

1949 and has worked to promote its humanitarian mission of improving lives and communities around the world. He has served in almost every capacity possible, including club president, district governor, and member of the Lions International Board of Directors. Since he first joined the Lions Club, he has shown tremendous leadership by recruiting a total of over 100 new members to the organization. He has also excelled in fundraising for the South Dakota Lions Foundation, having sold over 50,000 tickets to community fundraising events.

Schock has also contributed to the community of Sioux Falls through his involvement with the Chamber of Commerce, the Sioux Falls Development Foundation, Augustana College, the YMCA, the First Lutheran Church, Luther Manor health care, and The Banquet. He and his brother, Ozzie Schock, started the Shock Foundation, a non-profit organization that works to support local charitable organizations. Al Schock's selfless devotion and faithful service to others and to his community is truly commendable.

It gives me great pleasure to congratulate Al Schock for receiving this honor, and to thank him for all his years of service to South Dakota and our Nation.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a treaty which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE

##### ENROLLED BILL SIGNED

At 10:03 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 1388. An act entitled "The Edward M. Kennedy Serve America Act, an Act to reauthorize and reform the national service laws."

The enrolled bill was subsequently signed by the President pro tempore (Mr. BYRD).

At 11:58 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1664. An act to amend the executive compensation provisions of the Emergency Economic Stabilization Act of 2008 to prohibit unreasonable and excessive compensation and compensation not based on performance standards.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 93. A concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess of adjournment of the Senate.

The message further announced that pursuant to section 841(b) of the National Defense Authorization Act for Fiscal Year 2008 (P.L. 110-181), the Minority Leader appoints The Honorable Christopher Shays of Connecticut to the Commission on Wartime Contracting to fill the existing vacancy thereon.

At 5:06 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1256. An act to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products, to amend title 5, United States Code, to make certain modifications in the Thrift Savings Plan, the Civil Service Retirement System, and the Federal Employees' Retirement System, and for other purposes.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 1256. An act to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1172. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Import/Export User Fees" (Docket No. APHIS-2006-0144) received in the Office of the President of the Senate on March 30, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1173. A communication from the Acting Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Specialty Crop Block Grant Program—Farm Bill" (RIN0581-AC88) received in the Office of the President of the Senate on March 30, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1174. A communication from the Acting Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Grapes Grown in a Designated Area of Southeastern California and Imported Table Grapes; Relaxation of Han-

dling Requirements" (Docket No. AMS-FV-08-0106)(FV09-925-1 IFR)) received in the Office of the President of the Senate on March 30, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1175. A communication from the Director of the Policy Issuances Division, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Requirements for the Disposition of Cattle that Become Non-Ambulatory Disabled Following Ante-Mortem Inspection", received in the Office of the President of the Senate on March 26, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1176. A communication from the Chairman, Federal Financial Institutions Examination Council, transmitting, pursuant to law, the Council's 2008 Annual Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-1177. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish Managed Under the Individual Fishing Quota Program" (RIN0648-XN73) received in the Office of the President of the Senate on April 2, 2009; to the Committee on Commerce, Science, and Transportation.

EC-1178. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Pacific Groundfish Fishery; Amendment 15; Correction" (RIN0648-AW08) received in the Office of the President of the Senate on April 2, 2009; to the Committee on Commerce, Science, and Transportation.

EC-1179. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Halibut Fisheries; Catch Sharing Plan" (RIN0648-AX44) received in the Office of the President of the Senate on April 2, 2009; to the Committee on Commerce, Science, and Transportation.

EC-1180. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Saugus River, Lynn, MA" ((RIN1625-AA00)(Docket No. USCG-2008-1026)) received in the Office of the President of the Senate on April 1, 2009; to the Committee on Commerce, Science, and Transportation.

EC-1181. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Underwater Object, Massachusetts Bay, MA" ((RIN1625-AA00)(Docket No. USCG-2008-1272)) received in the Office of the President of the Senate on April 1, 2009; to the Committee on Commerce, Science, and Transportation.

EC-1182. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Captain of the Port Zone Jacksonville; Offshore Cape Canaveral, Florida" ((RIN1625-AA00)(Docket No. USCG-2008-0411)) received in the Office of the President of the Senate on April 1, 2009; to the Committee on Commerce, Science, and Transportation.

EC-1183. A communication from the Attorney Advisor, U.S. Coast Guard, Department

of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Anchorage Regulations; Port of New York" ((RIN1625-AA01)(Docket No. USCG-2008-0155)) received in the Office of the President of the Senate on April 1, 2009; to the Committee on Commerce, Science, and Transportation.

EC-1184. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Coast Guard Base San Juan, San Juan Harbor, Puerto Rico" ((RIN1625-AA87)(Docket No. USCG-2008-0440)) received in the Office of the President of the Senate on April 1, 2009; to the Committee on Commerce, Science, and Transportation.

