

Ms. Niland, one of its reading clerks, announced that the Speaker pro tempore (Mr. HOYER) has signed the following enrolled bill:

H.R. 3435. An act making supplemental appropriations for fiscal year 2009 for the Consumer Assistance to Recycle and Save Program.

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

#### 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-2622. 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 "National Poultry Improvement Plan and Auxiliary Provisions; Technical Amendment" ((RIN0579-AC78)(Docket No. APHIS-2006-0137)) received in the Office of the President of the Senate on August 3, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2623. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Sodium and Ammonium Naphthalenesulfonate Formaldehyde Condensates; Exemption from the Requirement of a Tolerance" (FRL No. 8938-8) received in the Office of the President of the Senate on August 4, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2624. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Sodium Alkyl Naphtalenesulfonate; Exemption from the Requirement of a Tolerance" (FRL No. 8428-6) received in the Office of the President of the Senate on August 4, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2625. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Polyoxyethylene polyoxypropylene monodi-sec-butylphenyl ether; Exemption from the Requirement of a Tolerance" (FRL No. 8429-4) received in the Office of the President of the Senate on August 4, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2626. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Bacillus thuringiensis CryIA.105 protein; Time Limited Exemption from the Requirement of a Tolerance; Correction" (FRL No. 8428-7) received in the Office of the President of the Senate on August 4, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2627. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Amine Salts of Alkyl (C8-C24) Benzenesulfonic Acid (Dimethylaminopropyl-

amine, Isopropylamine, Mono-, Di-, and Tri-ethanolamine); Exemption from the Requirement of a Tolerance" (FRL No. 8430-2) received in the Office of the President of the Senate on August 4, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2628. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Alkyl Alcohol Alkoxyates; Exemption from the Requirement of a Tolerance; (FRL No. 8430-1) received in the Office of the President of the Senate on August 4, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2629. A communication from the Associate General Counsel for Legislation and Regulations, Office of Community Planning and Development, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Section 108 Community Development Loan Guarantee Program; Participation of States as Borrowers Pursuant to Section 222 of the Omnibus Appropriations Act, 2009" (Docket No. 5326-I-01) received in the Office of the President of the Senate on August 4, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-2630. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Capital Classifications and Critical Capital Levels for the Federal Home Loan Banks" (RIN2590-AA21) received in the Office of the President of the Senate on August 3, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-2631. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Affordable Housing Program Amendments: Federal Home Loan Bank Mortgage Refinancing Authority" (RIN2590-AA04) received in the Office of the President of the Senate on August 3, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-2632. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "2009 Enterprise Transition Affordable Housing Goals" (RIN2590-AA25) received in the Office of the President of the Senate on August 3, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-2633. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Final Authorization of State Hazardous Waste Management Program Revisions" (FRL No. 8941-1) received in the Office of the President of the Senate on August 4, 2009; to the Committee on Environment and Public Works.

EC-2634. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Revised Motor Vehicle Emission Budgets for the York-Adams Counties 8-Hour Ozone Maintenance Area" (FRL No. 8941-4) received in the Office of the President of the Senate on August 4, 2009; to the Committee on Environment and Public Works.

EC-2635. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule en-

titled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Revised Motor Vehicle Emission Budgets for the Scranton/Wilkes-Barre 8-hour Ozone Maintenance Area" (FRL No. 8941-6) received in the Office of the President of the Senate on August 4, 2009; to the Committee on Environment and Public Works.

#### 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-77. A concurrent resolution adopted by the Legislature of the State of Texas urging Congress to make eradication of the fever tick in South Texas a priority and continue to provide appropriate funding and resources for this effort; to the Committee on Agriculture, Nutrition, and Forestry.

