

the amount of income and assets of an individual for purposes of determining such individual's eligibility for, or amount of, benefits under the Supplemental Nutrition Assistance Program (SNAP).

**SEC. 9. ADDITIONAL EXTENDED UNEMPLOYMENT BENEFITS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT.**

(a) **BENEFITS.**—Section 2(c)(2)(D) of the Railroad Unemployment Insurance Act, as added by section 2006 of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), is amended—

(1) in clause (iii)—  
(A) by striking “June 30, 2009” and inserting “June 30, 2010”; and

(B) by striking “December 31, 2009” and inserting “December 31, 2010”; and

(2) by adding at the end of clause (iv) the following: “In addition to the amount appropriated by the preceding sentence, out of any funds in the Treasury not otherwise appropriated, there are appropriated \$175,000,000 to cover the cost of additional extended unemployment benefits provided under this subparagraph, to remain available until expended.”.

(b) **ADMINISTRATIVE EXPENSES.**—Section 2006 of division B of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 445) is amended by adding at the end of subsection (b) the following: “In addition to funds appropriated by the preceding sentence, out of any funds in the Treasury not otherwise appropriated, there are appropriated to the Railroad Retirement Board \$807,000 to cover the administrative expenses associated with the payment of additional extended unemployment benefits under section 2(c)(2)(D) of the Railroad Unemployment Insurance Act, to remain available until expended.”.

**SEC. 10. 0.2 PERCENT FUTA SURTAX.**

(a) **IN GENERAL.**—Section 3301 of the Internal Revenue Code of 1986 (relating to rate of tax) is amended—

(1) by striking “through 2009” in paragraph (1) and inserting “through 2010 and the first 6 months of calendar year 2011”;

(2) by striking “calendar year 2010” in paragraph (2) and inserting “the remainder of calendar year 2011”;

(3) by inserting “(or portion of the calendar year)” after “during the calendar year”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply to wages paid after December 31, 2009.

**SA 2669.** Mr. GRAHAM (for himself, Mr. MCCAIN, and Mr. LIEBERMAN) proposed an amendment to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; as follows:

At the appropriate place in title II, insert the following:

**SEC. \_\_\_\_.** (a) **PROHIBITION ON USE OF FUNDS FOR PROSECUTION OF 9/11 TERRORISTS IN ARTICLE III COURTS.**—None of the funds appropriated or otherwise made available for the Department of Justice by this Act may be obligated or expended to commence or continue the prosecution in an Article III court of the United States of an individual suspected of planning, authorizing, organizing, committing, or aiding the attacks on the United States and its citizens that occurred on September 11, 2001.

(b) **ARTICLE III COURT OF THE UNITED STATES DEFINED.**—In this section, the term “Article III court of the United States” means a court of the United States established under Article III of the Constitution of the United States.

**SA 2670.** Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 157, line 8, after “Act,” insert the following: “of which, the Attorney General may use up to \$5,000,000 for community-based violence prevention strategies that focus on street-level outreach, conflict mediation, and the changing of community norms to reduce violence, and”.

**SA 2671.** Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_.** Not later than December 31, 2009, the Attorney General shall establish the Emergency Plan for Indian Safety and Health as required by section 601 of Public Law 110-293.

**SA 2672.** Mr. BINGAMAN (for himself, Mr. CORNYN, Mrs. LINCOLN, Mr. UDALL of New Mexico, and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 108, line 14, before the period at the end, insert “: *Provided further*, That the funds appropriated by this Act for trade adjustment assistance for communities shall not be allocated among the regional offices of the Economic Development Administration until such time as 50 percent of the total amount of the funds appropriated by the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) for that purpose have been distributed to grantees: *Provided further*, That the Secretary of Commerce shall reevaluate the spending plan for trade adjustment assistance based on up-to-date economic data before allocating those funds among the regional offices”.

**SA 2673.** Mr. BROWNBACK (for himself and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 108, line 4, strike the period at the end and insert the following: “: *Provided further*, That of the amount appropriated under this heading, not less than \$1,000,000 shall be made available to the Bureau of Industry and Security Export Enforcement to curtail the illicit transshipment, reexportation, or diversion of U.S.-origin items to Iran.”.

