

H.J. Res. 66. Joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

#### MEASURES READ THE FIRST TIME

The following joint resolution was read the first time:

S.J. Res. 26. Joint resolution expressing the sense of Congress that Secretary of the Treasury Timothy Geithner no longer holds the confidence of Congress or of the people of the United States.

#### 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-2912. A communication from the Acting Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Softwood Lumber Research, Promotion, Consumer Education and Industry Information Order" (Doc. No. AMS-FV-10-0015; FR) received during recess of the Senate in the Office of the President of the Senate on August 17, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2913. A communication from the Acting Administrator of the National Organic Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Organic Program (NOP); Sunset Review (2011)" (Doc. No. AMS-TM-07-0136; TM-07-14FR) received during recess of the Senate in the Office of the President of the Senate on August 17, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2914. A communication from the Acting Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Irish Potatoes Grown in Washington; Modifications of the Rules and Regulations" (Doc. No. AMS-FV-11-0024; FV11-946-3-FIR) received during recess of the Senate in the Office of the President of the Senate on August 17, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2915. A communication from the Acting Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Dairy Promotion and Research Program; Final Rule on Amendments to the Order" (Doc. No. DA-08-07: AMS-DA-08-0050) received during recess of the Senate in the Office of the President of the Senate on August 17, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2916. A communication from the Acting Administrator of the Fruit and Vegetable Programs, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Veterinary Accreditation Program; Currently Accredited Veterinarians Performing Accredited Duties and Electing to Participate" (Doc. No. APHIS-2006-0093) received during recess of the Senate in the Office of the President of the Senate on August 25, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2917. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Swap Data Re-

positories: Registration Standards, Duties and Core Principles" ((17 CFR Part 49) (RIN3038-AD20)) received during recess of the Senate in the Office of the President of the Senate on August 25, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2918. 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 "Tetraconazole; Pesticide Tolerances" (FRL No. 8885-1) received during recess of the Senate in the Office of the President of the Senate on August 22, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2919. A communication from the Administrator, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Emergency Restoration Plan (ERP)" (RIN0572-AC16) received during recess of the Senate in the Office of the President of the Senate on August 25, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2920. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Agricultural Swaps" ((17 CFR Part 35) (RIN3038-AD21)) received during recess of the Senate in the Office of the President of the Senate on August 22, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2921. A communication from the Secretary of Agriculture, transmitting, pursuant to law, a report of a violation of the Antideficiency Act by the Department of Agriculture's Rural Utilities' Distance Learning, Telemedicine, and Broadband Program; to the Committee on Appropriations.

EC-2922. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act that occurred within the Defense Health Program, Operation and Maintenance account and at the Madigan Army Medical Center (MAMC), Tacoma, WA and was assigned Army case number 10-05; to the Committee on Appropriations.

EC-2923. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of (6) officers 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-2924. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Mark D. Shackelford, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-2925. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, the Defense Environmental Programs report for fiscal year 2010; to the Committee on Armed Services.

EC-2926. 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; Display of Department of Defense Inspector General Fraud Hotline Posters" ((RIN0750-AG98) (DFARS Case 2010-D026)) received during recess of the Senate in the Office of the President of the Senate on August 23, 2011; to the Committee on Armed Services.

EC-2927. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Admiral Michael G. Mullen,

United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

EC-2928. 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; Defense Cargo Riding Gang Member" ((RIN0750-AG25) (DFARS Case 2007-D002)) received during recess of the Senate in the Office of the President of the Senate on August 25, 2011; to the Committee on Armed Services.

EC-2929. A communication from the President of the United States, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Syria that was originally declared in Executive Order 13338 of May 11, 2004 and expanded in Executive Order 13572 of April 29, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2930. A communication from the Under Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency declared in Executive Order 13224 of September 23, 2001, with respect to persons who commit, threaten to commit, or support terrorism; to the Committee on Banking, Housing, and Urban Affairs.

EC-2931. A communication from the Under Secretary, Department of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Libya that was originally declared in Executive Order 13566 of February 25, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2932. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to persons undermining democratic processes or institutions in Zimbabwe that was declared in Executive Order 13288 of March 6, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-2933. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC-2934. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC-2935. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC-2936. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC-2937. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving Citibank, N.A. of New York, NY and The Boeing Company of Chicago, Illinois; to the Committee on Banking, Housing, and Urban Affairs.

