

“(b) DEFINITIONS.—In this section:

“(1) AGENCY.—The term ‘agency’—

“(A) means an Executive agency as defined under section 105; and

“(B) shall not include the Government Accountability Office.

“(2) DIRECTOR.—The term ‘Director’ means the Director of the Office of Personnel Management.

“(3) FEDERAL EXECUTIVE BOARD.—The term ‘Federal Executive Board’ means an inter-agency entity established by the Director, in consultation with the headquarters of appropriate agencies, in a geographic area with a high concentration of Federal employees outside the Washington, D.C. metropolitan area to strengthen the management and administration of agency activities and coordination among local Federal officers to implement national initiatives in that geographic area.

“(c) ESTABLISHMENT.—

“(1) IN GENERAL.—The Director shall establish Federal Executive Boards in geographic areas outside the Washington, D.C. metropolitan area. Before establishing Federal Executive Boards that are not in existence on the date of enactment of this section, the Director shall consult with the headquarters of appropriate agencies to determine the number and location of the Federal Executive Boards.

“(2) MEMBERSHIP.—Each Federal Executive Board for a geographic area shall consist of an appropriate senior officer for each agency in that geographic area. The appropriate senior officer may designate, by title of office, an alternate representative who shall attend meetings and otherwise represent the agency on the Federal Executive Board in the absence of the appropriate senior officer. An alternate representative shall be a senior officer in the agency.

“(3) LOCATION OF FEDERAL EXECUTIVE BOARDS.—In determining the location for the establishment of Federal Executive Boards, the Director shall consider—

“(A) whether a Federal Executive Board exists in a geographic area on the date of enactment of this section;

“(B) whether a geographic area has a strong, viable, and active Federal Executive Association;

“(C) whether the Federal Executive Association of a geographic area petitions the Director to become a Federal Executive Board; and

“(D) such other factors as the Director and the headquarters of appropriate agencies consider relevant.

“(d) ADMINISTRATION AND OVERSIGHT.—

“(1) IN GENERAL.—The Director shall provide for the administration and oversight of Federal Executive Boards, including—

“(A) establishing staffing policies in consultation with the headquarters of agencies participating in Federal Executive Boards;

“(B) designating an agency to staff each Federal Executive Board based on recommendations from that Federal Executive Board;

“(C) establishing communications policies for the dissemination of information to agencies;

“(D) in consultation with the headquarters of appropriate agencies, establishing performance standards for the Federal Executive Board staff;

“(E) developing accountability initiatives to ensure Federal Executive Boards are meeting performance standards; and

“(F) administering Federal Executive Board funding through the fund established in subsection (f).

“(2) STAFFING.—In making designations under paragraph (1)(B), the Director shall give preference to agencies staffing Federal Executive Boards.

“(e) GOVERNANCE AND ACTIVITIES.—

“(1) IN GENERAL.—Each Federal Executive Board shall—

“(A) subject to the approval of the Director, adopt by-laws or other rules for the internal governance of the Federal Executive Board;

“(B) elect a Chairperson from among the members of the Federal Executive Board, who shall serve for a set term;

“(C) serve as an instrument of outreach for the national headquarters of agencies relating to agency activities in the geographic area;

“(D) provide a forum for the exchange of information relating to programs and management methods and problems—

“(i) between the national headquarters of agencies and the field; and

“(ii) among field elements in the geographic area;

“(E) develop local coordinated approaches to the development and operation of programs that have common characteristics;

“(F) communicate management initiatives and other concerns from Federal officers and employees in the Washington, D.C. area to Federal officers and employees in the geographic area to achieve better mutual understanding and support;

“(G) develop relationships with State and local governments and nongovernmental organizations to help fulfill the roles and responsibilities of that Board;

“(H) in coordination with appropriate agencies and consistent with any relevant memoranda of understanding between the Office of Personnel Management and such agencies, facilitate communication, collaboration, and training to prepare the Federal workforce for emergencies and continuity of operations; and

“(I) take other actions as agreed to by the Federal Executive Board and the Director.

“(2) COORDINATION OF CERTAIN ACTIVITIES.—The facilitation of communication, collaboration, and training described under paragraph (1)(H) shall, when appropriate, be coordinated and defined through memoranda of understanding entered into between the Director and headquarters of appropriate agencies.