**SA 2674.** Mr. ROCKEFELLER submitted an amendment intended to be

proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**NOAA CHIEF SCIENTIST**

**SEC. \_\_\_\_.** Chapter 53 of title 5, United States Code, is amended—

(1) by striking “Chief Scientist, National Oceanic and Atmospheric Administration” in section 5316; and

(2) by adding “Chief Scientist, National Oceanic and Atmospheric Administration” at the end of section 5315.

**SA 2675.** Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill H.R. 2847, making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 163, like 6, strike “\$179,000,000” and insert “\$174,000,000”.

On page 163, line 8, strike “\$125,830,000” and insert “\$120,830,000”.

On page 170, between lines 19 and 20, insert the following:

**SEC. 220. ADDITIONAL FUNDING FOR DRUG COURTS.**

For an additional amount under the heading “STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE” under the heading “OFFICE OF JUSTICE PROGRAMS” under this title, there is appropriated, for the fiscal year ending September 30, 2010, \$5,000,000 for Drug Courts, as authorized by section 1001(25)(A) of title I of the 1968 Act.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS**

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on October 8, 2009, at 9:30 a.m., to conduct a hearing entitled “Future of the Mortgage Market and the Housing Enterprises.”

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

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on October 8, 2009 at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

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

**COMMITTEE ON FOREIGN RELATIONS**

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on October 8, 2009, at 2:30 p.m.

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

## COMMITTEE ON THE JUDICIARY

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on October 8, 2009, at 10 a.m. in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

## COMMITTEE ON VETERANS AFFAIRS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on October 8, 2009, at 9:30 a.m. to conduct a hearing on VA/DOD Response to Certain Military Exposures. The Committee will meet in room 562 of the Dirksen Senate Office Building.

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

## SELECT COMMITTEE ON INTELLIGENCE

Mr. CONRAD. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on October 8, 2009, at 2:30 p.m.

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

## SUBCOMMITTEE ON IMMIGRATION, REFUGEES, AND BORDER SECURITY

Mr. CONRAD. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Immigration, Refugees, and Border Security, be authorized to meet during the session of the Senate on October 8, 2009, at 3 p.m. in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Comprehensive Immigration Reform: Faith-Based Perspectives."

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

## SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. CONRAD. Mr. President, I ask unanimous consent that the Subcommittee on Public Lands and Forests be authorized to meet during the session of the Senate to conduct a hearing on October 8, 2009, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

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

## ANNIVERSARY OF NEVADA'S STATEHOOD

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 309, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 309) recognizing and celebrating the 145th anniversary of the entry of Nevada into the Union as the 36th State.

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

Mr. REID. Mr. President, does my distinguished colleague from Nevada wish to speak on this matter?

The PRESIDING OFFICER. The Senator from Nevada.

Mr. ENSIGN. Mr. President, I just want to applaud the senior Senator from Nevada, the leader of the Senate, for this resolution recognizing the 145th anniversary of Nevada's statehood.

Mr. REID. Mr. President, as it approaches Halloween, which is the real day, I will have more to say on this resolution.

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; that there be no intervening action or debate, and any statements relating to this matter be printed in the RECORD.

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

The resolution (S. Res. 309) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

## S. RES. 309

Whereas October 31, 2009, marks the 145th anniversary of President Abraham Lincoln's proclamation admitting Nevada into the Union as the 36th State;

Whereas Nevadans celebrate the anniversary of "Battle Born" statehood every year as Nevada Day;

Whereas Nevada's State motto is "All for Our Country", reflecting the patriotism and sense of duty demonstrated by countless Nevadans since the State's entrance into the Union;

Whereas Nevada's brave veterans and service members have made critical contributions to our Nation's security in times of war and of peace;

Whereas the Henderson magnesium mines and the Nevada Test Site played key roles in the United States' victories during World War II and the Cold War, respectively;

