

For all of the above, the Senate of Puerto Rico concludes that the application by the FDIC of stringent asset valuation rules would have a severe impact on the participation of minority-owned banks and would substantially reduce the access of minority populations to credit and financial sources. Thus, the FDIC is hereby urged to show temperance in its practices with minority-owned banks established in Puerto Rico; to establish effective measures so as to expedite the granting of credit; and to help domestic banks in their financial recovery and capitalization.

*Be it Resolved by the Senate of Puerto Rico:*

Section 1.—To urge the Federal Deposit Insurance Corporation (FDIC) to show temperance in the application of asset valuation rules to minority-owned banks established in Puerto Rico, to establish effective measures so as to expedite the granting of credit, and to help local banks in their financial recovery and capitalization.

Section 2.—This Resolution shall be officially notified, in both official languages, to the Honorable Sheila C. Bair, Chairman of the Federal Deposit Insurance Corporation, Federal Deposit Insurance Corporation 550 17th Street NW, Washington, D.C. 20429; to the Honorable Ben S. Bernanke, Chairman of the Board of Governors of the Federal Reserve System, Board of Governors of the Federal Reserve System 20th Street and Constitution Avenue NW, Washington, D.C. 20220; and to the Honorable Timothy F. Geithner, Secretary of the United States Department of the Treasury, Department of the Treasury 1500 Pennsylvania Avenue NW, Washington, D.C. 20220.

Section 3.—Furthermore, the Office of the Secretary of the Senate of Puerto Rico is hereby directed to remit a copy of this Resolution, in both official languages, to: the Honorable Barack H. Obama, President of the United States; to the Honorable Joseph R. Biden, Vice President of the United States; to the Honorable Barney Frank, Chairman of the Committee on Financial Services of the United States House of Representatives, U. S. House Financial Services Committee, 2129 Rayburn House Office Building, Washington, D.C. 20515; to the Honorable Christopher J. Dodd, Chairman of the Committee on Banking, Housing, and Urban Affairs of the United States Senate, U.S. Senate Committee on Banking, Housing and Urban Affairs, 534 Dirksen Senate Office Building, Washington, D.C. 20510; and to all other members of the United States Congress.

Section 4.—This Resolution shall be made public by forwarding a copy thereof to the state and national media.

Section 5.—This Resolution shall take effect immediately after its approval by the Senate of Puerto Rico.

POM-92. A resolution adopted by the Senate of the General Assembly of the State of Tennessee urging Congress to stimulate markets for recycled materials, recycling, and source reduction and the development of comprehensive solid waste management plans; to the Committee on Environment and Public Works.

#### SENATE RESOLUTION No. 176

Whereas, recognizing the need to manage solid waste in an environmentally, economically, and politically acceptable manner, states are enacting comprehensive solid waste management plans; and

Whereas, in the long run, source reduction and recycling offer the most economically and environmentally sound methods for dealing with a significant percentage of the solid waste stream; and

Whereas, the Senate of the One Hundred Sixth General Assembly of the State of Ten-

nessee believes that properly designed and operated landfills will continue to be a component of any comprehensive solid waste management plan; and

Whereas, the volume of waste to be landfilled should be reduced and minimized through environmentally sound methods such as source separation to retrieve recyclable or reusable materials; and

Whereas, yard waste and some biodegradable materials should be composted rather than landfilled, and source separation should occur in all waste streams; and

Whereas, solid waste incinerators without energy recovery and landfilling should be limited, whenever practical, to non-toxic and non-hazardous materials that cannot be treated by any other economically and environmentally sound method; and

Whereas, with respect to waste-to-energy or resource recovery facilities, their capacity should be designed for the solid waste volume remaining after source separation, toxic materials removal, recycling, and pollution prevention measures have been implemented; and

Whereas, the states are in need of the full cooperation and assistance of the federal government to accomplish their diverse solid waste management objectives: Now, therefore, be it

*Resolved by the Senate of the One Hundred Sixth General Assembly of the State of Tennessee,* That recognizing the importance of a state-federal partnership and in support of the objectives of the Resource Conservation and Recovery Act (RCRA), the Senate of the One Hundred Sixth General Assembly of the State of Tennessee hereby urges the United States Congress to stimulate markets for recycled materials, recycling, and source reduction and the development of comprehensive solid waste management plans. Be it further

