

**SA 4453.** Mr. THUNE (for himself, Mr. JOHANNIS, Mr. COBURN, Mr. ISAKSON, Mr. INHOFE, and Mr. BOND) submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

Strike title III.

**SA 4454.** Mr. THUNE submitted an amendment intended to be proposed to amendment SA 4402 proposed by Mr. REID (for Mr. BAUCUS (for himself, Ms. LANDRIEU, and Mr. REID)) to the bill H.R. 5297, to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part IV of subtitle C of title I, add the following:

**SEC. 1348. POLICY ON SUPPORT OF COMPETITIVE ENTERPRISE SYSTEM.**

(a) FINDING.—Congress finds that the competitive enterprise system, including small business concerns, is—

(1) characterized by individual freedom and initiative; and

(2) the primary source of economic strength of the United States.

(b) POLICY.—Section 2 of the Small Business Act (15 U.S.C. 631) is amended by adding at the end the following:

“(k) POLICY ON SUPPORT OF COMPETITIVE ENTERPRISE SYSTEM.—It is the declared policy of Congress that the Federal Government—

“(1) should support the competitive enterprise system of the United States, including small business concerns;

“(2) should not compete with the citizens of the United States;

“(3) should rely on commercial sources to supply the products and services required by the Federal Government; and

“(4) should avoid starting or carrying out any activity that provides a product or service that can be procured more effectively and efficiently from a nongovernmental source.”.

## NOTICES OF HEARINGS

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

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 the Committee on Energy and Natural Resources. The business meeting will be held on Thursday, July 15, 2010, at 10:15 a.m., in room SE-366 of the Dirksen Senate Office Building.

The purpose of the Business Meeting is to consider pending legislation.

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

IMPEACHMENT TRIAL COMMITTEE ON THE ARTICLES AGAINST JUDGE G. THOMAS PORTEOUS, JR.

Mrs. MCCASKILL. Mr. President, I wish to announce that the Impeachment Trial Committee on the Articles Against Judge G. Thomas Porteous, Jr., will meet on Tuesday, July 13, 2010, at 2:30 p.m. or such other time as may be convenient, to conduct an executive business meeting.

For further information regarding this meeting, please contact Erin Johnson at 202-228-4133.

## NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 438, S. 2872.

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

The clerk will state the bill by title. The legislative clerk read as follows:

A bill (S. 2872) to authorize appropriations for the National Historical Publications and Records Commission through fiscal year 2014, and for other purposes.

There being no objection the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italics.)

S. 2872

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

### SECTION 1. AUTHORIZATION OF APPROPRIATIONS THROUGH FISCAL YEAR 2014 FOR NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION.

Section 2504(g)(1) of title 44, United States Code, is amended—

(1) in subparagraph (R), by striking “and”;

(2) in subparagraph (S), by striking the period and inserting “; and”;

(3) by adding at the end of the following:

“(T) \$13,000,000 for fiscal year 2010, \$13,500,000 for fiscal year 2011, \$14,000,000 for fiscal year 2012, \$14,500,000 for fiscal year 2013, and \$15,000,000 for fiscal year 2014.”

“(T) \$10,000,000 for each of fiscal years 2010, 2011, 2012, 2013, and 2014.”.

### SEC. 2. INCREASED FLEXIBILITY FOR ARCHIVIST IN THE RECORDS CENTER REVOLVING FUND.

Subsection (d) under the heading “RECORDS CENTER REVOLVING FUND” in title IV of the Independent Agencies Appropriations Act, 2000 (Public Law 106-58; 113 Stat. 460; 44 U.S.C. 2901 note), is amended—

“(1) in paragraph (1), by striking “not to exceed 4 percent” and inserting “determined by the Archivist of the United States”; and

(2) in paragraph (2), by striking “Funds in excess of the 4 percent at the close of each fiscal year” and inserting “Any unobligated

and unexpended balances in the Fund that the Archivist of the United States determines to be in excess of those needed for capital equipment or a reasonable operating reserve”.

(1) in paragraph (1), by striking “not to exceed 4 percent” and inserting “not to exceed 10 percent”; and

(2) in paragraph (2), by striking “Funds in excess of the 4 percent at the close of each fiscal year” and inserting “Funds in excess of the 10 percent at the close of each fiscal year”.

