

H.R. 2219. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 2012, and for other purposes; to the Committee on Appropriations.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 1340. A bill to cut, cap, and balance the Federal 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-2437. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Maneb; Tolerance Actions" (FRL No. 8878-6) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2438. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2-Propenoic acid, 2-methyl-, phenylmethyl ester, polymer with 2-propenoic acid and sodium 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]-1-propanesulfonate (1:1), peroxydisulfuric acid (HO)(SO)₂(2O₂) sodium salt (1:2)-initiated; Tolerance Exemption" (FRL No. 8878-4) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2439. A communication from the Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Extension of Temporary Exemptions for Eligible Credit Default Swaps to Facilitate Operation of Central Counterparties to Clear and Settle Credit Default Swaps" (RIN3235-AK26) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2440. A communication from the Deputy Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of Rural Health Care Support Mechanism" (RIN3060-AF85)(FCC 11-101) received in the Office of the President of the Senate on July 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2441. A communication from the Acting Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Paperwork Reduction Act: Updated List of Approved Information Collections and Removal of a Redundant Reporting Requirement" (RIN0694-AF08) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Commerce, Science, and Transportation.

EC-2442. A communication from the Deputy Secretary, Office of Natural Resources Revenue, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Reorganization of Title 30, Code of Federal Regulations" received in the Office of the President of the Senate on July 7, 2011;

to the Committee on Energy and Natural Resources.

EC-2443. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Notice of Approval of Outer Continental Shelf (OCS) Permit Issued to Cape Wind Associates, LLC" (FRL No. 9431-8) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2444. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Indiana; Modifications to Indiana Prevention of Significant Deterioration and Non-attainment New Source Review Rules" (FRL No. 9430-7) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2445. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Ohio; Control of Gasoline Volatility; Correction" (FRL No. 9430-5) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2446. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plan; New Jersey and New York; Final Disapproval of Interstate Transport State Implementation Plan Revision for the 2006 24-hour PM_{2.5} NAAQS" (FRL No. 9436-2) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2447. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plan; Missouri; Final Disapproval of Interstate Transport State Implementation Plan Revision for the 2006 24-hour PM_{2.5} NAAQS" (FRL No. 9435-9) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2448. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plan; Kansas; Final Disapproval of Interstate Transport State Implementation Plan Revision for the 2004 24-hour PM_{2.5} NAAQS" (FRL No. 9436-1) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2449. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Indiana and Ohio; Disapproval of Interstate Transport State Implementation Plan Revision for the 2006 24-hour PM_{2.5} NAAQS" (FRL No. 9435-8) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2450. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Finding Failure to Submit Section 110 State Implementation Plans for Interstate Transport for the 2006 National Ambient Air Quality Standards for Fine Particulate Matter" (FRL No. 9435-7) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2451. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Finding of Substantial Inadequacy of Implementation Plan; Call for Iowa State Implementation Plan Revision" (FRL No. 9434-7) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2452. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Missouri" (FRL No. 9429-1) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2453. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Nebraska" (FRL No. 9434-4) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2454. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Kansas" (FRL No. 9434-3) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2455. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Deferral for CO₂ Emissions from Bioenergy and Other Biogenic Sources Under the Prevention of Significant Deterioration (PSD) and Title V Programs: Final Rule" (FRL No. 9431-6) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2456. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Connecticut, Maine, New Hampshire and Rhode Island; Infrastructure SIPs for the 1997 8-hour Ozone National Ambient Air Quality Standards" (FRL No. 9431-2) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2457. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Determination of Attainment, Approval and Promulgation of Air Quality Implementation Plans; Indiana; Correction" (FRL No. 9430-6) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2458. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Ohio; Volatile Organic Compound Reinforced Plastic Composites Production Operations Rule" (FRL No. 9430-9) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Environment and Public Works.

EC-2459. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; South Carolina; 110(a)(1) and (2) Infrastructure Requirements for the 1997 8-hour Ozone National Ambient Air Quality Standards" (FRL No. 9436-4) received in the Office of the President of the Senate on July 11, 2011; to the Committee on Environment and Public Works.

EC-2460. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Section 110(a)(2) Infrastructure Requirements for 1997 8-hour Ozone and Fine Particulate Matter National Ambient Air Quality Standards" (FRL No. 9437-8) received in the Office of the President of the Senate on July 11, 2011; to the Committee on Environment and Public Works.

EC-2461. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Illinois; Indiana; Michigan; Minnesota; Ohio; Wisconsin; Infrastructure SIP Requirements for the 1997 8-hour Ozone and PM_{2.5} National Ambient Air Quality Standards" (FRL No. 9436-7) received in the Office of the President of the Senate on July 11, 2011; to the Committee on Environment and Public Works.

