

of non-Federal entities during the implementation of the requirements under this Act;

“(J) a description of the efforts made by the Director to work with Federal agencies to meet the goals of this Act, including a description of working groups or other structures used to coordinate Federal efforts to meet the goals of this Act; and

“(K) identification and description of all systems being used to disburse Federal financial assistance to non-Federal entities.

“(2) SUBSEQUENT REPORTS.—The second report submitted under subsection (a), and each subsequent report submitted under subsection (a), shall include—

“(A) a discussion of the progress made by the Federal Government in meeting the goals of this Act, including the amendments made by the Federal Financial Assistance Management Improvement Act of 2009, and in implementing the strategic plan submitted under section 8, including an evaluation of the progress of each Federal agency that has not received an exemption under section 6(d) towards implementing the strategic plan; and

“(B) a compilation of the reports submitted under section 8(c)(3) during the applicable period.

“(c) DEFINITION OF APPLICABLE PERIOD.—In this section, the term ‘applicable period’ means—

“(1) for the first report submitted under subsection (a), the most recent full fiscal year before the date of the report; and

“(2) for the second report submitted under subsection (a), and each subsequent report submitted under subsection (a), the period beginning on the date on which the most recent report under subsection (a) was submitted and ending on the date of the report.”.

SEC. 5. STRATEGIC PLAN.

(a) IN GENERAL.—The Federal Financial Assistance Management Improvement Act of 1999 (31 U.S.C. 6101 note) is amended—

(1) by redesignating sections 8, 9, 10, and 11 as sections 9, 10, 11, and 12, respectively; and

(2) by inserting after section 7, as amended by this Act, the following:

“SEC. 8. STRATEGIC PLAN.

“(a) IN GENERAL.—Not later than 18 months after the date of enactment of the Federal Financial Assistance Management Improvement Act of 2009, the Director shall submit to Congress a strategic plan that—

“(1) identifies Federal financial assistance programs that are suitable for common applications based on the common or similar purposes of the Federal financial assistance;

“(2) identifies Federal financial assistance programs that are suitable for common reporting forms or requirements based on the common or similar purposes of the Federal financial assistance;

“(3) identifies common aspects of multiple Federal financial assistance programs that are suitable for common application or reporting forms or requirements;

“(4) identifies changes in law, if any, needed to achieve the goals of this Act; and

“(5) provides plans, timelines, and cost estimates for—

“(A) developing an entirely electronic, web-based process for managing Federal financial assistance, including the ability to—

“(i) apply for Federal financial assistance;

“(ii) track the status of applications for and payments of Federal financial assistance;

“(iii) report on the use of Federal financial assistance, including how such use has been in furtherance of the objectives or purposes of the Federal financial assistance; and

“(iv) provide required certifications and assurances;

“(B) ensuring full compliance by Federal agencies with the requirements of this Act,

including the amendments made by the Federal Financial Assistance Management Improvement Act of 2009;

“(C) creating common applications for the Federal financial assistance programs identified under paragraph (1), regardless of whether the Federal financial assistance programs are administered by different Federal agencies;

“(D) establishing common financial and performance reporting forms and requirements for the Federal financial assistance programs identified under paragraph (2), regardless of whether the Federal financial assistance programs are administered by different Federal agencies;

“(E) establishing common applications and financial and performance reporting forms and requirements for aspects of the Federal financial assistance programs identified under paragraph (3), regardless of whether the Federal financial assistance programs are administered by different Federal agencies;

“(F) developing mechanisms to ensure compatibility between Federal financial assistance administration systems and State systems to facilitate the importing and exporting of data;

“(G) developing common certifications and assurances, as appropriate, for all Federal financial assistance programs that have common or similar purposes, regardless of whether the Federal financial assistance programs are administered by different Federal agencies; and

“(H) minimizing the number of different systems used to disburse Federal financial assistance.

“(b) CONSULTATION.—In developing and implementing the strategic plan under subsection (a), the Director shall consult with representatives of non-Federal entities and Federal agencies that have not received an exemption under section 6(d).

“(c) FEDERAL AGENCIES.—

“(1) IN GENERAL.—Not later than 6 months after the date on which the Director submits the strategic plan under subsection (a), the head of each Federal agency that has not received an exemption under section 6(d) shall develop a plan that describes how the Federal agency will carry out the responsibilities of the Federal agency under the strategic plan, which shall include—

“(A) clear performance objectives and timelines for action by the Federal agency in furtherance of the strategic plan; and

“(B) the identification of measures to improve communication and collaboration with representatives of non-Federal entities on an on-going basis during the implementation of this Act.

“(2) CONSULTATION.—The head of each Federal agency that has not received an exemption under section 6(d) shall consult with representatives of non-Federal entities during the development and implementation of the plan of the Federal agency developed under paragraph (1).

“(3) REPORTING.—Not later than 2 years after the date on which the head of a Federal agency that has not received an exemption under section 6(d) develops the plan under paragraph (1), and every 2 years thereafter until the date that is 15 years after the date of enactment of the Federal Financial Assistance Management Improvement Act of 2009, the head of the Federal agency shall submit to the Director a report regarding the progress of the Federal agency in achieving the objectives of the plan of the Federal agency developed under paragraph (1).”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 5(d) of the Federal Financial Assistance Management Improvement Act of 1999 (31 U.S.C. 6101 note) is amended by inserting “, until the date on which the Fed-

eral agency submits the first report by the Federal agency required under section 8(c)(3)” after “subsection (a)(7)”.

THE DISTRICT OF COLUMBIA SPECIAL OLYMPICS LAW ENFORCEMENT TORCH RUN

Mr. MERKLEY. Mr. President, I ask unanimous consent the Rules Committee be discharged from further consideration of H. Con. Res. 39 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A resolution (H. Con. Res. 39) authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run.

