

Mr. Akaka, Mr. Nelson (Florida), Mr. Nelson (Nebraska), Mr. Bayh, Mr. Webb, Mrs. McCaskill, Mr. Udall (Colorado), Mrs. Hagan, Mr. Begich, Mr. Burris, Mr. Bingaman, Mr. Manchin, Mr. Coons.

COMMITTEE ON THE BUDGET: Mr. Conrad (Chairman), Mrs. Murray, Mr. Wyden, Mr. Feingold, Mr. Nelson (Florida), Ms. Stabenow, Mr. Cardin, Mr. Sanders, Mr. Whitehouse, Mr. Warner, Mr. Merkley, Mr. Begich, Mr. Manchin.

COMMITTEE ON FOREIGN RELATIONS: Mr. Kerry (Chairman), Mr. Dodd, Mr. Feingold, Mrs. Boxer, Mr. Menendez, Mr. Cardin, Mr. Casey, Mr. Webb, Mrs. Shaheen, Mrs. Gillibrand, Mr. Coons.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS: Mr. Harkin (Chairman), Mr. Dodd, Ms. Mikulski, Mr. Bingaman, Mrs. Murray, Mr. Reed, Mr. Sanders, Mr. Casey, Mrs. Hagan, Mr. Merkley, Mr. Franken, Mr. Bennet, Mr. Manchin.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Mr. Lieberman (Chairman), Mr. Levin, Mr. Akaka, Mr. Carper, Mr. Pryor, Ms. Landrieu, Mrs. McCaskill, Mr. Tester, Mr. Burris, Mr. Coons.

COMMITTEE ON THE JUDICIARY: Mr. Leahy (Chairman), Mr. Kohl, Mrs. Feinstein, Mr. Feingold, Mr. Schumer, Mr. Durbin, Mr. Cardin, Mr. Whitehouse, Ms. Klobuchar, Mr. Specter, Mr. Franken, Mr. Coons.

COMMITTEE ON RULES AND ADMINISTRATION: Mr. Schumer (Chairman), Mr. Inouye, Mr. Dodd, Mrs. Feinstein, Mr. Durbin, Mr. Nelson (Nebraska), Mrs. Murray, Mr. Pryor, Mr. Udall (New Mexico), Mr. Warner, Mr. Manchin.

ORDER FOR FILING OF IMPEACHMENT COMMITTEE REPORT

Mr. WYDEN. Mr. President, I ask unanimous consent that the Senate Impeachment Committee be permitted to file their report with respect to the impeachment of Judge Porteus, notwithstanding adjournment of the Senate, on Tuesday, November 16, between the hours of 12 noon to 2 p.m.

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

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 111-8

Mr. WYDEN. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on November 15, 2010, by the President of the United States: Protocol Amending Tax Convention with Luxembourg, Treaty Document No. 111-8. I further ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

To the Senate of the United States:

I transmit herewith, for the advice and consent of the Senate to its ratifi-

cation, the Protocol Amending the Convention between the Government of the United States of America and the Government of the Grand Duchy of Luxembourg for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed on May 20, 2009, at Luxembourg (the "proposed Protocol") and a related agreement effected by the exchange of notes also signed on May 20, 2009. I also transmit for the information of the Senate the report of the Department of State, which includes an Overview of the proposed Protocol and related agreement.

The proposed Protocol and related agreement provide for more robust exchange of information between tax authorities in the two countries to facilitate the administration of each country's tax laws. They generally follow the current U.S. Model Income Tax Convention and the Organization for Economic Cooperation and Development standards for exchange of tax information.

I recommend that the Senate give early and favorable consideration to the proposed Protocol and related agreement and give its advice and consent to their ratification.

BARACK OBAMA.

THE WHITE HOUSE, November 15, 2010.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 111-7

Mr. WYDEN. As in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on November 15, 2010, by the President of the United States: Tax Convention with Hungary, Treaty Document No. 111-7. I further ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

To the Senate of the United States:

I transmit herewith, for the advice and consent of the Senate to its ratification, the Convention between the Government of the United States of America and the Government of the Republic of Hungary for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, signed on February 4, 2010, at Budapest (the "proposed Convention") and a related agreement effected by an exchange of notes on February 4, 2010. I also transmit for the information of the Senate the report of the Department of State, which includes an Overview of the proposed Convention and related agreement.

