

## MEASURES READ THE FIRST TIME

The following joint resolution was read the first time:

S.J. Res. 23. Joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget.

## 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-2309. A communication from the Administrator, Risk Management Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Common Crop Insurance Regulations; Extra Long Staple Cotton Crop Provisions" (RIN0563-AC27) received in the Office of the President of the Senate on June 23, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2310. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-2311. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revision to the Validated End-User Authorization for CSMC Technologies Corporation in the People's Republic of China" (RIN0694-AF25) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2312. A communication from the Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Rules Implementing Amendments to the Investment Advisers Act of 1940" (RIN3235-AK82) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2313. A communication from the Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Family Offices" (RIN3235-AK66) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2314. A communication from the Secretary, Division of Investment Management, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Exemptions for Advisers to Venture Capital Funds, Private Fund Advisers With Less Than \$150 Million in Assets Under Management, and Foreign Private Advisers" (RIN3235-AK81) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2315. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Risk-Based Capital Standards: Advanced Capital Adequacy Framework—Basel II; Establishment of a Risk-Based Capital Floor" (RIN3064-AD58)

received in the Office of the President of the Senate on June 29, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2316. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, a report on the remaining obstacles to the efficient and timely circulation of \$1 coins; to the Committee on Banking, Housing, and Urban Affairs.

EC-2317. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition of Certain Persons on the Entity List: Addition of Persons Acting Contrary to the National Security or Foreign Policy Interests of the United States" (RIN0694-AF12) received during adjournment of the Senate in the Office of the President of the Senate on June 24, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2318. A communication from the Assistant Secretary of Land and Minerals Management, Bureau of Ocean Energy Management, Regulation, and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Oil and Gas and Sulphur Operations in the Outer Continental Shelf—Civil Penalties" (RIN1010-AD74) received in the Office of the President of the Senate on June 28, 2011; to the Committee on Energy and Natural Resources.

EC-2319. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Stock Basis" (Notice No. 2011-56) received in the Office of the President of the Senate on June 27, 2011; to the Committee on Finance.

EC-2320. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to activities under the Enterprise for the Americas Initiative and the Tropical Forest Conservation Act of 1998; to the Committee on Foreign Relations.

EC-2321. A communication from the President and Chief Executive Officer, Overseas Private Investment Corporation, transmitting, pursuant to law, a legislative proposal reauthorizing the Overseas Private Investment Corporation; to the Committee on Foreign Relations.

EC-2322. A communication from the Acting Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Final Priority; National Institute on Disability and Rehabilitation Research (NIDRR)—Rehabilitation Research and Training Center (RRTCs)—Interventions to Promote Community Living Among Individuals with Disabilities" (CFDA No. 84.133B-11) received in the Office of the President of the Senate on June 27, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2323. A communication from the Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Final Priorities; Disability and Rehabilitation Research Projects and Centers Program" (CFDA Nos. 84.133E-1 and 84.133E-3) received in the Office of the President of the Senate on June 27, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2324. A communication from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "National Vaccine Injury Compensation Pro-

gram: Revisions to the Vaccine Injury Table" (RIN0906-AA74) received in the Office of the President of the Senate on June 23, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-2325. A communication from the Secretary, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Program Evaluation Activities of the U.S. Department of Health and Human Services—Performance Improvement 2010"; to the Committee on Health, Education, Labor, and Pensions.

EC-2326. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Report to Congress on the Prevention and Reduction of Underage Drinking"; to the Committee on Health, Education, Labor, and Pensions.

EC-2327. A communication from the Secretary of Labor, transmitting, pursuant to law, the 2010 Department of Labor's Reissued Agency Financial Report; to the Committee on Health, Education, Labor, and Pensions.

EC-2328. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, "Certification of the Fiscal Year 2011 Total Non-Dedicated Revised Local Source Revenues in Support of the District's \$181,330,000 General Obligation Bonds (Series 2010A)"; to the Committee on Homeland Security and Governmental Affairs.