#### HOUSE CONCURRENT RESOLUTION NO. 120

Whereas, south Texas is on the front line of the battle against the fever tick, a pest that threatens to inflict catastrophic losses on the beef industry should it continue to spread beyond a permanent quarantine zone established along the Rio Grande in 1943; and

Whereas, historically, the fever tick ranged across the entire southeastern United States, reaching as far north as Maryland and Pennsylvania; the tick can carry and transmit a parasite that causes cattle tick fever, which kills up to 90 percent of infected cattle; in 1893, the Texas Animal Health Commission was founded to fight this scourge, and in 1907 the United States Department of Agriculture established the National Cattle Fever Tick Eradication Program; by then, the tick had already caused direct and indirect economic losses estimated to equal more than \$1 billion in today's dollars; and

Whereas, the eradication program had successfully contained the fever tick to an 852-square-mile quarantine zone by 1943; the tick was never eliminated in Mexico, however, and personnel from the USDA Tick Force have maintained a high level of vigilance to fight continuous reintroduction; after the pest was detected beyond the zone in 2007, five temporary preventive quarantine areas were established, covering more than one million acres in Starr, Zapata, Jim Hogg, Maverick, Dimmit, and Webb Counties; and

Whereas, in March 2008, the Texas Department of Agriculture requested some \$13 million to fight the spread of fever ticks; the USDA released \$5.2 million, and in January 2009 it committed another \$4.9 million in emergency funds, but sustained funding over the long term is essential; moreover, the National Fever Tick Eradication Strategic Plan, developed and approved by the USDA in 2006, has never been implemented and funded, and Dr. Bob Hillman, the state veterinarian and executive director of the Texas Animal Health Commission, has warned that fever ticks are a national livestock threat that requires an all-out assault; and

Whereas, the fever tick has gained substantial ground in this state, but the Texas Department of Agriculture, the Texas Animal Health Commission, and the USDA Tick Force continue working diligently with cattle owners to save a key component of the Lone Star State's agricultural economy and prevent the battlefield from extending to other states; if the fever tick is not contained, the cost to the cattle industry could easily approach \$1 billion a year and lead to rising food costs for consumers; now, therefore, be it

*Resolved*, That the 81st Legislature of the State of Texas hereby memorialize the Congress of the United States to make eradication of the fever tick in South Texas a priority and continue to provide appropriate funding and resources for this effort; and, be it, further

*Resolved*, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the house of representatives and the president of the senate of the United States Congress, and to all members of the Texas delegation to Congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 859. A bill to amend the provisions of law relating to the John H. Prescott Marine Mammal Rescue Assistance Grant Program, and for other purposes (Rept. No. 111-70).

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mrs. BOXER for the Committee on Environment and Public Works.

\*Gary S. Guzy, of the District of Columbia, to be Deputy Director of the Office of Environmental Quality.

\*John R. Fernandez, of Indiana, to be Assistant Secretary of Commerce for Economic Development.

By Mr. LEAHY for the Committee on the Judiciary.

David J. Kappos, of New York, to be Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

Steven M. Dettelbach, of Ohio, to be United States Attorney for the Northern District of Ohio for the term of four years.

Carter M. Stewart, of Ohio, to be United States Attorney for the Southern District of Ohio for the term of four years.

David Edward Demag, of Vermont, to be United States Marshal for the District of Vermont for the term of four years.

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

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### 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. VITTER:

S. 1586. A bill to require all public school employees and those employed in connection with a public school to receive FBI background checks prior to being hired, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRAHAM:

S. 1587. A bill for the relief of Sainey H. Fatty; to the Committee on the Judiciary.

By Mr. WYDEN:

S. 1588. A bill to amend the Internal Revenue Code of 1986 to provide the same tax treatment for both commercial and non-commercial investors in oil and natural gas and related commodities, and for other purposes; to the Committee on Finance.

By Ms. CANTWELL (for herself and Mr. GRASSLEY):

S. 1589. A bill to amend the Internal Revenue Code of 1986 to modify the incentives for the production of biodiesel; to the Committee on Finance.

By Mrs. GILLIBRAND:

S. 1590. A bill to establish a clean energy technology business competition grant program; to the Committee on Energy and Natural Resources.

By Mrs. MURRAY (for herself and Mr. DURBIN):

S. 1591. A bill to amend the Foreign Assistance Act of 1961, to establish the Health Technology Program in the United States Agency for International Development to research and develop technologies to improve global health, and for other purposes; to the Committee on Foreign Relations.

By Ms. SNOWE (for herself and Mr. CARDIN):

S. 1592. A bill to establish a Federal Board of Certification to enhance the transparency, credibility, and stability of financial markets, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MENENDEZ (for himself, Mr. MARTINEZ, and Mr. DODD):

S. 1593. A bill to authorize the establishment of a Social Investment and Economic Development for the Americas Fund to reduce poverty, expand the middle class, and foster increased economic opportunity in that region, to promote engagement on the use of renewable fuel sources and on climate change in the Americas, and for other purposes; to the Committee on Foreign Relations.