The proposed Convention and related agreement were negotiated to bring

U.S.-Hungary tax treaty relations into closer conformity with current U.S. tax treaty policies. For example, the proposed Convention contains comprehensive provisions designed to address "treaty shopping," which is the inappropriate use of a tax treaty by residents of a third country. The existing Convention with Hungary, signed in 1979, does not contain treaty shopping protections and, as a result, has been abused by third-country investors in recent years. For this reason, concluding the proposed Convention has been a top priority for the Department of the Treasury's tax treaty program.

I recommend that the Senate give early and favorable consideration to the proposed Convention and related agreement and give its advice and consent to their ratification.

BARACK OBAMA.

THE WHITE HOUSE, November 15, 2010.

APPOINTMENTS

The PRESIDING OFFICER. The Chair announces the following appointments made pursuant to the unanimous consent agreement of September 29, 2010, by the President pro tempore and the majority leader during the adjournment of the Senate: Pursuant to the provisions of Public Law 110-343, by the majority leader, the appointment of the Honorable EDWARD E. KAUFMAN of Delaware, vice Elizabeth Warren of Massachusetts, to the Congressional Oversight Panel on September 30, 2010; pursuant to the provisions of Public Law 99-498, by the President pro tempore, the appointment of Sharon Wurm of Nevada, vice Clare Cotton of Massachusetts, to the Advisory Committee on Student Financial Assistance on October 5, 2010.

The Chair, on behalf of the majority leader, pursuant to provisions of Public Law 110-343, appoints the following individual as a member of the Congressional Oversight Panel: EDWARD E. KAUFMAN of Delaware, vice Elizabeth Warren of Massachusetts.

The Chair, on behalf of the President pro tempore, pursuant to Public Law 99-498, as amended by Public Law 110-315, appoints the following individual to the Advisory Committee on Student Financial Assistance: Sharon Wurm of Nevada, vice Clare Cotton of Massachusetts.

ORDERS FOR WEDNESDAY, NOVEMBER 17, 2010

Mr. WYDEN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, November 17; 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 that following any leader remarks the Senate proceed to a period of morning business until 11 a.m., with the time equally divided and controlled between the two leaders or

their designees, with Senator HARKIN controlling 15 minutes, Senator DODD controlling 15 minutes, and Senator MIKULSKI controlling 5 minutes of the majority time; further, that at 11 a.m. the Senate resume consideration of the motion to proceed to S. 3815, the Promoting Natural Gas and Electric Vehicles Act of 2010, and the Senate immediately proceed to vote on the motion to invoke cloture on the motion to proceed.

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

PROGRAM

Mr. WYDEN. Mr. President, Senators should expect the first vote of the day to begin at approximately 11 a.m. That will be the cloture vote on the motion to proceed to the Promoting Natural Gas and Electric Vehicles legislation. If cloture is not invoked, the Senate would proceed immediately to a cloture vote on the motion to proceed to S. 3772, the paycheck fairness bill. If cloture is again not invoked, there would be a third cloture vote on the motion to proceed to S. 510, the food safety bill. Therefore, Senators should expect up to three rollcall votes to begin around 11 a.m.

ADJOURNMENT UNTIL WEDNESDAY, NOVEMBER 17, 2010, AT 9:30 A.M.

Mr. WYDEN. 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 5:53 p.m., adjourned until Wednesday, November 17, 2010, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

SUE KATHRINE BROWN, OF TEXAS, 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 MONTENEGRO.

PAMELA L. SPRATLEN, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KYRGYZ REPUBLIC.

DAVID LEE CARDEN, OF NEW YORK, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS, WITH THE

RANK AND STATUS OF AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

ERIC G. POSTEL, OF WISCONSIN, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE JACQUELINE ELLEN SCHAFER, RESIGNED.

