

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BROWN of Ohio. 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 November 3, 2011, at 10 a.m., to conduct a hearing entitled "Empowering and Protecting Servicemembers, Veterans and their Families in the Consumer Financial Marketplace."

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

COMMITTEE ON THE JUDICIARY

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on November 3, 2011, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on November 3, 2011, at 2:30 p.m.

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

PERMANENT SUBCOMMITTEE ON INVESTIGATION

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on November 3, 2011, at 9 a.m., to conduct a hearing entitled, "Excessive Speculation and Compliance with the Dodd-Frank Act."

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

UNANIMOUS CONSENT AGREEMENT—S.J. RES. 6 AND S.J. RES. 27

Mr. REID. Madam President, I ask unanimous consent that at a time to be determined by the majority leader, after consultation with the Republican leader, the Republican leader or his designee be recognized to move to proceed to the consideration of S.J. Res. 6, a joint resolution disapproving a rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices; that there be up to 4 hours of debate on the motion to proceed, with the time equally divided and controlled between the two leaders or their designees; that upon the use or yielding back of time, the Senate proceed to vote on the adoption of the motion to proceed; that if the motion is successful, then the time for debate with respect to the joint resolution be equally divided between the two leaders or their designees; that upon the use or yielding back of time, the joint

resolution be read a third time and the Senate proceed to vote on passage of the joint resolution; finally, that all other provisions of the statute governing consideration of the joint resolution remain in effect.

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

Mr. REID. Madam President, I ask unanimous consent that the order with respect to S.J. Res. 6 also apply to S.J. Res. 27, with the only exception being 2 hours of debate equally divided between the two leaders or their designees prior to a vote on the motion to proceed.

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

DISCHARGE PETITIONS (S.J. RES. 6 AND S.J. RES. 27)

S.J. RES. 6

We, the undersigned Senators, in accordance with chapter 8 of title 5, United States Code, hereby direct that the Senate Committee on Commerce, Science, and Transportation be discharged of further consideration of S.J. Res. 6, a resolution on providing for congressional disapproval of a rule submitted by the Federal Communications Commission relating to the matter of preserving the open Internet and broadband industry practices, and, further, that the resolution be immediately placed upon the Legislative Calendar under General Orders.

Kay Bailey Hutchison, Marco Rubio, Richard Burr, Thad Cochran, John Cornyn, Jon Kyl, Lamar Alexander, Ron Johnson, Mike Lee, Kelly Ayotte, Roy Blunt, Richard G. Lugar, Mitch McConnell, Johnny Isakson, Mike Johanns, Susan M. Collins, Roger F. Wicker, Richard C. Shelby, John McCain, James E. Risch, John Barrasso, Michael B. Enzi, John Boozman, Pat Roberts, Patrick Toomey, Lisa Murkowski, Jim DeMint, David Vitter, Bill Nelson, James M. Inhofe, Olympia J. Snowe, Orrin G. Hatch, Daniel Coats, Mark Kirk, Dean Heller, Mike Crapo, Rand Paul, John Thune, Jeff Sessions, Saxby Chambliss, John Hoeven, Rob Portman.

S.J. RES. 27

We, the undersigned Senators, in accordance with chapter 8 of title 5, United States Code, hereby direct the Senate Committee on Environment and Public Works be discharged of further consideration of S.J. Res. 27, a resolution on providing for congressional disapproval of a rule submitted by the Environmental Protection Agency related to mitigation by States of cross-border air pollution under the Clean Air Act.

Rand Paul, David Vitter, Ron Johnson, James Risch, John Barrasso, John Thune, Roy Blunt, Orrin Hatch, Pat Roberts, John Boozman, John Cornyn, Jim DeMint, Mike Lee, Saxby Chambliss, Tom Coburn, Kay Bailey Hutchison, John McCain, Richard Burr, Jon Kyl, Chuck Grassley, Roger F. Wicker, Marco Rubio (FL), James Inhofe, Patrick J. Toomey, Thad Cochran, Jeff Sessions, John Hoeven, Johnny Isakson, Mitch McConnell, Lindsey Graham, Mike Johanns, Michael B. Enzi, Jerry Moran, Mike Crapo, Richard Shelby.

3% WITHHOLDING REPEAL AND JOB CREATION ACT—MOTION TO PROCEED

Mr. REID. Madam President, I move to proceed to Calendar No. 212, H.R. 674.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to proceed to H.R. 674, a bill to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs, and for other purposes.

CLOTURE MOTION

Mr. REID. Madam President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 212, H.R. 674, an act to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain health care related programs, and for other purposes.

Harry Reid, Christopher A. Coons, Joe Manchin III, Kay R. Hagan, Dianne Feinstein, Benjamin L. Cardin, Al Franken, Mark Begich, Mark R. Warner, Jeff Bingaman, Tom Udall, Amy Klobuchar, Jeanne Shaheen, Barbara A. Mikulski, Kent Conrad, Michael F. Bennet, Patty Murray.

Mr. REID. Madam President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 415; that the nomination be confirmed with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; 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.

The nomination considered and confirmed is as follows:

EXECUTIVE OFFICE OF THE PRESIDENT

Alan B. Krueger, of New Jersey, to be a Member of the Council of Economic Advisers.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that at a time to be determined by the majority leader, after consultation with the Republican leader, the Senate proceed to executive session to consider Calendar No. 405; that there be 15 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on Calendar No. 405; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

UINTAH WATER CONSERVANCY DISTRICT PREPAYMENT ACT

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to Calendar No. 211.

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

The legislative clerk read as follows:

A bill (H.R. 818) to direct the Secretary of the Interior to allow for prepayment of repayment contracts between the United States and the Uintah Water Conservancy District.

