

The purpose of this hearing is to consider the President's Fiscal Year 2012 proposed budget for the National Park Service.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, 304 Dirksen Senate Office Building, Washington, DC 20510-6150, or by email to allison_seyferth@energy.senate.gov.

For further information, please contact David Brooks at (202) 224-9863 or Allison Seyferth at (202) 224-4905.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BINGAMAN. 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 March 9, 2011, at 2:30 p.m., to conduct a hearing entitled, "The State of the Housing Market."

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on March 9, 2011, at 2:15 p.m. in SD-406.

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

COMMITTEE ON FINANCE

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on March 9, 2011, at 9:30 a.m., in 215 Dirksen Senate Office Building, to conduct a hearing entitled "The President's 2011 Trade Agenda."

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

COMMITTEE ON THE JUDICIARY

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on March 9, 2011, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Oversight of the Department of Homeland Security."

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on March 9, 2011, at 10 a.m.

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

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on March 9, 2011, at 2:30 p.m. to conduct a hearing entitled, "New Tools for Curbing Waste and Fraud in Medicare and Medicaid."

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

NATIONAL ASBESTOS AWARENESS WEEK

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 63 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 63) designating the first week of April 2011 as "National Asbestos Awareness Week."

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

Mr. REID. 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 that any statements relating to the measure be printed in the RECORD.

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

The resolution (S. Res. 63) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 63

Whereas dangerous asbestos fibers are invisible and cannot be smelled or tasted;

Whereas the inhalation of airborne asbestos fibers can cause significant damage;

Whereas asbestos fibers can cause cancer such as mesothelioma, asbestosis, and other health problems;

Whereas asbestos-related diseases can take 10 to 50 years to present themselves;

Whereas the expected survival time for those diagnosed with mesothelioma is between 6 and 24 months;

Whereas generally, little is known about late-stage treatment of asbestos-related diseases, and there is no cure for such diseases;

Whereas early detection of asbestos-related diseases may give some patients increased treatment options and might improve their prognoses;

Whereas the United States has reduced its consumption of asbestos substantially, yet continues to consume almost 820 metric tons of the fibrous mineral for use in certain products throughout the Nation;

Whereas asbestos-related diseases have killed thousands of people in the United States;

Whereas exposure to asbestos continues, but safety and prevention of asbestos exposure already has significantly reduced the incidence of asbestos-related diseases and can further reduce the incidence of such diseases;

Whereas asbestos has been a cause of occupational cancer;

Whereas thousands of workers in the United States face significant asbestos exposure;

Whereas thousands of people in the United States die from asbestos-related diseases every year;

Whereas a significant percentage of all asbestos-related disease victims were exposed to asbestos on naval ships and in shipyards;

Whereas asbestos was used in the construction of a significant number of office buildings and public facilities built before 1975;

Whereas people in the small community of Libby, Montana, have asbestos-related diseases at a significantly higher rate than the national average and suffer from mesothelioma at a significantly higher rate than the national average; and

Whereas the establishment of a "National Asbestos Awareness Week" will raise public awareness about the prevalence of asbestos-related diseases and the dangers of asbestos exposure: Now, therefore, be it

Resolved, That the Senate—

(1) designates the first week of April 2011 as "National Asbestos Awareness Week";

(2) urges the Surgeon General to warn and educate people about the public health issue of asbestos exposure, which may be hazardous to their health; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the Office of the Surgeon General.

AFFIRMING THE IMPORTANCE OF EXERCISE AND PHYSICAL ACTIVITY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 97.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 97) affirming the importance of exercise and physical activity as key components of a healthy lifestyle, including in combating obesity, reducing chronic disease, and lowering health care costs.

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

Mr. REID. 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 that any statements relating to the measure be printed in the RECORD.

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

The resolution (S. Res. 97) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 97

Whereas data from the Centers for Disease Control and Prevention indicate that poor diet and physical inactivity cause over 400,000 deaths each year;

Whereas data from the Department of Health and Human Services estimate that 68

percent of adults and 16.9 percent of children of the United States are obese or overweight;

Whereas obesity is associated with more than 30 medical conditions, including cancer, diabetes, heart disease, and hypertension;

Whereas research has clearly demonstrated that increased physical activity can play a direct role in reducing the incidence of chronic diseases, including heart disease and diabetes;

Whereas, given the most recent trends in obesity, 1 in 3 children born in the United States in 2000 is expected to develop diabetes over the course of his or her lifetime;

Whereas research has estimated that moderate aerobic exercise lowers the adult risk for type 2 diabetes by 58 percent, heart disease by 45 percent, colon cancer by up to 50 percent, and breast cancer by up to 30 percent;