*Resolved,* That the Senate of the One Hundred Sixth General Assembly of the State of Tennessee urges the federal government to significantly increase technical assistance to state and local governments in developing comprehensive source reduction, source separation, reuse, and recycling programs while fully recognizing the primacy of state and local governments in solid waste management. The development of solid waste management plans is a state and local government responsibility and the federal government should restrict its role to reviewing these plans by setting performance standards. Be it further

*Resolved,* That the Senate of the One Hundred Sixth General Assembly of the State of Tennessee urges that regulation, tariffs, and transportation policies be revised to remove artificial price supports in order to create regulatory parity between recyclable and reusable material and virgin material. Be it further

*Resolved,* That the Senate of the One Hundred Sixth General Assembly of the State of Tennessee urges the full implementation of the provisions of RCRA requiring the federal government to promulgate regulations for federal procurement of recycled products. The federal government should give priority consideration to the purchase of reusable and recycled products and allow a temporary price differential, where applicable, for goods made from recycled materials. Be it further

*Resolved,* That the Senate of the One Hundred Sixth General Assembly of the State of Tennessee urges Congress to provide the states with the greatest authority possible to manage solid waste. Such an authorization should allow states to restrict imported waste and allow restrictions on the exportation of waste, including the imposition of differential fees. Be it further

*Resolved,* That it is the sense of the Senate of the One Hundred Sixth General Assembly

of the State of Tennessee that funds received from any permits authorized by federal law and issued by states for purposes of management of solid waste should be expended as determined by state legislatures. Be it further

*Resolved,* that an enrolled copy of this resolution be transmitted to the Speaker and the Clerk of the U.S. House of Representatives; the President and the Secretary of the U.S. Senate; each member of Tennessee's Congressional delegation; and the Honorable Barack Obama, President of the United States.

#### 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 Mr. AKAKA:

S. 3145. A bill to amend section 1004 of title 39, United States Code, to include that it is a policy of the Postal Service to ensure reasonable and sustainable workloads and schedules for supervisory and management employees and to clarify provisions relating to consultation and changes or terminations in certain proposals; to the Committee on Homeland Security and Governmental Affairs.

#### ADDITIONAL COSPONSORS

S. 1275

At the request of Mr. WARNER, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 1275, a bill to establish a National Foundation on Physical Fitness and Sports to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports.

S. 1343

At the request of Mr. BROWN of Ohio, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1343, a bill to amend the Richard B. Russell National School Lunch Act to improve and expand direct certification procedures for the national school lunch and school breakfast programs, and for other purposes.

S. 1791

At the request of Mr. BROWN of Ohio, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 1791, a bill to establish the Honorable Stephanie Tubbs Jones Fire Suppression Demonstration Incentive Program within the Department of Education to promote installation of fire sprinkler systems, or other fire suppression or prevention technologies, in qualified student housing and dormitories, and for other purposes.

S. 2749

At the request of Mrs. GILLIBRAND, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 2749, a bill to amend the Richard B. Russell National School Lunch Act to improve access to nutritious meals for young children in child care.

S. 3035

At the request of Mr. BAUCUS, the name of the Senator from Idaho (Mr. RISCHE) was added as a cosponsor of S. 3035, a bill to require a report on the establishment of a Polytrauma Rehabilitation Center or Polytrauma Network Site of the Department of Veterans Affairs in the northern Rockies or Dakotas, and for other purposes.

S. 3122

At the request of Mr. ENSIGN, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 3122, a bill to require the Attorney General of the United States to compile, and make publicly available, certain data relating to the Equal Access to Justice Act, and for other purposes.

AMENDMENT NO. 3543

At the request of Mr. KERRY, his name was added as a cosponsor of amendment No. 3543 intended to be proposed to H.R. 1586, a bill to impose an additional tax on bonuses received from certain TARP recipients.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. AKAKA:

S. 3145. A bill to amend section 1004 of title 39, United States Code, to include that it is a policy of the Postal Service to ensure reasonable and sustainable workloads and schedules for supervisory and management employees and to clarify provisions relating to consultation and changes or terminations in certain proposals; to the Committee on Homeland Security and Governmental Affairs.

Mr. AKAKA. Mr. President, today I am introducing a bill to clarify certain provisions relating to pay and benefits consultation between the United States Postal Service and supervisors' and postmasters' organizations.