EC-1185. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Coast Guard Air Station San Francisco Airborne Use of Force Judgmental Training Flights" ((RIN1625-AA00)(Docket No. USCG-2009-0063)) received in the Office of the President of the Senate on April 1, 2009; to the Committee on Commerce, Science, and Transportation.

EC-1186. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Baltimore Captain of the Port Zone" ((RIN1625-AA00)(Docket No. USCG-2008-0129)) received in the Office of the President of the Senate on April 1, 2009; to the Committee on Commerce, Science, and Transportation.

EC-1187. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Naval Underwater Detonation; Northwest Harbor, San Clemente Island, CA" ((RIN1625-AA00)(Docket No. USCG-2009-0046)) received in the Office of the President of the Senate on April 1, 2009; to the Committee on Commerce, Science, and Transportation.

EC-1188. A communication from the Project Counsel, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Consolidation of Merchant Mariner Qualification Credentials" ((RIN1625-AB02)(Docket No. USCG-2006-24371)) received in the Office of the President of the Senate on April 1, 2009; to the Committee on Commerce, Science, and Transportation.

EC-1189. A communication from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Final Rule To Identify the Western Great Lakes Populations of Gray Wolves as a Distinct Population Segment and To Revise the List of Endangered and Threatened Wildlife" (RIN1018-AW41) received in the Office of the President of the Senate on April 1, 2009; to the Committee on Environment and Public Works.

EC-1190. A communication from the Acting Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; Final Rule to Identify the Northern Rocky Mountain Population of Gray Wolf as a Distinct Population Segment and to Revise the List of Endangered and Threatened Wildlife" (RIN1018-AW37) received in the Office of the President of the Senate on April 1, 2009; to the Committee on Environment and Public Works.

EC-1191. A communication from the Regulation Coordinator of the Center for Medi-

caid and State Operations, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicaid Program; Premiums and Cost Sharing" (RIN0938-AO47) received in the Office of the President of the Senate on March 31, 2009; to the Committee on Finance.

EC-1192. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Security-Related Assistance Provided by the United States to the Countries of Central Asia"; to the Committee on Foreign Relations.

EC-1193. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "United States Participation in the United Nations; A Report by the Secretary of State to the Congress for the Year 2007"; to the Committee on Foreign Relations.

EC-1194. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to U.S. support for Taiwan's participation as an observer at the 62nd World Health Assembly and in the work of the World Health Organization; to the Committee on Foreign Relations.

EC-1195. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement to include the export of technical data, defense services, and defense articles in the amount of \$50,000,000 or more with Mexico; to the Committee on Foreign Relations.

EC-1196. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed export of defense services and defense articles in the amount of \$100,000,000 or more to Spain; to the Committee on Foreign Relations.

EC-1197. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed agreement for the export of defense articles or defense services in the amount of \$100,000,000 or more with Japan; to the Committee on Foreign Relations.

EC-1198. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including technical data, and defense services in the amount of \$100,000,000 or more to Turkey; to the Committee on Foreign Relations.

EC-1199. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of technical data, defense services, and defense articles in the amount of \$100,000,000 or more with Italy and the United Kingdom; to the Committee on Foreign Relations.

EC-1200. A communication from the Acting Director, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of two rules entitled "Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Parts 4022 and 4044)

and "Annual Financial and Actuarial Information Reporting; Pension Protection Act of 2006" (RIN1212-AB09) received in the Office of the President of the Senate on April 1, 2009; to the Committee on Health, Education, Labor, and Pensions.

EC-1201. A communication from the Acting Administrator, Small Business Administration, transmitting, pursuant to law, an annual report relative to the Federal Employee Anti-Discrimination and Retaliation Act; to the Committee on Homeland Security and Governmental Affairs.

EC-1202. A communication from the Associate Attorney General, Department of Justice, transmitting, pursuant to law, a report relative to agency compliance with the Freedom of Information Act; to the Committee on the Judiciary.

## PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-16. A petition transmitted by a private citizen relative to the Long-Term Care Security Act; to the Committee on Health, Education, Labor, and Pensions.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEVIN, from the Committee on Armed Services, with an amendment in the nature of a substitute:

S. 454. A bill to improve the organization and procedures of the Department of Defense for the acquisition of major weapon systems, and for other purposes.

By Mr. LEAHY, from the Committee on the Judiciary, with amendments:

S. 515. A bill to amend title 35, United States Code, to provide for patent reform.

By Mr. KERRY, from the Committee on Foreign Relations, with amendments and with a preamble:

S. Con. Res. 11. A concurrent resolution condemning all forms of anti-Semitism and reaffirming the support of Congress for the mandate of the Special Envoy to Monitor and Combat Anti-Semitism, and for other purposes.

## EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. AKAKA for the Committee on Veterans' Affairs.

\*W. Scott Gould, of the District of Columbia, to be Deputy Secretary of Veterans Affairs.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

## 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. ROBERTS (for himself, Mr. VITTER, Mrs. HUTCHISON, Mr. WICKER, Mr. BAYH, Mr. LUGAR, Mr.