Whereas Nevada is honored to host our Nation's Armed Forces at Nellis Air Force Base, Creech Air Force Base, Naval Air Station Fallon, and the Hawthorne Army Depot, as well as National Guard Armories and Reserve Readiness Centers throughout the State;

Whereas Nevada is a premier destination for tourists, business travelers, family vacationers, and outdoor enthusiasts throughout the United States and around the globe;

Whereas Nevada's unique features attract vacationers and locals alike, including the pastoral Washoe Valley, the crags of the Ruby Mountains, the "Biggest Little City in the World", the Las Vegas Strip, the Hoover Dam, Lovers Lock Plaza, and the annual National Cowboy Poetry Gathering;

Whereas mining became an important industry to the Silver State with the 1859 discovery of the Comstock Lode, the most valuable deposit of silver in the Nation;

Whereas Nevada produces more gold than all other States combined and is one of the largest sources of gold in the world;

Whereas the entrepreneurial spirit of Nevadans is reflected in a versatile economy, from the world's largest gaming establishments to small businesses that make up the vast majority of Nevada's employers;

Whereas Nevada has a rich cultural heritage that draws from diverse populations, from multi-generational ranching families to new residents, from Hispanic Americans to Asian Americans and Pacific Islanders, and from Basque communities to Mormon pioneers;

Whereas Nevada recognizes the language, culture, and generosity of Nevada's first dwellers, the Northern and Southern Paiutes, Shoshone, and Washoe peoples;

Whereas Nevada celebrates Thocmentony, or Sarah Winnemucca, the first Native American woman to author a publication in English, whose statue graces Emancipation Hall in the Capitol Visitor Center;

Whereas the snow-capped mountains of Nevada (pronounced Neváda) were the inspiration for the Spanish origin of its name;

Whereas Nevada offers beautiful outdoor settings ranging from vibrant desert landscapes to grand ski slopes, and from picturesque hiking trails to flowing river currents;

Whereas Lake Tahoe is one of the deepest and clearest alpine lakes in the world, and Lake Mead is the largest engineered reservoir in the United States;

Whereas Nevada is home to Great Basin National Park, 17 State parks, 2 national forests, and 3,400,000 acres of wilderness, including Sloan Canyon, Red Rock Canyon, and Black Rock Desert;

Whereas Nevada exemplifies the independence, opportunity, and pioneering spirit of the West; and

Whereas Nevada's delegation to the 111th Congress—Senator Harry Reid, Senator John Ensign, Representative Shelley Berkley, Representative Dean Heller, and Representative Dina Titus—invite all to join in the celebration of Nevada statehood: Now, therefore, be it

*Resolved*, That the Senate recognizes and celebrates the 145th anniversary of the entry of Nevada into the Union as the 36th State.

## EXECUTIVE SESSION

## NOMINATIONS DISCHARGED

Mr. BEGICH. Mr. President, I ask unanimous consent that the Senate proceed to executive session and that the Agriculture Committee be discharged en bloc of the following: PN486, PN620, PN831, PN789, PN817, PN818, PN925, PN926, PN1021, PN1022; and that the Senate then proceed en bloc to their consideration; that the nominations be confirmed and the motions to reconsider be laid upon the table en bloc; that no further motions be in order and any statements relating to the nominations be printed in the Record; that the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed are as follows:

## COMMODITY FUTURES TRADING COMMISSION

Bartholomew Chilton, of Maryland, to be a Commissioner of the Commodity Futures Trading Commission for a term expiring April 13, 2013.

## DEPARTMENT OF AGRICULTURE

Edward M. Avalos, of New Mexico, to be Under Secretary of Agriculture for Marketing and Regulatory Programs.

## COMMODITY CREDIT CORPORATION

Edward M. Avalos, of New Mexico, to be a Member of the Board of Directors of the Commodity Credit Corporation.

## COMMODITY FUTURES TRADING COMMISSION

Jill Sommers, of Kansas, to be a Commissioner of the Commodity Futures Trading Commission for a term expiring April 13, 2014.