EC-2329. A communication from the Chairman of the National Capital Planning Commission, transmitting, pursuant to law, the Commission's fiscal year 2010 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-2330. A communication from the Assistant Secretary of Policy, Management and Budget, Department of the Interior, transmitting, pursuant to law, the Department's fiscal year 2010 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-2331. A communication from the Chairman of the Federal Trade Commission, transmitting, pursuant to law, the Semi-Annual Report of the Inspector General for the period from October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2332. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Successor Entities to the Netherlands Antilles" ((RIN0750-AH32)(DFARS Case 2011-D029)) received in the Office of the President of the Senate on June 28, 2011; to the Committee on Armed Services.

EC-2333. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Extension of Restrictions on the Use of Mandatory Arbitration Agreements" ((RIN0750-AH34)(DFARS Case 2011-D035)) received in the Office of the President of the Senate on June 28, 2011; to the Committee on Armed Services.

EC-2334. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Assignment of Order Codes" ((RIN0750-AH25)(DFARS Case 2011-D004)) received in the Office of the President

of the Senate on June 28, 2011; to the Committee on Armed Services.

EC-2335. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Management of Manufacturing Risk in Major Defense Acquisition Programs" ((RIN0750-AH30)(DFARS Case 2011-D031)) received in the Office of the President of the Senate on June 28, 2011; to the Committee on Armed Services.

EC-2336. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Pilot Program for Acquisition of Military-Purpose Nondevelopmental Items" ((RIN0750-AH27)(DFARS Case 2011-D034)) received in the Office of the President of the Senate on June 28, 2011; to the Committee on Armed Services.

EC-2337. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Definition of Sexual Assault" ((RIN0750-AG93)(DFARS Case 2010-D023)) received in the Office of the President of the Senate on June 28, 2011; to the Committee on Armed Services.

EC-2338. A communication from the Under Secretary of Defense (Policy), transmitting, pursuant to law, a report relative to Cooperative Threat Reduction Programs; to the Committee on Armed Services.

EC-2339. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting, pursuant to law, legislative proposals relative to the National Defense Authorization Act for Fiscal Year 2012; to the Committee on Armed Services.

EC-2340. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a report entitled "Report to Congress on Abnormal Occurrences: Fiscal Year (FY) 2010"; to the Committee on Environment and Public Works.

EC-2341. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, a legislative proposal relative to authorization for major facility construction projects and leases for fiscal year 2012; to the Committee on Veterans' Affairs.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-52. A joint resolution adopted by the General Assembly of the State of Tennessee memorializing Congress to continue to support career and technical education programs, including the Perkins Tech Prep program; to the Committee on Health, Education, Labor, and Pensions.

#### SENATE JOINT RESOLUTION NO. 111

Whereas, the career and technical education programs available to our students here in Tennessee and across this great Nation are a most vital tool for the economic future and advancement of the United States; and

Whereas, on February 11, the House Appropriations Committee in Washington, D.C., introduced legislation, H.R. 1, legislation which completely eliminates funding for the Perkins Tech Prep program for the 2011-2012 school year and makes drastic cuts across other education and workforce development programs; and

Whereas, career and technical education programs play an integral role in providing our students with the experience and training necessary to compete in the modern economy and a reduction in funding will harm Tennessee's students and communities, both big and small, as well as the economic well-being of America: Now, therefore, be it

*Resolved by the Senate of the One Hundred Seventh General Assembly of the State of Tennessee, the House of Representatives Concurring,* That this General Assembly hereby memorializes the United States Congress to continue to support career and technical education programs, including the Perkins Tech Prep program. Be it further

*Resolved,* That a certified copy of this resolution be transmitted to the President and the Secretary of the United States Senate, the Speaker and the Clerk of the United States House of Representatives, and to each member of Tennessee's Congressional delegation.

POM-53. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the Congress of the United States to sustain home energy assistance for at-risk Louisianians and to declare June 2011 as "Save LIHEAP" Month; to the Committee on Health, Education, Labor, and Pensions.