OVERSEAS PRIVATE INVESTMENT CORPORATION

ROBERTO R. HERENCIA, OF ILLINOIS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2012, VICE PATRICK J. DURKIN, TERM EXPIRED.

JAMES A. TORREY, OF CONNECTICUT, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2010, VICE DIANNE I. MOSS, TERM EXPIRED.

JAMES A. TORREY, OF CONNECTICUT, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2013. (REAPPOINTMENT)

FEDERAL HOUSING FINANCE AGENCY

JOSEPH A. SMITH, JR., OF NORTH CAROLINA, TO BE DIRECTOR OF THE FEDERAL HOUSING FINANCE AGENCY FOR A TERM OF FIVE YEARS. (NEW POSITION)

MARINE MAMMAL COMMISSION

FRANCES M.D. GULLAND, OF CALIFORNIA, TO BE A MEMBER OF THE MARINE MAMMAL COMMISSION FOR A TERM EXPIRING MAY 13, 2012, VICE VERA ALEXANDER, TERM EXPIRED.

DEPARTMENT OF JUSTICE

TIMOTHY J. FEIGHERY, OF NEW YORK, TO BE CHAIRMAN OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES FOR A TERM EXPIRING SEPTEMBER 30, 2012, VICE MAURICIO J. TAMARGO, TERM EXPIRED.

IN THE AIR FORCE

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

To be major general

BRIG. GEN. MICHELLE D. JOHNSON

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

To be major general

BRIG. GEN. BRETT T. WILLIAMS

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

To be major general

BRIG. GEN. JAMES M. HOLMES

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

To be brigadier general

COL. WAYNE E. LEE

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY 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

LT. GEN. MICHAEL D. BARBERO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY 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 FERRITER

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. MANUEL ORTIZ, JR.

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. RODNEY J. BARHAM

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

To be major general

BRIGADIER GENERAL ROBERT B. ABRAMS
BRIGADIER GENERAL ALLISON T. AYCOCK
BRIGADIER GENERAL PETER C. BAYER, JR.
BRIGADIER GENERAL JAMES C. BOOZER, SR.
BRIGADIER GENERAL JEFFREY S. BUCHANAN
BRIGADIER GENERAL GARY H. CHEEK
BRIGADIER GENERAL KENDALL P. COX
BRIGADIER GENERAL WILLIAM T. CROSBY
BRIGADIER GENERAL ANTHONY G. CRUTCHFIELD
BRIGADIER GENERAL PETER N. FULLER
BRIGADIER GENERAL WILLIAM K. FULLER
BRIGADIER GENERAL WALTER M. GOLDEN, JR.
BRIGADIER GENERAL PATRICK M. HIGGINS
BRIGADIER GENERAL FREDERICK B. HODGES
BRIGADIER GENERAL ANTHONY R. IERARDI
BRIGADIER GENERAL RICHARD C. LONGO
BRIGADIER GENERAL ALAN R. LYNN
BRIGADIER GENERAL DAVID L. MANN
BRIGADIER GENERAL BRADLEY W. MAY
BRIGADIER GENERAL LLOYD MILES
BRIGADIER GENERAL MARK A. MILEY
BRIGADIER GENERAL JENNIFER L. NAPPER
BRIGADIER GENERAL JOHN W. NICHOLSON, JR.
BRIGADIER GENERAL RAYMOND P. PALUMBO
BRIGADIER GENERAL GARY S. PATTON
BRIGADIER GENERAL MARK W. PERRIN
BRIGADIER GENERAL WILLIAM E. RAPP
BRIGADIER GENERAL THOMAS J. RICHARDSON
BRIGADIER GENERAL FREDERICK S. RUDESHEIM
BRIGADIER GENERAL BENNET S. SACOLICK
BRIGADIER GENERAL FRANK D. TURNER III
BRIGADIER GENERAL KEVIN R. WENDEL
BRIGADIER GENERAL LARRY D. WYCHE

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. KENNETH J. GLUECK, JR.

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. GERALD R. BEAMAN

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

To be lieutenant commander

MATTHEW R. FOMBY

THE FOLLOWING NAMED OFFICER FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 744:

To be captain

RONNY L. JACKSON