EC-2938. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Kazakhstan; to the Committee on Banking, Housing, and Urban Affairs.

EC-2939. A communication from the Chairman and President of the Export-Import

Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC-2940. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC-2941. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Interim Rule; Changes in Flood Elevation Determinations" ((44 CFR Part 65) (Docket No. FEMA-2011-0002)) received during recess of the Senate in the Office of the President of the Senate on August 17, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2942. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65) (Docket No. FEMA-2011-0002)) received during recess of the Senate in the Office of the President of the Senate on August 17, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2943. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2011-0002)) received during recess of the Senate in the Office of the President of the Senate on August 25, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2944. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65) (Docket No. FEMA-2011-0002)) received during recess of the Senate in the Office of the President of the Senate on August 25, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2945. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Rules of Practice and Procedure" (RIN2590-AA14) received during recess of the Senate in the Office of the President of the Senate on August 11, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2946. A communication from the Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Suspension of the Duty to File Reports for Classes of Asset-Backed Securities under Section 15(d) of the Securities Exchange Act of 1934" (RIN3235-AK89) received during recess of the Senate in the Office of the President of the Senate on August 17, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2947. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "Final Rules for Implementing the Whistleblower Provisions of Section 23 of the Commodity Exchange Act" ((17 CFR Part 165) (RIN3038-AD04)) received during recess of the Senate in the Office of the President of the Senate on August 25, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2948. A communication from the Chief Counsel, Federal Emergency Management

Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67) (Docket No. FEMA-2011-0002)) received during recess of the Senate in the Office of the President of the Senate on August 17, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2949. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65) (Docket No. FEMA-2011-0002)) received during recess of the Senate in the Office of the President of the Senate on August 17, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2950. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Privacy Act Implementation" (RIN2590-AA46) received during recess of the Senate in the Office of the President of the Senate on August 17, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-2951. A communication from the Fiscal Assistant Secretary, Department of the Treasury, transmitting, pursuant to law, a report relative to material violations or suspected material violations of regulations relating to Treasury auctions and other Treasury securities offerings for the period of January 1, 2010 through December 31, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-2952. A communication from the Fiscal Assistant Secretary, Department of the Treasury, transmitting, pursuant to law, an annual report for the period of January 1, 2010 through December 31, 2010 relative to any exceptions granted by the Secretary of the Treasury to the prohibition against favored treatment of a government securities broker or government securities dealer; to the Committee on Banking, Housing, and Urban Affairs.

EC-2953. A communication from the Fiscal Assistant Secretary, Department of the Treasury, transmitting, pursuant to law, a report relative to a significant modification to the auction process for issuing United States Treasury obligations; to the Committee on Banking, Housing, and Urban Affairs.

EC-2954. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, the Uniform Resource Locator (URL) for a report entitled "Enforcement First" for Removal Actions" received in the Office of the President of the Senate on September 6, 2011; to the Committee on Environment and Public Works.

EC-2955. 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 Emissions of Organic Materials that are Not Regulated by Volatile Organic Compound Reasonably Available Control Technology Rules" (FRL No. 9451-4) received in the Office of the President of the Senate on September 6, 2011; to the Committee on Environment and Public Works.

EC-2956. 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; Maryland; Update to Materials Incorporated by Reference" (FRL No. 9454-1) re-

ceived in the Office of the President of the Senate on September 6, 2011; to the Committee on Environment and Public Works.

EC-2957. 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; Colorado; Revised Definitions; Construction Permit Program Fee Increases; Regulation 3" (FRL No. 9454-3) received in the Office of the President of the Senate on September 6, 2011; to the Committee on Environment and Public Works.

EC-2958. 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; Pennsylvania; Adoption of Control Techniques Guidelines for Large Appliance and Metal Furniture Coatings" (FRL No. 9453-7) received in the Office of the President of the Senate on September 6, 2011; to the Committee on Environment and Public Works.

EC-2959. 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; Pennsylvania; Control of Nitrogen Oxides Emissions from Glass Melting Furnaces" (FRL No. 9453-9) received in the Office of the President of the Senate on September 6, 2011; to the Committee on Environment and Public Works.

EC-2960. 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; Virginia; Revisions to Clean Air Interstate Rule Emissions Trading Program" (FRL No. 9453-6) received in the Office of the President of the Senate on September 6, 2011; to the Committee on Environment and Public Works.