The Postal Reorganization Act of 1970 created a process for postmasters and other non-union postal employees to negotiate pay and benefits through consultation. In the 108th Congress, I sponsored the Postmaster Equity Act which extended additional protections for postmasters to provide for fact-finding in the event that consultation reached an impasse. The same protections already applied to supervisors. However, it has come to my attention that there may be ambiguity in the interpretation of these provisions.

The legislation I am introducing, along with Representative GERALD CONNOLLY in the House of Representatives, should eliminate any ambiguity in existing law regarding consultation with management organizations. It reiterates that any changes to pay policies or benefits for postmasters, supervisors, and other managerial positions be done in conjunction with consultation process required under title 39 section 1004(e). The bill also requires the Postal Service to ensure policies to provide for reasonable and sustainable workloads and schedules for supervisory and management employees.

In light of the unprecedented challenges faced by the Postal Service today, fostering close cooperation and consultation on pay and benefits between the Postal Service and management organizations is essential. It is my hope that the Postal Service and all of its employee organizations will continue to work cooperatively to keep the Postal Service an employer of choice, and to promote advancement across the organization.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3145

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

#### SECTION 1. POSTAL SERVICE SUPERVISORY AND OTHER MANAGERIAL ORGANIZATIONS.

Section 1004 of title 39, United States Code, is amended—

(1) in subsection (a), by inserting “to ensure reasonable and sustainable workloads and schedules for supervisory and management employees;” after “other managerial personnel;”;

(2) in subsection (b), in the second sentence, by inserting “as provided under subsection (d) and any changes in, or termination of, pay policies and schedules and fringe benefit programs for members of the supervisors' organization as provided under subsection (e)” before the period; and

(3) in subsection (e)(1), by inserting “, or termination of,” after “any changes in”.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. DORGAN. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar Nos. 497, 498, 499, 655, 710, 711, 712, 736, 737, 738, 739, 744, 745, 746, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, all nominations on the Secretary's desk in the Air Force, Army, Marine Corps, and Navy; that the nominations be confirmed en bloc, 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 appear at the appropriate place in the RECORD as if read; that 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 nominations considered and confirmed en bloc are as follows:

#### LEGAL SERVICES CORPORATION

Robert James Grey, Jr., of Virginia, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2011.

John Gerson Levi, of Illinois, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2011.

Martha L. Minow, of Illinois, to be a Member of the Board of Directors of the Legal

Services Corporation for a term expiring July 13, 2011.

#### DEPARTMENT OF VETERANS AFFAIRS

Raul Perea-Henze, of New York, to be an Assistant Secretary of Veterans Affairs (Policy and Planning).

#### DEPARTMENT OF STATE

David Adelman, of Georgia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Singapore.

Harry K. Thomas, Jr., of New York, 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 the Philippines.

Allan J. Katz, of Florida, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Portuguese Republic.

#### NUCLEAR REGULATORY COMMISSION

William Charles Ostendorff, of Virginia, to be a Member of the Nuclear Regulatory Commission for the remainder of the term expiring June 30, 2011.

William D. Magwood, IV, of Maryland, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2015.

William D. Magwood, IV, of Maryland, to be a Member of the Nuclear Regulatory Commission for the remainder of the term expiring June 30, 2010.

George Apostolakis, of Massachusetts, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2014.

#### NATIONAL COUNCIL ON DISABILITY

Gary Blumenthal, of Massachusetts, to be a Member of the National Council on Disability for a term expiring September 17, 2010.

Chester Alonzo Finn, of New York, to be a Member of the National Council on Disability for a term expiring September 17, 2012.

Sara A. Gelser, of Oregon, to be a Member of the National Council on Disability for a term expiring September 17, 2011.

Dongwoo Joseph Pak, of California, to be a Member of the National Council on Disability for a term expiring September 17, 2012.

Carol Jean Reynolds, of Colorado, to be a Member of the National Council on Disability for a term expiring September 17, 2010.

Fernando Torres-Gill, of California, to be a Member of the National Council on Disability for a term expiring September 17, 2011.

Jonathan M. Young, of Maryland, to be a Member of the National Council on Disability for a term expiring September 17, 2012.

#### BARRY GOLDWATER SCHOLARSHIP & EXCELLENCE IN EDUCATION FOUNDATION

Gwendolyn E. Boyd, of Maryland, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring August 11, 2014.

Peggy Goldwater-Clay, of California, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring June 5, 2012.

#### LEGAL SERVICES CORPORATION

Sharon L. Browne, of California, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2010.

Charles Norman Wiltse Keckler, of Virginia, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2010.