

(III) not less than 2 years; and

(B) the estimated costs to the Federal Government of the maintenance backlog of each Federal agency, to be—

(i) organized in categories comprised of buildings and structures; and

(ii) expressed as an aggregate cost.

(c) USE OF EXISTING ANNUAL REPORTS.—An annual report required under subsection (a) may be comprised of any annual report relating to the management of Federal real property that is published by a Federal agency.

SA 11. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 22, to designate certain land components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II, add the following:

SEC. 204. EFFECTIVE DATE.

This subtitle shall not take effect until the date on which the Inspector General of the Department of the Interior issues a finding that no laws were violated by the employees of the National Landscape Conservation System in the investigation of the Inspector General relating to allegations of improper coordination between employees of the National Landscape Conservation System and environmental advocacy organizations.

SA 12. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 22, to designate certain land components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . HUNTING ON FEDERAL LAND.

(a) PURPOSE.—The purpose of this section is to require that all management plans for Federal land include hunting activities as a land use to the extent that the hunting activities are not incompatible with the purposes for which the Federal land is managed.

(b) DEFINITIONS.—In this section:

(1) HUNTING.—The term “hunting” includes hunting, trapping, netting, and fishing.

(2) MANAGEMENT PLAN.—The term “management plan” includes a management plan, management contract, or other comprehensive plan for the management or use of Federal land.

(3) SECRETARY CONCERNED.—The term “Secretary concerned” means the Secretary with jurisdiction over the applicable Federal land.

(c) HUNTING ALLOWED UNLESS INCOMPATIBLE.—In developing or considering approval of a management plan (or any amendment to a management plan) for Federal land, the Secretary concerned shall ensure that hunting activities are allowed as a use of the Federal land to the extent that the hunting activities are not incompatible with the purposes for which the Federal land is managed.

(d) PUBLICATION OF REASONS FOR NOT ALLOWING HUNTING.—

(1) IN GENERAL.—If hunting activities are not allowed or are restricted on Federal land, the Secretary concerned shall include in the management plan for the Federal land the specific reason that hunting activities are not allowed or are restricted.

(2) CONTRACT OR QUOTA THINNING.—For purposes of this subsection, allowing contract or quota thinning of wildlife shall not constitute allowing unrestricted hunting.

(3) FEE AS RESTRICTION.—For purposes of this subsection, a fee relating to hunting activities on Federal land under the jurisdiction of the Secretary concerned that is in excess of the amount needed to recover costs of management of the Federal land shall be considered to be a restriction on hunting.

(e) FEES.—Fees charged relating to hunting activities on Federal land shall be—

(1) retained by the Secretary concerned to offset costs directly related to management of hunting on the Federal land on which hunting activities related to the fees are conducted; and

(2) limited to an amount that the Secretary concerned reasonably estimates to be necessary to offset costs directly related to management of hunting on the Federal land on which hunting activities related to the fees are conducted.

(f) APPLICABILITY.—This section shall apply to all management plans developed, approved, or amended after the date of the enactment of this Act.

SEC. . HUNTING ON NEWLY ACQUIRED OR DESIGNATED LAND.

With respect to any land subject to State and local hunting laws that is acquired by the United States or designated as a unit of the National Park System, a unit of the National Wilderness Preservation System, or a National Heritage Area on or after the date of enactment of this Act, the head of the agency with jurisdiction over the land shall submit to Congress for approval any proposed changes to the use of the land that would affect hunting on the land.

SA 13. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 22, to designate certain land components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XIII, add the following:

SEC. 13 . EFFECT ON BORDER FENCE.

Nothing in this Act (or an amendment made by this Act)—

(1) prevents, delays, or obstructs the planning, construction, operation, or maintenance of a border fence running parallel to the international border between the United States and Mexico;

(2) affects the operations or duties of the Secretary of Homeland Security (including Border Patrol agents) or State or local law enforcement agencies on any land subject to this Act (or an amendment made by this Act); or

(3) affects security operations along the international border between the United States and Canada.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on Thursday, January 8, 2009, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Thursday, January 8, 2009 at 10 a.m. in room 406 of the Dirksen Senate Office Building to hold a hearing entitled “Oversight Hearing on the Tennessee Valley Authority and the Recent Major Coal Ash Spill.”