### SEC. 3. GRANTS FOR ESTABLISHMENT OF STATE AND LOCAL DATABASES FOR RECORDS OF SERVITUDE, EMANCIPATION, AND POST-CIVIL WAR RECONSTRUCTION.

Section 8 of the Presidential Historical Records Preservation Act of 2008 (44 U.S.C. 2504 note) is amended to read as follows:

### “SEC. 8. GRANTS FOR ESTABLISHMENT OF STATE AND LOCAL DATABASES FOR RECORDS OF SERVITUDE, EMANCIPATION, AND POST-CIVIL WAR RECONSTRUCTION.

“(a) IN GENERAL.—The Archivist of the United States, after considering the advice and recommendations of the National Historical Publications and Records Commission, may make grants to States, colleges and universities, museums, libraries, and genealogical associations to preserve records and establish electronically searchable databases consisting of local records of servitude, emancipation, and post-Civil War reconstruction.

“(b) MAINTENANCE.—Any database established using a grant under this section shall be maintained by appropriate agencies or institutions designated by the Archivist of the United States.”.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the committee-reported amendments be agreed to, the bill, as amended, be read the third time and passed; that the motions to reconsider be laid upon the table, with no intervening action or debate; that any statements related to the bill be printed in the RECORD.

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

The committee amendments were agreed to.

The bill (S. 2872), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

## CORRECTING THE ENROLLMENT OF H.R. 3360

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 289, which was received from the House and is at the desk.

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

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 289) directing the Clerk of the House of Representatives to make a technical correction in the enrollment of H.R. 3360.

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

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the

table, with no intervening action or debate.

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

The concurrent resolution (H. Con. Res. 289) was agreed to.

#### APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, pursuant to P.L. 110-315, the appointment of the following to be a member of the National Advisory Committee on Institutional Quality and Integrity: Mr. Wildred M. McClay, of Tennessee, vice Michael Poliakoff.

Mr. BROWN of Ohio. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### ORDERS FOR TUESDAY, JULY 13, 2010

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, July 13; 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; that following any leader remarks, the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each; and that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings.

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

#### PROGRAM

Mr. BROWN of Ohio. Mr. President, tomorrow, the majority leader wishes to resume consideration of H.R. 5297, the small business jobs bill.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. BROWN of Ohio. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:44 p.m., adjourned until Tuesday, July 13, 2010, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### DEPARTMENT OF STATE

ALEXANDER A. ARVIZU, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MIN-

ISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ALBANIA.

PAMELA E. BRIDGEWATER AWKARD, 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 JAMAICA.

MICHELE THOREN BOND, OF THE DISTRICT OF COLUMBIA, 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 KINGDOM OF LESOTHO.

PAUL W. JONES, 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 MALAYSIA.

PHYLLIS MARIE POWERS, 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 REPUBLIC OF PANAMA.

FRANCIS JOSEPH RICCIARDONE, JR., OF MASSACHUSETTS, 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 REPUBLIC OF TURKEY.

DUANE E. WOERTH, OF NEBRASKA, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA ON THE COUNCIL OF THE INTERNATIONAL CIVIL AVIATION ORGANIZATION.

##### UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

NISHA DESAI BISWAL, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE JAMES R. KUNDER, RESIGNED.

##### DEPARTMENT OF STATE

ROBERT P. MIKULAK, OF VIRGINIA, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS UNITED STATES REPRESENTATIVE TO THE ORGANIZATION FOR THE PROHIBITION OF CHEMICAL WEAPONS.

##### DEPARTMENT OF EDUCATION

SEAN P. BUCKLEY, OF NEW YORK, TO BE COMMISSIONER OF EDUCATION STATISTICS FOR A TERM EXPIRING JUNE 21, 2015, VICE MARK S. SCHNEIDER, RESIGNED.

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be lieutenant general

MAJ. GEN. DOUGLAS H. OWENS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be lieutenant general

MAJ. GEN. MICHAEL R. MOELLER

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

##### To be brigadier general

COL. DAVID G. FOX

##### 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 vice admiral

REAR ADM. CHARLES J. LEIDIG, JR.