“(f) FUNDING.—

“(1) ESTABLISHMENT OF FUND.—The Director shall establish a fund within the Office of Personnel Management for financing essential Federal Executive Board functions—

“(A) including basic staffing and operating expenses; and

“(B) excluding the costs of the Office of Personnel Management relating to administrative and oversight activities conducted under subsection (d).

“(2) DEPOSITS.—There shall be deposited in the fund established under paragraph (1) contributions from the headquarters of each agency participating in Federal Executive Boards, in an amount determined by a formula established by the Director, in consultation with the headquarters of such agencies and the Office of Management and Budget.

“(3) CONTRIBUTIONS.—

“(A) FORMULA.—The formula for contributions established by the Director shall consider the number of employees in each agency in all geographic areas served by Federal Executive Boards. The contribution of the headquarters of each agency to the fund shall be recalculated at least every 2 years.

“(B) IN-KIND CONTRIBUTIONS.—At the sole discretion of the Director, the headquarters of an agency may provide in-kind contributions instead of providing monetary contributions to the fund.

“(4) USE OF EXCESS AMOUNTS.—Any unobligated and unexpended balances in the fund which the Director determines to be in ex-

cess of amounts needed for essential Federal Executive Board functions shall be allocated by the Director, in consultation with the headquarters of agencies participating in Federal Executive Boards, among the Federal Executive Boards for the activities under subsection (e) and other priorities, such as conducting training.

“(5) ADMINISTRATIVE AND OVERSIGHT COSTS.—The Office of Personnel Management shall pay for costs relating to administrative and oversight activities conducted under subsection (d) from appropriations made available to the Office of Personnel Management.

“(g) REPORTS.—The Director shall submit annual reports to Congress and agencies on Federal Executive Board program outcomes and budget matters.

“(h) REGULATIONS.—The Director shall prescribe regulations necessary to carry out this section.”

(b) REPORT.—Not later than 60 days after the date of enactment of this Act, the Director of the Office of Personnel Management shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives that includes—

(1) a description of essential Federal Executive Board functions;

(2) details of basic staffing requirements for each Federal Executive Board;

(3) estimates of basic staffing and operating expenses for each Federal Executive Board; and

(4) a comparison of basic staffing and operating expenses for Federal Executive Boards operating before the date of enactment of this Act and such expenses for Federal Executive Boards after the implementation of this Act.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for chapter 11 of title 5, United States Code, is amended by inserting after the item relating to section 1105 the following:

“1106. Federal Executive Boards.”

The bill (S. 806), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

#### TERMS OF SERVICE IN THE OFFICE OF COMPLIANCE

Mr. CASEY. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 197, S. 1860.

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

The assistant legislative clerk read as follows.

A bill (S. 1860) to permit each current member of the Board of Directors of the Office of Compliance to serve for 3 terms.

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

Mr. CASEY. Mr. President, I ask unanimous consent the bill be read a third time, and passed, 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 bill (S. 1860) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1860

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. ADDITIONAL TERM FOR MEMBERS OF BOARD OF DIRECTORS OF OFFICE OF COMPLIANCE.**

Notwithstanding the second sentence of section 301(e)(1) of the Congressional Accountability Act of 1995 (2 U.S.C. 1381(e)(1)), any individual serving as a member of the Board of Directors of the Office of Compliance as of September 30, 2009, may serve for 3 terms.

**NATIONAL AMERICAN INDIAN AND ALASKA NATIVE HERITAGE MONTH**

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 342, submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 342) recognizing National American Indian and Alaska Native Heritage Month and celebrating the heritage and culture of American Indians and Alaska Natives and the contributions of American Indians and Alaska Natives to the United States.

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

Mr. DORGAN. Mr. President, on October 30, 2009, President Obama issued a proclamation designating November 2009 as National American Indian and Alaska Native Heritage Month. This President follows a tradition of Presidents since 1990 of issuing proclamations honoring the significant contributions of tribal governments and individual Native Americans to our Nation's history and development.

Congress also has traditionally recognized the contributions of Native Americans to the United States in the form of resolutions, findings, coins and medals. The resolution introduced here today continues in that tradition.

This resolution recognizes some of the many contributions that Native Americans have made to help build our great Nation as well as the continued contributions of Native Americans to the growth of the United States. Native Americans have made significant contributions in the fields of agriculture, medicine, music, language, and art. They were an influencing force in the founding documents of our Federal Government. Indian tribes have even made use of Native languages to develop an unbreakable military code that helped defeat the Axis powers in World War II. These remarkable tribes and individual Native Americans have shaped our Nation's history in so many very meaningful ways.