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate on January 8, to conduct a hearing on the nomination of Former Senate Majority Leader Thomas A. Daschle, of South Dakota, to be Secretary of Health and Human Services. The hearing will commence at 10 a.m. in room 430 of the Dirksen Senate Office Building.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. LEAHY. 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 Thursday, January 8, 2009, at 1:30 p.m. to conduct a hearing entitled “Lessons from the Mumbai Terrorist Attacks.”

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

COMMITTEE ON THE JUDICIARY

Mr. LEAHY. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate to conduct a hearing entitled “Helping State and Local Law Enforcement During an Economic Downturn” on Thursday, January 8, 2009, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building.

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

PRIVILEGES OF THE FLOOR

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the following staff members from Senator SHAHEEN’s office be granted floor privileges for today’s session of the Senate: Maura Keefe, Judy Reardon, and Michael Yudin.

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

AUTHORIZING PRODUCTION OF DOCUMENTS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 11.

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

The legislative clerk read as follows:

A resolution (S. Res. 11) to authorize production of documents to the Department of Defense Inspector General.

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

Mr. REID. Mr. President, last Congress, the staff of the Committee on Armed Services conducted an inquiry into allegations regarding irregularities in the administration by the Department of the Army of a Logistics Civil Augmentation Program, LOGCAP, contract for logistical support in Iraq. At the conclusion of that staff inquiry, the chairman and ranking member of the committee referred allegations regarding administration of the LOGCAP contract to the Department of Defense acting Inspector General for review.

The chairman and ranking member would like to share with the inspector general records of the committee staff inquiry to assist in the conduct of the inspector general's review. This resolution would accordingly authorize the chairman and ranking member, acting jointly, to release committee records relating to this matter to the Defense Department Inspector General.

Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 11) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 11

Whereas, last Congress the Committee on Armed Services conducted a staff inquiry into allegations regarding irregularities in the administration of a contract for logistical support in Iraq by the Department of the Army;

Whereas, upon the completion of the Committee's staff inquiry, the Chairman and Ranking Member referred to the Acting Inspector General of the Department of De-

fense for review allegations regarding the Administration of this LOGCAP contract;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Chairman and Ranking Member of the Armed Services Committee, acting jointly, are authorized to produce to the Department of Defense Inspector General records of the Committee's staff inquiry into allegations relating to the administration of the Army's LOGCAP contract.

MEASURES READ THE FIRST TIME—S. 181 AND S. 182

Mr. REID. Mr. President, I am told there are two bills at the desk. I, therefore, ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will report the bills by title for the first time.

The legislative clerk read as follows:

A bill (S. 181) to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967, and to modify the operation of the Americans with Disabilities Act of 1990 and the Rehabilitation Act of 1973, to clarify that a discriminatory compensation decision or other practice that is unlawful under such Acts occurs each time compensation is paid pursuant to the discriminatory compensation decision or other practice, and for other purposes.

A bill (S. 182) to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

Mr. REID. I now ask for their second reading en bloc but object to my own request en bloc.

The PRESIDING OFFICER. Objection is heard. The bills will be read a second time on the next legislative day.

ORDERS FOR FRIDAY, JANUARY 9, 2009

Mr. REID. Mr. President, I ask unanimous consent that when the Senate

completes its business today, it stand adjourned until 10 a.m. Friday, January 9; 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 there then be a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

PROGRAM

Mr. REID. Mr. President, all Senators are notified that at 2:45 p.m. on Sunday, the Democratic caucus will meet in the LBJ Room for a continuation of the caucus we held today to deal with the economic recovery plan of President-elect Barack Obama. At 2 p.m. on Sunday, there is a scheduled vote, and it will be necessary that all Senators be in attendance at that vote.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

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

There being no objection, the Senate, at 6:31 p.m., adjourned until Friday, January 9, 2009, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

STUART GORDON NASH, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE RUPUS GUNN KING, III, RETIRED.

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES MARINE CORPS RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. JOHN M. CROLEY
BRIG. GEN. TRACY L. GARRETT