EC-2961. 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; New York Reasonable Further Progress Plans, Emissions Inventories, Contingency Measures and Motor Vehicle Emissions Budgets" (FRL No. 9453-2) received in the Office of the President of the Senate on September 6, 2011; to the Committee on Environment and Public Works.

EC-2962. 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 "Revisions and Additions to Motor Vehicle Fuel Economy Label; Correction" (FRL No. 9459-8) received during recess of the Senate in the Office of the President of the Senate on August 31, 2011; to the Committee on Environment and Public Works.

EC-2963. 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; West Virginia; Kentucky; Ohio; Huntington-Ashland Nonattainment Area; Determinations of Attainment of the 1997 Annual Fine Particulate Standards" (FRL No. 9459-4) received during recess of the Senate in the Office of the President of the Senate on August 31, 2011; to the Committee on Environment and Public Works.

EC-2964. 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 and Designations of Areas for Air Quality Planning Purposes; Kentucky and Indiana; Louisville; Determination of Attainment by Applicable Attainment Date for the 1997 Annual Fine Particulate Standards" (FRL No. 9459-5) received during recess of the Senate in the Office of the President of the Senate on August 31, 2011; to the Committee on Environment and Public Works.

EC-2965. 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; Georgia: Prevention of Significant Deterioration; Greenhouse Gas Tailoring Rule and Fine Particulate Matter Revision" (FRL No. 9458-1) received during recess of the Senate in the Office of the President of the Senate on August 31, 2011; to the Committee on Environment and Public Works.

EC-2966. 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; Virginia; Permits for Major Stationary Sources and Major Modifications Locating in Prevention of Significant Deterioration Areas" (FRL No. 9459-1) received during recess of the Senate in the Office of the President of the Senate on August 31, 2011; to the Committee on Environment and Public Works.

EC-2967. 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 and Designations of Areas for Air Quality Planning Purposes; Alabama, Tennessee, and Georgia: Chattanooga and Macon; Determination of Attainment by Applicable Attainment Date for the 1997 Annual Fine Particulate Standards" (FRL No. 9459-2) received during recess of the Senate in the Office of the President of the Senate on August 31, 2011; to the Committee on Environment and Public Works.

EC-2968. 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 and Designations of Areas for Air Quality Planning Purposes; Georgia: Rome; Determination of Attainment by Applicable Attainment Date for the 1997 Annual Fine Particulate Standards" (FRL No. 9459-3) received during recess of the Senate in the Office of the President of the Senate on August 31, 2011; to the Committee on Environment and Public Works.

EC-2969. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, the Uniform Resource Locator (URL) for a report entitled "Memorandum: Issuance of 2011 Word Version of CERCLA Model Remedial Design/Remedial Action Consent Decree" received during recess of the Senate in the Office of the President of the Senate on August 17, 2011; to the Committee on Environment and Public Works.

EC-2970. 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 "Withdrawal of Di-

rect Final Rule Revising the California State Implementation Plan, South Coast Air Quality Management District" (FRL No. 9457-6) received during recess of the Senate in the Office of the President of the Senate on August 22, 2011; to the Committee on Environment and Public Works.

EC-2971. 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 "Change to the Reporting Date for Certain Data Elements Required Under the Mandatory Reporting of Greenhouse Gases Rule" (FRL No. 9456-3) received during recess of the Senate in the Office of the President of the Senate on August 22, 2011; to the Committee on Environment and Public Works.

EC-2972. 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 "Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District" (FRL No. 9455-3) received during recess of the Senate in the Office of the President of the Senate on August 22, 2011; to the Committee on Environment and Public Works.

EC-2973. 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; Delaware; Infrastructure State Implementation Plan Requirement to Address Interstate Transport for the 2006 24-Hour PM<sub>2.5</sub> NAAQS" (FRL No. 9457-2) received during recess of the Senate in the Office of the President of the Senate on August 22, 2011; to the Committee on Environment and Public Works.

EC-2974. 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 "Review of National Ambient Air Quality Standards for Carbon Monoxide" (FRL No. 9455-2) received in the Office of the President of the Senate on September 6, 2011; to the Committee on Environment and Public Works.

EC-2975. 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 "Greenhouse Gas Emissions Standards and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles" (FRL No. 9455-1) received in the Office of the President of the Senate on September 6, 2011; to the Committee on Environment and Public Works.

