

2004, and when he was renominated for another term and confirmed in November 2008. Judge Hinojosa has served as acting chair because Republicans have held up the confirmation of Judge Sessions. Apparently, Senate Republicans have chosen to respond to our having proceeded with those confirmations in November 2008 to the Sentencing Commission and to my years of cooperative efforts by resorting to delay and obstruction. They have refused to allow the Senate to consider the nomination of Judge Sessions to serve as chair of the Sentencing Commission for the last several months.

I commend Judge Sessions for his patience, determination and sense of public service. I thank the majority leader for proceeding to file the cloture petition last night that is finally resulting in Senate action on this important nomination.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

Mr. DURBIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. REID. Mr. President, are we in a period of morning business?

The PRESIDING OFFICER. Yes, we are.

Mr. REID. I thank the Chair.

#### UNEMPLOYMENT COMPENSATION EXTENSION ACT OF 2009—MOTION TO PROCEED

##### CLOTURE MOTION

Mr. REID. Mr. President, we are trying to work something out on an unemployment compensation extension. We are being as fair and reasonable as we can. We have exchanged papers with the minority. We hope they will come back with a reasonable number of amendments on which we can move forward.

In order to move the process along, as we continue to negotiate, I ask unanimous consent to proceed to Calendar No. 174, H.R. 3548, and I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been filed under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

##### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 174, H.R. 3548, the Unemployment Compensation Extension Act of 2009.

Harry Reid, Patty Murray, Mark Udall, Roland W. Burris, Mark Begich, Byron L. Dorgan, Frank R. Lautenberg, Amy Klobuchar, Bill Nelson, Jack Reed, Carl Levin, Jeff Bingaman, Bernard Sanders, Sherrod Brown, Sheldon Whitehouse, Barbara Boxer, Kirsten E. Gillibrand, Richard Durbin.

Mr. REID. I ask unanimous consent that the mandatory quorum be waived.

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

Mr. REID. I now withdraw the motion to proceed.

The PRESIDING OFFICER. The motion is withdrawn.

#### ORDERS FOR THURSDAY, OCTOBER 22, 2009

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until tomorrow at 9:30 a.m., Thursday, October 22; 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 an 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 majority controlling the first half and the Republicans controlling the second half; that following morning business, the Senate resume consideration of the conference report to accompany H.R. 2647, the Department of Defense authorization bill, and

there then be an hour for debate, equally divided and controlled between Senators LEVIN and MCCAIN or their designees, prior to the cloture vote on that conference report.

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

#### PROGRAM

Mr. REID. Senators should expect the first vote tomorrow to occur at 11:45 a.m.

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the provisions of S. Res. 315, as a mark of further respect to the late former Senator Clifford Peter Hansen of Wyoming.

There being no objection, the Senate, at 7:50 p.m., adjourned until Thursday, October 22, 2009, at 9:30 a.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate, Wednesday, October 21, 2009:

##### DEPARTMENT OF LABOR

WILLIAM E. SPRIGGS, OF VIRGINIA, TO BE ASSISTANT SECRETARY OF LABOR.

JOSEPH A. MAIN, OF VIRGINIA, TO BE ASSISTANT SECRETARY OF LABOR FOR MINE SAFETY AND HEALTH.

##### DEPARTMENT OF ENERGY

JOSE ANTONIO GARCIA, OF FLORIDA, TO BE DIRECTOR OF THE OFFICE OF MINORITY ECONOMIC IMPACT, DEPARTMENT OF ENERGY.

##### DEPARTMENT OF THE INTERIOR

MARCIA K. MCNUTT, OF CALIFORNIA, TO BE DIRECTOR OF THE UNITED STATES GEOLOGICAL SURVEY.

##### DEPARTMENT OF ENERGY

ARUN MAJUMDAR, OF CALIFORNIA, TO BE DIRECTOR OF THE ADVANCED RESEARCH PROJECTS AGENCY—ENERGY, DEPARTMENT OF ENERGY.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

##### UNITED STATES SENTENCING COMMISSION

WILLIAM K. SESSIONS III, OF VERMONT, TO BE CHAIR OF THE UNITED STATES SENTENCING COMMISSION.

##### THE JUDICIARY

ROBERTO A. LANGE, OF SOUTH DAKOTA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH DAKOTA.