By Mr. LIEBERMAN (for himself, Mr. KENNEDY, and Mr. AKAKA):

S. 1594. A bill to provide safeguards against faulty asylum procedures, to improve conditions of detention for detainees, and for other purposes; to the Committee on the Judiciary.

By Mr. MERKLEY:

S. 1595. A bill to amend the Truth in Lending Act to prohibit the distribution of any check or other negotiable instrument as part of a solicitation by a creditor for an extension of credit, to limit the liability of consumers in conjunction with such solicitations, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. BOXER:

S. 1596. A bill to authorize the Secretary of the Interior to acquire the Gold Hill Ranch in Coloma, California; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ:

S. 1597. A bill to amend title 31, United States Code, to provide for the licensing by the Secretary of the Treasury of Internet poker and other games that are predominantly of skill, to provide for consumer protections on the Internet, to enforce the tax code, and for other purposes; to the Committee on Finance.

By Mr. SCHUMER (for himself, Mr. ISAKSON, Mr. BAYH, Mr. ENSIGN, Mr. VITTER, Mr. SPECTER, Mr. WHITEHOUSE, and Mr. KAUFMAN):

S. 1598. A bill to amend the National Child Protection Act of 1993 to establish a permanent background check system; to the Committee on the Judiciary.

By Mr. LEAHY (for himself, Mr. CHAMBLISS, and Mr. PRYOR):

S. 1599. A bill to amend title 36, United States Code, to include in the Federal charter of the Reserve Officers Association leadership positions newly added in its constitution and bylaws; to the Committee on Armed Services.

By Mrs. MCCASKILL (for herself, Mr. BENNET, Mr. TESTER, Mr. UDALL of Colorado, Mr. WARNER, Ms. KLOBUCHAR, Mr. BEGICH, and Mrs. SHAHEEN):

S. 1600. A bill to reinstitute and update the Pay-As-You-Go requirement of budget neutrality on new tax and mandatory spending legislation, enforced by the threat of annual, automatic sequestration; to the Committee on the Budget.

By Mr. UDALL of Colorado:

S. 1601. A bill to provide for the release of water from the marketable yield pool of water stored in the Ruedi Reservoir for the benefit of endangered fish habitat in the Colorado River, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. UDALL of Colorado (for himself and Mr. BENNET):

S. 1602. A bill to amend title 10, United States Code, to ensure that excess oil and gas lease revenues are distributed in accordance with the Mineral Leasing Act, and for other purposes; to the Committee on Armed Services.

By Mr. BROWN:

S. 1603. A bill to amend section 484B of the Higher Education Act of 1965 to provide for tuition reimbursement and loan forgiveness to students who withdraw from an institution of higher education to serve in the uniformed services, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. KLOBUCHAR (for herself and Ms. MIKULSKI):

S. 1604. A bill to amend the Internal Revenue Code of 1986 to provide an income tax credit for eldercare expenses; to the Committee on Finance.

By Mr. SCHUMER (for himself, Mr. ISAKSON, Mr. KERRY, and Mr. UDALL of New Mexico):

S. 1605. A bill to amend the Internal Revenue Code of 1986 to reform the rules relating to fractional charitable donations of tangible personal property; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself, Mr. DURBIN, and Mr. SESSIONS):

S. 1606. A bill to require foreign manufacturers of products imported into the United States to establish registered agents in the United States who are authorized to accept service of process against such manufacturers, and for other purposes; to the Committee on Finance.

By Mr. BROWN:

S. 1607. A bill to amend title 38, United States Code, to provide for certain rights and benefits for persons who are absent from positions of employment to receive medical treatment for service-connected disabilities, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. STABENOW (for herself, Mr. BROWN, Mrs. GILLIBRAND, and Mr. FRANKEN):

S. 1608. A bill to prepare young people in disadvantaged situations for a competitive future; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CANTWELL (for herself, Mrs. MURRAY, Ms. MURKOWSKI, and Mr. BEGICH):

S. 1609. A bill to authorize a single fisheries cooperative for the Bering Sea Aleutian Islands longline catcher processor subsector,