Whereas average per capita health spending increased by 40 percent during calendar years 1997 through 2005, but the average per capita spending for the 15 costliest conditions, all associated with obesity, increased 55 percent during those calendar years;

Whereas the potential savings in direct medical costs if all inactive American adults engaged in regular physical activity could be as high as \$80,000,000,000;

Whereas approximately half of the direct medical costs associated with diseases that stem from obesity and inactivity are paid for by the government and the taxpayers of the United States through federally funded programs, such as Medicaid and Medicare;

Whereas regular exercise combined with reduced caloric intake has been shown to be most effective in reducing body mass;

Whereas, even if an individual does not lose weight, exercise may provide health benefits to that individual, including psychological benefits such as lower rates of stress and anxiety, lower rates of depression, higher self-esteem, and an improved body image; and

Whereas new research shows that financial incentives can be used to develop or foster good exercise habits: Now, therefore, be it

Resolved, That the Senate—

(1) affirms the importance of exercise and physical activity as key components of a healthy lifestyle, including combating obesity, reducing chronic disease, and lowering health care costs; and

(2) encourages the development of incentives, including responsible economic incentives, to promote exercise and a more physically active and healthy United States.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that on Thursday, March 10, at 2:15 p.m., the Senate proceed to executive session to consider Calendar No. 7; that there be 15 minutes of debate equally divided in the usual form; that upon the use or yielding back of that time, the Senate proceed to vote, without intervening action or debate, on Calendar No. 7; that the motion to reconsider be considered made and laid on the table, with no intervening action or debate; that no further motions be in order; that any statements relating to this matter be printed in the RECORD and that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

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

ORDER OF PROCEDURE

Mr. REID. Mr. President, I ask unanimous consent that the following Senators be recognized as in morning business at the times listed below for the purpose of giving their maiden speeches to the Senate: Senator MORAN, Thursday, March 10, at 10:30 a.m. for up to 15 minutes, and Senator COATS, Tuesday, March 15, at 2:15 p.m. for up to 30 minutes. I will say, this is his second maiden speech.

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

ORDERS FOR THURSDAY, MARCH 10, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until Thursday, March 10, at 10 a.m.; 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; that following any leader remarks, there be a period for the transaction of morning business until 2:15 p.m., with Senators allowed to speak for up to 10 minutes each; that at 2:15 p.m., the Senate proceed to executive session as provided under the previous order.

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

PROGRAM

Mr. REID. Mr. President, at approximately 2:30 p.m., the Senate will vote on confirmation of the nomination of Max Oliver Cogburn, Jr., of North Carolina, to be a U.S. District Judge for the Western District of North Carolina.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:02 p.m., adjourned until Thursday, March 10, 2011, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

STEVE SIX, OF KANSAS, TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT, VICE DEANELL REECH TACHA, RETIRED.

WILLIAM FRANCIS KUNTZ, II, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK, VICE NINA GERSHON, RETIRED.

DEPARTMENT OF JUSTICE

RONALD W. SHARPE, OF THE VIRGIN ISLANDS, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF THE VIRGIN ISLANDS FOR THE TERM OF FOUR YEARS, VICE ANTHONY JEROME JENKINS, RESIGNED.

ROBERT WILLIAM MATHEISON, OF VIRGINIA, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF VIRGINIA FOR THE TERM OF FOUR YEARS, VICE JOHN ROBERTS HACKMAN.

JUAN MATTOS JR., OF NEW JERSEY, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF NEW JERSEY FOR THE TERM OF FOUR YEARS, VICE JAMES THOMAS PLOUSIS, TERM EXPIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DAVID L. GOLDFEIN

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DONALD M. CAMPBELL, JR.

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

L/T. GEN. JOHN F. KELLY

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. JOSEPH D. KERNAN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. ALTHEA H. COETZEE
CAPT. VALERIE K. HUEGEL

IN THE ARMY

I HEREBY APPOINT THE FOLLOWING NAMED OFFICERS IN THE GRADE INDICATED IN THE REGULAR ARMY UNDER TITLE 10, U.S.C., SECTIONS 531 AND 716:

To be major

ERIK M. BENDA
JOHN R. GRABOWSKI
ANDREW R. HUISMAN
DONALD P. JOHNSON
GEORGE P. LEWIS
SETH D. MIDDLETON

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

KEVIN B. DENNEHY
JOHN E. HOEFERT
ELMON R. KRUPNIK
LUIS N. MALDONADO
MARK D. NEWHALL
GLENDA A. SHEARN
GREGORY A. THINGVOLD

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

STEPHEN J. PARKS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

HUNG CAO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

BRANDON M. OBERLING

To be commander

WILLIAM A. BROWN, JR.

To be lieutenant commander

WILLIAM M. HAMMESFAHR
HARPREET SINGH