under section 310(e)(1)(B)(v), the distributor may rely on a

written, faxed, or electronic copy of a certificate of self-certification submitted by the regulated seller or regulated person, provided the distributor confirms within 7 business days of the distribution that such regulated seller or regulated person is on the list referred to under section 310(e)(1)(B)(v).”

**SEC. 5. NEGLIGENT FAILURE TO SELF-CERTIFY AS REQUIRED.**

Section 402(a) of the Controlled Substances Act (21 U.S.C. 842(a)(10)) is amended by inserting before the semicolon the following: “or negligently to fail to self-certify as required under section 310 (21 U.S.C. 830)”.

**SEC. 6. EFFECTIVE DATE AND REGULATIONS.**

(a) **EFFECTIVE DATE.**—This Act and the amendments made by this Act shall take effect 180 days after the date of enactment of this Act.

(b) **REGULATIONS.**—In promulgating the regulations authorized by section 2, the Attorney General may issue regulations on an interim basis as necessary to ensure the implementation of this Act by the effective date.

**HONORING THE 20TH ANNIVERSARY OF THE SUSAN G. KOMEN RACE FOR THE CURE**

Mr. REID. Madam President, I ask unanimous consent that the Senate now proceed to the consideration of H. Con. Res. 109.

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

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 109) honoring the 20th anniversary of the Susan G. Komen Race for the Cure in the Nation’s Capital and its transition to the Susan G. Komen Global Race for the Cure on June 6, 2009, and for other purposes.

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

Mr. REID. Madam President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, that there be no intervening action or debate, and any statements related to this matter be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 109) was agreed to.

The preamble was agreed to.

**NATIONAL DAY OF THE AMERICAN COWBOY**

Mr. REID. Madam President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration and the Senate now proceed to the consideration of S. Res. 142.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 142) designating July 25, 2009, as “National Day of the American Cowboy.”

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

Mr. ENZI. Madam President, I rise today to talk about one of the great

icons of the American West—the cowboy. The cowboy is an enduring symbol of strong character, honesty, integrity, respect, and patriotism. I am proud to carry on a tradition started by my late colleague and friend, Senator Craig Thomas, by sponsoring S. Res. 142, which honors the men and women called cowboys by designating July 25, 2009, the National Day of the American Cowboy.

Craig truly showed us what it meant to be a cowboy. He knew that they come from all walks of life. Cowboys are men and women of any age, any race, and can be found across the country. The cowboy spirit isn’t about boots and spurs and a hat. It is about strength of character, sound family values, courage, respect, and good common sense. Senator Thomas said:

Trying to define a cowboy is like trying to rope the wind, but you certainly recognize one when you see them.

It was easy to recognize that Senator Thomas truly was a Wyoming cowboy in every sense of the word.

The cowboy way of life has been passed down for generations since the first cowboys settled the American West. They were true pioneers who came west to settle an untamed frontier. Many of the cowtowns that sprung up around the cattle business when the West was being settled are still there now. They continue to live their western heritage. The first cowboys relied on hard work and persistence to make their living in a tough country. Today’s cowboys haven’t changed all that much from when the first wranglers and ranch hands started herding cattle on the Great Plains.

Today’s cowboys continue to rope and ride across the United States. They live and work in every State to manage nearly 100 million cattle. They are an integral part of the economy of Wyoming and many other Western States. Cowboys work hard but they also play hard. Rodeo is a sport that tests skill with a rope or challenges a cowboy’s ability to stay on the back of bucking rough stock for 8 long seconds. Rodeos across the Nation, from big events such as Cheyenne Frontier Days and the National Finals Rodeo in Las Vegas, to weekly smalltown jackpots at community arenas around the country, draw millions of fans every year.

The cowboy legend still lives in our culture and our imaginations through music, movies, and books. From cowboy blockbusters on the big screen to the thousands of country radio stations on the air, the cowboy remains a larger-than-life figure. We look up to cowboys because they are examples of honesty, integrity, character, patriotism and self-reliance. Cowboys have a strong work ethic, they are compassionate, and they are good stewards of the land. We look to cowboys as role models for how to live up to the best American qualities.

I am proud to be from a State that continues to live the cowboy tradition every day. Their contributions have

helped shape what it means to be an American and have created a high standard we can all strive to meet. I am proud to continue Senator Thomas’s tradition of recognizing the many contributions cowboys have made to our country. I look forward to celebrating the National Day of the American Cowboy on July 25, 2009.

Mr. REID. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 142) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

**S. RES. 142**

Whereas pioneering men and women, recognized as “cowboys”, helped establish the American West;

Whereas the cowboy embodies honesty, integrity, courage, compassion, respect, a strong work ethic, and patriotism;

Whereas the cowboy spirit exemplifies strength of character, sound family values, and good common sense;

Whereas the cowboy archetype transcends ethnicity, gender, geographic boundaries, and political affiliations;

Whereas the cowboy is an excellent steward of the land and its creatures, who lives off the land and works to protect and enhance the environment;

Whereas cowboy traditions have been a part of American culture for generations;

Whereas the cowboy continues to be an important part of the economy through the work of many thousands of ranchers across the Nation who contribute to the economic well-being of every State;

Whereas millions of fans watch professional and working ranch rodeo events annually, and rodeo is one of the most-watched sports in the Nation;

Whereas membership and participation in rodeo and other organizations that promote and encompass the livelihood of cowboys span every generation and transcend race and gender;

Whereas the cowboy is a central figure in literature, film, and music and occupies a central place in the public imagination;

Whereas the cowboy is an American icon; and

Whereas the ongoing contributions made by cowboys and cowgirls to their communities should be recognized and encouraged: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates July 25, 2009, as “National Day of the American Cowboy”; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

**20TH ANNIVERSARY OF TIANANMEN SQUARE MASSACRE**

Mr. REID. Madam President, I ask unanimous consent the Senate now proceed to S. Res. 171.

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

The legislative clerk read as follows:

A resolution (S. Res. 171) commending the people who have sacrificed their personal freedoms to bring about democratic change