#### SENATE CONCURRENT RESOLUTION NO. 33

Whereas, the federal home energy assistance program is of vital interest to the state of Louisiana and to low to moderate income households, especially the elderly, disabled, or young citizens, who struggle disproportionately to afford heating and cooling costs; and

Whereas, Congress is considering the proposed budget to reduce the fiscal year 2012 Low Income Home Energy Assistance Program (LIHEAP) formula grant funding by fifty-seven percent nationally; and

Whereas, this reduction is disproportionately more damaging in Louisiana, triggering a sixty-seven percent loss, resulting in the life-threatening decrease of 34.7 million dollars to Louisiana; and

Whereas, due to the loss of these funds, tens of thousands of vulnerable Louisiana citizens will lose access to the LIHEAP's vital energy services; and

Whereas, more than four hundred and seventy-six thousand Louisiana households meet LIHEAP's stringent income eligibility requirements; and

Whereas, of these households, one hundred eighty-four thousand shelter someone over the age of sixty, ninety-six thousand are children under the age of six, and one hundred and fifty-four thousand are handicapped individuals, including disabled veterans; and

Whereas, for a Louisiana family of four to be eligible for LIHEAP, the family must earn no more than twenty-seven dollars per day, per capita; and

Whereas, although nearly a half-million Louisiana households meet LIHEAP's federal income criteria, only a small fraction of eligible households are actually helped due to already limited federal funding; and

Whereas, Louisiana's ability to reach at-risk families through LIHEAP is entirely dependent upon the provision of adequate funding from Congress; and

Whereas, home energy assistance is particularly important in Louisiana due to intermittent intense heat and humidity, which is especially threatening to the elderly, disabled, and young citizens; and

Whereas, if the program's core block grants were reduced as proposed, Louisianians would be disproportionately affected, because the national program would be statutorily precluded from considering current population, poverty, and energy price

data and mirroring outdated needs of twenty-five years ago; and

Whereas, unless Congress sustains LIHEAP, Louisiana's most vulnerable citizens will be placed at an unnecessarily greater risk. Therefore, be it

*Resolved,* That the Louisiana Legislature hereby declares June, 2011 to be "Save LIHEAP Month" and encourages public and private citizens to join in by encouraging their respective congressional delegation to sustain this vital program at its long-standing national appropriation of five point one billion dollars during federal Fiscal Year 2012. Be it further

*Resolved,* That the Legislature of Louisiana hereby memorializes the Congress of the United States to sustain home energy assistance for at-risk Louisianians and to declare June 2011 as "Save LIHEAP" Month. Be it further

*Resolved,* That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-54. A resolution adopted by the city of Lackawanna, New York requesting the city of Lackawanna be united under one New York State Assembly-Member; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KERRY, from the Committee on Foreign Relations, with amendments and with a preamble:

S.J. Res. 20. A joint resolution authorizing the limited use of the United States Armed Forces in support of the NATO mission in Libya (Rept. No. 112-27).

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 550. A bill to improve the provision of assistance to fire departments, and for other purposes (Rept. No. 112-28).

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Air Force nomination of Lt. Gen. Robert R. Allardice, to be Lieutenant General.

Air Force nomination of Maj. Gen. Bradley A. Heithold, to be Lieutenant General.

Air Force nomination of Maj. Gen. Stanley E. Clarke, to be Lieutenant General.

Air Force nomination of Lt. Gen. Paul J. Selva, to be Lieutenant General.

Air Force nomination of Brig. Gen. Terrence A. Feehan, to be Major General.

\*Army nomination of Gen. James D. Thurman, to be General.

Army nomination of Lt. Gen. Kathleen M. Gainey, to be Lieutenant General.

Army nomination of Col. John A. Hammond, to be Brigadier General.

Army nomination of Brig. Gen. James T. Walton, to be Major General.

Army nominations beginning with Brig. Gen. Stephen L. Jones and ending with Brig. Gen. Richard W. Thomas, which nominations were received by the Senate and appeared in the Congressional Record on May 23, 2011.

Army nominations beginning with Brigadier General Marcia M. Anderson and ending