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 vice admiral

REAR ADM. WILLIAM E. LANDAY III

##### IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be lieutenant general

MAJ. GEN. JOHN E. WISSLER

##### IN THE ARMY

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

##### To be lieutenant colonel

SUSAN M. CEBULA  
MARIAM A. HAMIDI  
KYUNG S. KIM  
PHIL J. KIM  
ANNE M. MCCARTNEY  
RANDY E. MUCCIOLI  
RONALD E. PRENZEL  
MARK E. RANSCHAERT  
ASTRID A. RECIO  
RYAN L. SNYDER  
JAE Y. SONG  
CATHLEEN A. STERLING  
STEPHEN J. VELEZ  
LISA N. YARBROUGH  
D070757

THE FOLLOWING NAMED OFFICERS 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 lieutenant colonel

JOHN S. AITA  
PHILIP A. ALBANEZE  
SYED O. ALI  
MIKE I. ANDERSON  
MIKE L. ANDERSON  
ALLAN H. ANDREWS  
GERARD M. ANTOINE  
BRYAN L. BACON  
JAY B. BAKER  
TIKI BAKHSHI  
JEFFREY G. BARNES  
KRISTEN M. BUER  
MICHAEL D. BECKER  
DAVID G. BELL  
TAMARA L. BIEGA  
TIMOTHY J. BIEGA  
DUSTIN L. BOYER  
TIMOTHY C. BRAND  
MILLARD D. BROWN III  
LISABETH A. BUSH  
ANDREW P. CAP  
DIMITRI C. CASSIMATIS  
MICKEY S. CHO  
KEVIN K. CHUNG  
PATRICK B. COOPER  
MARK S. CRAIG  
HOWARD L. CURLIN  
HEATHER M. CURRIER  
KIMBERLY M. DEVORE  
ROGER H. DUDA  
GARY W. DUFRESNE  
SCOTT A. EADER  
DAWN E. ELLIOTT  
ANTHONY J. FADSELL  
ERIC P. FILLMAN  
ERIAN T. FOGARTY  
ANDREW J. FOSTER  
GREGG G. GERASIMON  
LEONARD J. GRADO  
JANE GROSS  
JENNIFER M. GURNEY  
CHARLES G. HANSLIP  
JILL C. HASLING  
JOSHUA S. HAWLEY  
JAMES R. HEMPEL  
ROBERTO HENNESSY  
SANDRA L. HERNANDEZ  
PATRICK W. HICKEY  
JASON M. HILES  
AARON Z. HOOVER  
CHRISTOPHER H. HOYT  
LINDA L. HUFFER  
MARC A. HULTQUIST  
ABEL D. JARELL  
SEAN P. JAVAHARI  
MATTHEW R. JEZIOR  
ERIC K. JOHNSON  
JASON M. JOHNSON  
JOSEPH P. JOHNSON  
GLENN J. KERR  
DAVID J. KERSBERGEN  
DATHERINE A. KIMBALLEYARS  
SOO H. KIMDELIO  
JOHN T. KOLISNYK  
KENNETH D. KUHN  
MARTIN L. LADWIG  
SAMARA A. LAYNOR  
KEVIN J. LEARY  
JAMES R. LEE  
JOSEPH C. LEE  
KEITH M. LEMMON  
DEREK R. LINKLATER  
PHILIP D. LITTLEFIELD  
RICHARD C. LIU  
HUY Q. LUU  
CRAIG L. MADDOX  
MICHAEL B. MADKINS  
PAMELA M. MALLARI  
SALIM B. MATHEW  
LISA M. MAXWELL  
MATTHEW M. MAYFIELD  
JAMES S. MCCLELLAN, JR.  
BRUCE M. MCCLEATHAN  
REBECCA M. MCCUIGAN  
ROBERT MEADOWS  
JON H. MEYERLE  
MARK W. MEYERMANN  
JEFFREY A. MIKITA  
JOEL T. MONCUR  
CHRISTOPHER H. MOON  
ANTHONY J. MORTON  
VISETH NGAUY  
HANG T. NGUYEN