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

Mr. MERKLEY. I ask unanimous consent the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 39) was agreed to.

APPOINTMENT OF DAVID M. RUBENSTEIN AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration of S.J. Res. 8 and the Senate then proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 8) providing for the appointment of David M. Rubenstein as a citizen regent of the Board of Regents of the Smithsonian Institution.

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

Mr. MERKLEY. I ask unanimous consent that the joint resolution be read three times, passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The joint resolution (S.J. Res. 8) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S.J. RES. 8

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the

class other than Members of Congress, occurring because of the expiration of the term of Anne d'Harnoncourt of Pennsylvania is filled by the appointment of David M. Rubenstein of Maryland. The appointment is for a term of 6 years, effective on the date of enactment of this joint resolution.

APPOINTMENT OF FRANCE A. CORDOVA AS A CITIZEN REGENT OF THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration of S.J. Res. 9 and that the Senate then proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A joint resolution (S.J. Res. 9) providing for the appointment of France A. Cordova as a citizen regent of the Board of Regents of the Smithsonian Institution.

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

Mr. MERKLEY. I ask unanimous consent that the joint resolution be read three times, passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The joint resolution (S.J. Res. 9) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S.J. RES. 9

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the resignation of Eli Broad of California is filled by the appointment of France A. Córdova of Indiana. The appointment is for a term of 6 years, effective on the later of April 7, 2009, or the date of enactment of this joint resolution.

ORDERS FOR WEDNESDAY, MARCH 18, 2009

Mr. MERKLEY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, Wednesday, March 18; 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 be a period of morning business for up to 1 hour, with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; further, that following morning business, the Senate

proceed to executive session under the previous order; further that following executive session, the Senate resume consideration of H.R. 146, the lands bill.

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

PROGRAM

Mr. MERKLEY. Mr. President, Senators should expect a series of votes around 2 p.m. on the confirmation of the Kirk nomination and three Coburn amendments.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. MERKLEY. 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 7:39 p.m., adjourned until Wednesday, March 18, 2009, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

DAVID F. HAMILTON, OF INDIANA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SEVENTH CIRCUIT, VICE KENNETH F. RIPPLE, RETIRED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

KATHLEEN SEBELIUS, OF KANSAS, TO BE SECRETARY OF HEALTH AND HUMAN SERVICES.

WILLIAM V. CORR, OF VIRGINIA, TO BE DEPUTY SECRETARY OF HEALTH AND HUMAN SERVICES, VICE TEVI DAVID TROY, RESIGNED.

IN THE COAST GUARD

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211:

To be lieutenant commander

MICHAEL J. MCNEIL

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211:

To be lieutenant commander

DESARAE A. JANSZEN

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be major

XAVIER A. NGUYEN
SCOTT D. ROBINSON
JENNIFER A. TAY

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be major

JOHN M. BEENE II
RAMSIS K. BENJAMIN
ELIZABETH N. SMITH

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTION 531 AND 3064:

To be major

LAURA K. LESTER

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

BRIGITTE BELANGER

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

MITZI A. RIVERA

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

CATHERINE B. EVANS

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

VICTOR G. KELLY

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 major

RYAN T. CHOATE

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

RAFAEL A. CABRERA
THOMAS D. STARKEY

To be major

JOSEPH P. JEANETTE
CAROLINE F. MERVELLE
JESUS MULET
WYLAN C. PETERSON
ANDREW J. SCHOENFIELD
MARK R. SHASHIKANT
CARL J. TADAKI

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

To be lieutenant colonel

ROBERT A. BORCHERDING
ROBERT A. BROADBENT
ERIC R. CARPENTER
CHRISTOPHER D. CARRIER
DANA J. CHASE
JOHN H. COOK
MICHAEL S. DEVINE
RICHARD P. DIMEGLIO
TIERNAN P. DOLAN
MARK E. EICHELDMAN
DEIDRA J. FLEMING
JOHN S. FROST, JR.
PATRICK L. GARY
LANCE S. HAMILTON
DONNA C. HANSEN
STEPHEN L. HARMS
PETER R. HAYDEN
BRIAN A. HUGHES
RUSSELL K. JACKSON
JOHN P. JURDEN
ELIZABETH KUBALA
KATHERINE A. LEHMANN
JULIE A. LONG
DION LYONS
ELIZABETH G. MAROTTA
ALISON C. MARTIN
JEFFREY A. MILLER
JOSEPH B. MORSE
JOHN T. RAWCLIFFE
TRAVIS L. ROGERS
CARLOS O. SANTIAGO
DANIEL P. SAUMUR
JOSHUA S. SHUEY
DANIEL A. TANABE
JAMES J. TEIXEIRA, JR.
PETER H. TRAN
JAMES S. TRIPP
MARK A. VISGER
DOUGLAS K. WATKINS
WARREN L. WELLS
DEAN L. WHITFORD
DARYL B. WITHERSPOON
MICHAEL C. WONG

EXECUTIVE OFFICE OF THE PRESIDENT

DEMETRIOS J. MARANTIS, OF THE DISTRICT OF COLUMBIA, TO BE A DEPUTY UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR, VICE KAREN K. BHATIA, RESIGNED.

DEPARTMENT OF STATE

ROSE EILENE GOTTEMOELLER, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF STATE (VERIFICATION AND COMPLIANCE), VICE PAULA A. DESUTTER, RESIGNED.

DEPARTMENT OF HOMELAND SECURITY

WILLIAM CRAIG FUGATE, OF FLORIDA, TO BE ADMINISTRATOR OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, DEPARTMENT OF HOMELAND SECURITY, VICE R. DAVID PAULISON.