EC-2462. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Mississippi; 110(a)(1) and (2) Infrastructure Requirements for the 1997 8-hour Ozone National Ambient Air Quality Standards" (FRL No. 9436-6) received in the Office of the President of the Senate on July 11, 2011; to the Committee on Environment and Public Works.

EC-2463. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Alabama; 110(a)(1) and (2) Infrastructure Requirements for the 1997 8-hour Ozone National Ambient Air Quality Standards" (FRL No. 9436-3) received in the Office of the President of the Senate on July 11, 2011; to the Committee on Environment and Public Works.

EC-2464. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Kentucky; 110(a)(1) and (2) Infrastructure Requirements for the 1997 8-hour Ozone National Ambient Air Quality Standards" (FRL No. 9436-5) received in the Office of the Presi-

dent of the Senate on July 11, 2011; to the Committee on Environment and Public Works.

EC-2465. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Federal Implementation Plans to Reduce Interstate Transport of Fine Particulate Matter and Ozone in 22 States; Correction of SIP Approvals for 22 States" (FRL No. 9436-8) received in the Office of the President of the Senate on July 11, 2011; to the Committee on Environment and Public Works.

EC-2466. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Modification of Treasury Regulations Pursuant to Section 939A of the Dodd-Frank Wall Street Reform and Consumer Protection Act" (RIN1545-BK28) received in the Office of the President of the Senate on July 7, 2011; to the Committee on Finance.

EC-2467. A communication from the Surgeon General, Department of Health and Human Services, transmitting the National Prevention, Health Promotion and Public Health Council's 2011 annual status report; to the Committee on Health, Education, Labor, and Pensions.

EC-2468. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-53; Small Entity Compliance Guide" (FAC 2005-53) received in the Office of the President of the Senate on July 6, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2469. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; TINA Interest Calculations" (FAC 2005-53) received in the Office of the President of the Senate on July 6, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2470. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Extension of Sunset Date for Protests of Task and Delivery Orders" (FAC 2005-53) received in the Office of the President of the Senate on July 6, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2471. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Encouraging Contractor Policies to Ban Text Messaging While Driving" (FAC 2005-53) received in the Office of the President of the Senate on July 6, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2472. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Uniform Suspension and Debarment Requirement" (FAC 2005-53) received in the Office of the President of the Senate on July 6, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-2473. A communication from the Senior Procurement Executive, Office of Acquisi-

tion Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Unique Procurement Instrument Identifier" (FAC 2005-53) received in the Office of the President of the Senate on July 6, 2011; to the Committee on Homeland Security and Governmental Affairs.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-56. A concurrent resolution adopted by the Senate of the State of Louisiana memorializing Congress to review and consider eliminating provisions of federal law, which reduce Social Security benefits for those receiving pension benefits from federal, state, or local government retirement or pension systems, plans, or funds; to the Committee on Finance.

SENATE CONCURRENT RESOLUTION NO. 57

Whereas, the Congress of the United States has enacted both the Government Pension Offset (GPO), reducing the spousal and survivor Social Security benefit, and the Windfall Elimination Provision (WEP), reducing the earned Social Security benefit for any person who also receives a public pension benefit; and

Whereas, the intent of Congress in enacting the GPO and the WEP provisions was to address concerns that a public employee who had worked primarily in federal, state, or local government employment might receive a public pension in addition to the same Social Security benefit as a person who had worked only in employment covered by Social Security throughout his career; and

Whereas, the purpose of Congress in enacting these reduction provisions was to provide a disincentive for public employees to receive two pensions; and

Whereas, the GPO negatively affects a spouse or survivor receiving a federal, state, or local government retirement or pension benefit who would also be entitled to a Social Security benefit earned by a spouse; and

Whereas, the GPO formula reduces the spousal or survivor Social Security benefit by two-thirds of the amount of the federal, state, or local government retirement or pension benefit received by the spouse or survivor, in many cases completely eliminating the Social Security benefit; and

Whereas, nine out of ten public employees affected by the GPO lose the entire spousal benefit, even though their spouses paid Social Security taxes for many years; and

Whereas, the GPO often reduces spousal benefits so significantly it can make the difference between self-sufficiency and poverty; and

Whereas, the GPO has a harsh effect on thousands of citizens and undermines the original purpose of Social Security survivors benefits; and

Whereas, the GPO negatively impacts approximately 27,144 Louisianians; and

Whereas, the WEP applies to those persons who have earned federal, state, or local government retirement or pension benefits, in addition to working in employment covered under Social Security and paying into the Social Security system; and

Whereas, the WEP reduces the earned Social Security benefit using an averaged indexed monthly earnings formula and may reduce Social Security benefits for affected persons by as much as one-half of the retirement benefit earned as a public servant in employment not covered under Social Security; and