EC-2976. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, National Wildlife Refuge System, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "2011-2012 Refuge-Specific Hunting and Sport Fishing Regulations" (RIN1018-AX54) received in the Office of the President of the Senate on September 6, 2011; to the Committee on Environment and Public Works.

EC-2977. 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 "Branded Prescription Drug Fee" (RIN1545-BK34) received during recess of the Senate in the Office of the President of the Senate on August 23, 2011; to the Committee on Finance.

EC-2978. 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 "Timely Mailing Treated as Timely Filing" (RIN1545-BA99) received during recess of the Senate in the Office of the President of the Senate on August 23, 2011; to the Committee on Finance.

EC-2979. 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 "Revenue Procedure Under Section 263(a) Regarding the Capitalization or Deduction of Electric Utility Transmission and Distribution Costs" (Rev. Proc. 2011-43) received during recess of the Senate in the Office of the President of the Senate on August 23, 2011; to the Committee on Finance.

EC-2980. 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 "Interest and Penalty Suspension Provisions Under Section 6404(g) of the Internal Revenue Code" (RIN1545-BG75) received during recess of the Senate in the Office of the President of the Senate on August 23, 2011; to the Committee on Finance.

EC-2981. 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 "United States Income Tax Treaties That Meet the Requirements of Section 1(h)(11)(C)(i)(II)" (Notice 2011-64) received during recess of the Senate in the Office of the President of the Senate on August 23, 2011; to the Committee on Finance.

EC-2982. 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 "Definition of Solid Waste Disposal Facilities for Tax-Exempt Bond Purposes" (RIN1545-BD04) received during recess of the Senate in the Office of the President of the Senate on August 23, 2011; to the Committee on Finance.

EC-2983. 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 "Applicable Federal Rates—September 2011" (Rev. Rul. 2011-20) received during recess of the Senate in the Office of the President of the Senate on August 23, 2011; to the Committee on Finance.

EC-2984. 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 "Elections Regarding Start-up Expenditures, Corporation Organizational Expenditures, and Partnership Organizational Expenses" (RIN1545-BE77) received during recess of the Senate in the Office of the President of the Senate on August 23, 2011; to the Committee on Finance.

EC-2985. 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 "Annuity and Life Insurance Contracts with a Long-Term Care Insurance Feature" (Notice 2011-68) received during recess of the Senate in the Office of the President of the Senate on August 23, 2011; to the Committee on Finance.

EC-2986. 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 "Credibility of U.K. Remittance Basis Charge" (Rev. Rul. 2011-19) received during recess of the Senate in the Office of the President of the Senate on August 23, 2011; to the Committee on Finance.

EC-2987. 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 "Election to Expense Certain Refineries" (RIN1545-BF05) received during recess of the Senate in the Office of the President of the Senate on August 31, 2011; to the Committee on Finance.

EC-2988. 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 "Documentation Requirements Under Section 6050W for U.S. Payors Making Payment Outside the United States to an Offshore Account" (Notice 2011-71) received during recess of the Senate in the Office of the President of the Senate on August 31, 2011; to the Committee on Finance.

EC-2989. A communication from the Deputy Assistant Secretary for Import Administration, International Trade Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Certification of Factual Information to Import Administration during Antidumping and Countervailing Duty Proceedings: Supplemental Interim Final Rule" (RIN0625-AA66) received during recess of the Senate in the Office of the President of the Senate on August 29, 2011; to the Committee on Finance.

EC-2990. A communication from the Director, Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Protecting the Public and Our Personnel to Ensure Operational Effectiveness" (RIN0960-AH35) received in the Office of the President of the Senate on September 6, 2011; to the Committee on Finance.

EC-2991. A communication from the Director of Regulations and Disclosure Law, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Rules of Origin for Imported Merchandise" (RIN1515-AD53) received in the Office of the President of the Senate on September 6, 2011; to the Committee on Finance.

EC-2992. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Changes to the Electronic Prescribing (eRx) Incentive Program" (RIN0938-AR00) received in the Office of the President of the Senate on September 6, 2011; to the Committee on Finance.

EC-2993. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Revisions to the Medicare Advantage and Prescription Drug Benefit Programs" (RIN0938-AP24 and RIN0938-AP52) received in the Office of the President of the Senate on September 6, 2011; to the Committee on Finance.