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

Mr. REID. I ask unanimous consent the bill be read a third time, passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The bill (H.R. 818) was ordered to a third reading, was read the third time, and passed.

ASIA-PACIFIC ECONOMIC COOPERATION BUSINESS TRAVEL CARDS ACT OF 2011

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to S. 1487, Calendar No. 216.

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

The legislative clerk read as follows:

A bill (S. 1487) to authorize the Secretary of Homeland Security, in coordination with the Secretary of State, to establish a program to issue Asia-Pacific Economic Cooperation Business Travel Cards, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported by the Committee on Homeland Security and Governmental

Affairs, with an amendment to strike out all after the enacting clause and insert the following:

S. 1487

SECTION 1. SHORT TITLE.

This Act may be cited as the "Asia-Pacific Economic Cooperation Business Travel Cards Act of 2011".

SEC. 2. ASIA-PACIFIC ECONOMIC COOPERATION BUSINESS TRAVEL CARDS.

(a) *IN GENERAL.—During the 7-year period ending on September 30, 2018, the Secretary of Homeland Security, in coordination with the Secretary of State, is authorized to issue Asia-Pacific Economic Cooperation Business Travel Cards (referred to in this section as "ABT Cards") to any eligible person, including business leaders and United States Government officials who are actively engaged in Asia-Pacific Economic Cooperation business. An individual may not receive an ABT Card under this section unless the individual has been approved and is in good standing in an international trusted traveler program of the Department of Homeland Security.*

(b) *INTEGRATION WITH EXISTING TRAVEL PROGRAMS.—The Secretary of Homeland Security may integrate application procedures for, and issuance, suspension, and revocation of, ABT Cards with other appropriate international trusted traveler programs of the Department of Homeland Security.*

(c) *COOPERATION WITH PRIVATE ENTITIES.—In carrying out this section, the Secretary of Homeland Security may consult with appropriate private sector entities.*

(d) *RULEMAKING.—The Secretary of Homeland Security, in coordination with the Secretary of State, may prescribe such regulations as may be necessary to carry out this section, including regulations regarding conditions of or limitations on eligibility for an ABT Card.*

(e) *FEE.—*

(1) *IN GENERAL.—The Secretary of Homeland Security may—*

(A) *prescribe and collect a fee for the issuance of ABT Cards; and*

(B) *adjust such fee to the extent the Secretary determines to be necessary to comply with paragraph (2).*

(2) *LIMITATION.—The Secretary of Homeland Security shall ensure that the total amount of the fees collected under paragraph (1) during any fiscal year is sufficient to offset the direct and indirect costs associated with carrying out this section during such fiscal year, including the costs associated with establishing the program.*

(3) *ACCOUNT FOR COLLECTIONS.—There is established in the Treasury of the United States an "APEC Business Travel Card Account" into which the fees collected under paragraph (1) shall be deposited as offsetting receipts.*

(4) *USE OF FUNDS.—Amounts deposited into the APEC Business Travel Card Account—*

(A) *shall be credited to the appropriate account of the Department of Homeland Security for expenses incurred in carrying out this section; and*

(B) *shall remain available until expended.*

(f) *TERMINATION OF PROGRAM.—The Secretary of Homeland Security, in coordination with the Secretary of State, may terminate activities under this section if the Secretary of Homeland Security determines such action to be in the interest of the United States.*

Mr. REID. I ask unanimous consent the committee-reported substitute be agreed to, the bill, as amended, be read a third time, passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 1487), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

AMERICA'S CUP ACT OF 2011

Mr. REID. I now ask unanimous consent the Senate proceed to Calendar No. 218, S. 1759.

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

The legislative clerk read as follows:

A bill (S. 1759) to facilitate the hosting in the United States of the 34th America's Cup by authorizing certain eligible vessels to participate in activities related to the competition.

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

Mr. REID. I ask the Feinstein amendment at the desk be agreed to, the bill as amended be read a third time and passed, the motion to reconsider be made and laid upon the table, and any statements be printed in the RECORD.

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

The amendment (No. 923) was agreed to, as follows:

(Purpose: To authorize issuance of certificates of documentation authorizing certain vessels to engage in coastwise trade in the carriage of natural gas)

At the end, add the following:

SEC. 7. VESSEL DOCUMENTATION EXEMPTION.

(a) *IN GENERAL.—Notwithstanding sections 12112 and 12132 and chapter 551 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation with a coastwise endorsement for each of the following vessels:*

(1) *LNG GEMINI (United States official number 595752).*

(2) *LNG LEO (United States official number 595753).*

(3) *LNG VIRGO (United States official number 595755).*

(b) *LIMITATION ON OPERATION.—Coastwise trade authorized under subsection (a) shall be limited to carriage of natural gas, as that term is defined in section 3(13) of the Deepwater Port Act of 1974 (33 U.S.C. 1502(13)).*

(c) *TERMINATION OF EFFECTIVENESS OF ENDORSEMENTS.—The coastwise endorsement issued under subsection (a) for a vessel shall expire on the date of the sale of the vessel by the owner of the vessel on the date of enactment of this Act to a person who is not related by ownership or control to such owner.*

SEC. 8. OPERATION OF DRY DOCK IN KETCHIKAN, ALASKA.

A vessel transported in Dry Dock #2 (State of Alaska registration AIDEA FDD-2) is not merchandise for purposes of section 55102 of title 46, United States Code, if, during such transportation, Dry Dock #2 remains connected by a utility or other connecting line to pier-side moorage located in Ketchikan, Alaska.

The bill (S. 1759), as amended, was ordered to be engrossed for a third reading, was read the third time and passed, as follows:

S. 1759

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