Through this resolution, we recognize and celebrate these and many other contributions of tribal governments and Native Americans during the month of November. It is particu-

larly important that President Obama has decided to host a Tribal Leaders Summit at the White House. The President will meet with tribal leaders in Washington, DC, November 5, 2009, to discuss the many issues facing tribal communities throughout the Nation.

We have several very important pieces of legislation before this body that I hope to move in the interest of the First Americans. S. 1790, the Indian Health Care Improvement Reauthorization and Extension Act of 2009, was introduced on October 15, 2009, after much consultation and discussion among tribal leaders and Indian health experts. I will work very hard this Congress to get this important piece of legislation to the President's desk. In addition, after many, many hearings and numerous listening sessions, I introduced S. 797, the Tribal Law and Order Act of 2009, earlier this year. This important piece of legislation has strong bipartisan support and will help to improve the status of law and order on tribal lands. The bill has been approved by the Indian Affairs Committee and is waiting for approval by the full Senate.

I urge all citizens, and local, State, and Federal governments and agencies to take time this month to learn more about the many facets of Native American history, traditions, and their important contributions to the formation of the United States. Mr. President, I ask that this resolution be adopted quickly and that it act as encouragement to all people of the United States to observe the month of November as National American Indian and Alaska Native Heritage Month.

Mr. CASEY. 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, with no intervening action or debate, and any statements be printed in the RECORD.

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

The resolution (S. Res. 342) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

**S. RES. 342**

Whereas from November 1, 2009, through November 30, 2009, the United States celebrates National American Indian and Alaska Native Heritage Month;

Whereas American Indians and Alaska Natives are descendants of the original, indigenous inhabitants of what is now the United States;

Whereas, in 2000, the United States Census Bureau reported that there were more than 4,000,000 people in the United States of American Indian and Alaska Native descent;

Whereas, on December 2, 1989, the Committee on Indian Affairs of the Senate held a hearing exploring the contributions of the Iroquois Confederacy, and its influence on the Founding Fathers in the drafting of the Constitution of the United States with the concepts of freedom of speech, the separation of governmental powers, and checks and balances among the branches of government;

Whereas the Senate has reaffirmed that a major national goal of the United States is

to provide the resources, processes, and structure that will enable Indian Tribes and tribal members to obtain the quantity and quality of health care services and opportunities that will eliminate the health disparities between American Indians and the general population of the United States;

Whereas Congress recently reaffirmed its trust responsibility to improve the housing conditions and socioeconomic status of American Indians and Alaska Natives by providing affordable homes in a safe and healthy environment;

Whereas, throughout its course of dealing with Indian Tribes, the United States Government has engaged in a government-to-government relationship with Tribes;

Whereas the United States Government owes a trust obligation to Tribes, acknowledged in treaties, statutes, and decisions of the Supreme Court, to protect the interests and welfare of tribal governments and their members;

Whereas American Indians and Alaska Natives have consistently served with honor and distinction in the Armed Forces of the United States, some as early as the Revolutionary War, and continue to serve in the Armed Forces in greater numbers per capita than any other group in the United States;

Whereas American Indians and Alaska Natives speak and preserve indigenous languages and have contributed hundreds of words to the English language, including the names of people and locations in the United States;

Whereas Congress has recognized Native American code talkers who served with honor and distinction in World War I and World War II, using indigenous languages as an unbreakable military code, saving countless American lives;

Whereas American Indians and Alaska Natives are deeply rooted in tradition and culture, which drives their strength of community; and

Whereas American Indians and Alaska Natives of all ages celebrate the great achievements of their ancestors and heroes and continue to share their stories with future generations: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the celebration of National American Indian and Alaska Native Heritage Month during the month of November 2009;

(2) honors the heritage and culture of American Indians and Alaska Natives and the contributions of American Indians and Alaska Natives to the United States; and

(3) urges the people of the United States to observe National American Indian and Alaska Native Heritage Month with appropriate programs and activities.

**APPOINTMENT**

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 110-181, and in consultation with chairmen of the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, and the Committee on Foreign Relations, appoints the following individual to be a member of the Commission on Wartime Contracting in Iraq and Afghanistan: Katherine Schinasi of Washington, DC, vice Linda J. Gustitus of the District of Columbia.