EC-2994. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the activities of the Office of the Medicare Ombudsman; to the Committee on Finance.

EC-2995. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Medicare Competitive Acquisition Ombudsman's 2009 Annual Report to Congress; to the Committee on Finance.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KOHL, from the Committee on Appropriations, with an amendment in the nature of a substitute:

H.R. 2112. A bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2012, and for other purposes (Rept. No. 112-73).

By Ms. LANDRIEU, from the Committee on Appropriations, with an amendment in the nature of a substitute:

H.R. 2017. A bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2012, and for other purposes (Rept. No. 112-74).

By Mrs. FEINSTEIN, from the Committee on Appropriations, with an amendment in the nature of a substitute:

H.R. 2354. A bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes (Rept. No. 112-75).

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. HARKIN from the Committee on Health, Education, Labor, and Pensions.

\*Constance Smith Barker, of Alabama, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2016.

\*Robert J. Zimmer, of Illinois, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2016.

\*Arnold F. Stancell, of Connecticut, to be a Member of the National Science Board, National Science Foundation, for a term expiring May 10, 2014.

\*Walter A. Barrows, of Virginia, to be a Member of the Railroad Retirement Board for a term expiring August 28, 2014.

\*Charles R. Korsmo, of New York, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring October 13, 2011.

\*Charles R. Korsmo, of New York, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring October 13, 2017.

\*John H. Yopp, of Kentucky, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring October 13, 2011.

\*John H. Yopp, of Kentucky, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring October 13, 2017.

\*Marcos Edward Galindo, of Idaho, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring April 17, 2014.

\*Maria E. Rengifo-Ruess, of Virginia, to be a Member of the Board of Trustees of the Barry Goldwater Scholarship and Excellence in Education Foundation for a term expiring February 4, 2014.

\*Robert C. Granger, of New Jersey, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2014.

\*Anthony Bryk, of California, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2015.

\*Matan Aryeh Koch, of New York, to be a Member of the National Council on Dis-

ability for a term expiring September 17, 2013.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MENENDEZ:

S. 1516. A bill to establish a program under which the Administrator of the Environmental Protection Agency shall provide grants to eligible State consortia to establish and carry out municipal sustainability certification programs, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LAUTENBERG (for himself, Mr. HARKIN, Mr. SANDERS, Mr. BLUMENTHAL, and Mr. REED):

S. 1517. A bill to provide for the creation of jobs; to the Committee on Finance.

By Mr. MANCHIN (for himself, Mr. HOEVEN, Mr. KIRK, and Mr. SCHUMER):

S. 1518. A bill to require a jobs score for each spending bill considered in Congress; to the Committee on the Budget.

By Mr. UDALL of New Mexico (for himself and Mrs. GILLIBRAND):

S. 1519. A bill to strengthen Indian education, and for other purposes; to the Committee on Indian Affairs.

By Mr. MENENDEZ (for himself, Mr. LAUTENBERG, Mr. SCHUMER, and Mrs. GILLIBRAND):

S. 1520. A bill to ensure the continued investigation of terrorist attacks against the United States attributable to the government of Muammar Qaddafi; to the Committee on Foreign Relations.

By Mrs. GILLIBRAND (for herself and Mr. SCHUMER):

S. 1521. A bill to provide assistance for agricultural producers adversely affected by damaging weather and other conditions relating to Hurricane Irene; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BLUMENTHAL (for himself, Mr. SCHUMER, Mr. WHITEHOUSE, Mr. BEGICH, Mr. MANCHIN, Mr. BROWN of Ohio, and Mr. FRANKEN):

S. 1522. A bill to establish a joint select committee of Congress to report findings and propose legislation to restore the Nation's workforce to full employment over the period of fiscal years 2012 and 2013, and to provide for expedited consideration of such legislation by both the House of Representatives and the Senate; to the Committee on Rules and Administration.

By Mr. PAUL:

S.J. Res. 26. A joint resolution expressing the sense of Congress that Secretary of the Treasury Timothy Geithner no longer holds the confidence of Congress or of the people of the United States; read the first time.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. MURRAY (for herself, Mr. ALEXANDER, Mr. ENZI, Mr. WHITEHOUSE, Mr. WEBB, Mr. BEGICH, Mr.