

Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

SA 4812. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 3082, *supra*; which was ordered to lie on the table.

SA 4813. Ms. SNOWE (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 3454, to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 4810. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill H.R. 4849, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, extend the Build America Bonds program, provide other infrastructure job creation tax incentives, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. REPEAL OF EXPANSION OF INFORMATION REPORTING REQUIREMENTS.

(a) REPEAL OF PAYMENTS FOR PROPERTY AND OTHER GROSS PROCEEDS.—Subsection (b) of section 9006 of the Patient Protection and Affordable Care Act, and the amendments made thereby, are hereby repealed; and the Internal Revenue Code of 1986 shall be applied as if such subsection, and amendments, had never been enacted.

(b) REPEAL OF APPLICATION TO CORPORATIONS; APPLICATION OF REGULATORY AUTHORITY.—

(1) IN GENERAL.—Section 6041, as amended by section 9006(a) of the Patient Protection and Affordable Care Act and section 2101 of the Small Business Jobs Act of 2010, is amended by striking subsections (i) and (j) and inserting the following new subsection:

“(i) REGULATIONS.—The Secretary may prescribe such regulations and other guidance as may be appropriate or necessary to carry out the purposes of this section, including rules to prevent duplicative reporting of transactions.”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to payments made after December 31, 2010.

SA 4811. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page \_\_, between lines \_\_ and \_\_, insert the following:

#### SEC. \_\_\_\_\_. PROHIBITION ON FUNDING EARMARKS.

(a) IN GENERAL.—Notwithstanding any other provision of this Act, none of the funds provided in this Act may be expended to fund an earmark. Any account in this Act from which an earmark is made shall be reduced by an amount equal to any such earmark.

(b) EARMARK DEFINED.—The term “earmark” means a congressionally directed

spending item, limited tax benefit, or limited tariff benefit as defined in paragraph 5 of rule XLIV of the Standing Rules of the Senate or a congressional earmark as defined in clause 9(e) of rule XXI of the Rules of the House of Representatives.

SA 4812. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 3082, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table; as follows:

On page 383, beginning on line 24, strike “\$10,000,000 to the John P. Murtha Foundation;”.

SA 4813. Ms. SNOWE (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill H.R. 3454, to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the table VI, add the following:

#### Subtitle E—Other Matters

#### SEC. 641. CONTINUED OPERATION OF COMMISSARY AND EXCHANGE STORES SERVING BRUNSWICK NAVAL AIR STATION, MAINE.

The Secretary of Defense shall provide for the continued operation of each commissary or exchange store serving Brunswick Naval Air Station, Maine, through September 30, 2011, and may not take any action to reduce or to terminate the sale of goods at such stores during fiscal year 2011.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on December 15, 2010, at 12 p.m. in room S-219 of the Capitol Building.

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

##### COMMITTEE ON FINANCE

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on December 15, 2010, immediately following a vote on the Senate Floor.

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

#### PRIVILEGES OF THE FLOOR

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that Nancy Peterson, a fellow in Senator WEBB's office, be granted the privilege of the floor throughout the Senate's consideration of the New START treaty and the fiscal year 2011 Omnibus Appropriations Act.

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

#### UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. DURBIN. Mr. President, as if in executive session, I ask unanimous consent that on Thursday, December 16, following leader time, the Senate proceed to executive session to begin consideration of Calendar No. 7, the START treaty, and that the treaty be considered read.

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

#### ORDER FOR PRINTING OF TRIBUTES

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the printing of tributes be modified to provide that Members have until sine die of the 111th Congress, 2d session, to submit tributes and that the order for printing remain in effect.

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

#### MAKING TECHNICAL CORRECTIONS TO THE COAST GUARD AUTHORIZATION ACT OF 2010

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 6516, which was received from the House and is at the desk.

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

The bill clerk read as follows:

A bill (H.R. 6516) to make technical corrections to provisions of law enacted by the Coast Guard Authorization Act of 2010.

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

Mr. DURBIN. I ask unanimous consent that the bill be read three times and passed, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The bill (H.R. 6516) was ordered to be read a third time, was read the third time, and passed.

#### ORDERS FOR THURSDAY, DECEMBER 16, 2010

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, December 16; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate proceed to executive session for the consideration of the New START treaty, as provided under the previous order.

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

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### PROGRAM

Mr. DURBIN. Mr. President, votes in relation to amendments on the START treaty are possible throughout the day tomorrow. Senators will be notified when votes are scheduled.

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### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

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

There being no objection, the Senate, at 6:24 p.m., adjourned until Thursday, December 16, 2010, at 9:30 a.m.

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### NOMINATIONS

Executive nominations received by the Senate:

#### NATIONAL COUNCIL ON DISABILITY

CLYDE E. TERRY, OF NEW HAMPSHIRE, TO BE A MEMBER OF THE NATIONAL COUNCIL ON DISABILITY FOR A TERM EXPIRING SEPTEMBER 17, 2013, VICE JOHN R. VAUGHN, RESIGNED.

#### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

#### *To be major general*

BRIGADIER GENERAL THOMAS P. HARWOOD III  
BRIGADIER GENERAL ROBERT K. MILLMANN, JR.  
BRIGADIER GENERAL WILLIAM F. SCHAUFFERT  
BRIGADIER GENERAL MICHAEL N. WILSON  
BRIGADIER GENERAL JOHN T. WINTERS, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

#### *To be brigadier general*

COLONEL RANDALL C. GUTHRIE  
COLONEL NORMAN R. HAM  
COLONEL RONALD B. MILLER  
COLONEL JOHN J. MOONEY III  
COLONEL DAVID B. O'BRIEN  
COLONEL RICHARD W. SCOBEE  
COLONEL JOCELYN M. SENG  
COLONEL WILLIAM B. WALDROP, JR.  
COLONEL TOMMY J. WILLIAMS  
COLONEL EDWARD P. YARISH  
COLONEL SHEILA ZUEHLKE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

#### *To be major general*

BRIGADIER GENERAL FRANCES M. AUCLAIR  
BRIGADIER GENERAL BARRY K. COLN  
BRIGADIER GENERAL JEFFREY R. JOHNSON  
BRIGADIER GENERAL MARY J. KIGHT  
BRIGADIER GENERAL THOMAS R. MOORE  
BRIGADIER GENERAL JOHN F. NICHOLS  
BRIGADIER GENERAL LEON S. RICE  
BRIGADIER GENERAL GARY L. SAYLER  
BRIGADIER GENERAL SCOTT B. SCHOFIELD  
BRIGADIER GENERAL JONATHAN T. TREACY  
BRIGADIER GENERAL DELILAH R. WORKS

#### *To be brigadier general*

COLONEL STEVEN P. BULLARD  
COLONEL MICHAEL B. COMPTON  
COLONEL MURRAY A. HANSEN  
COLONEL JEFFREY W. HAUSER  
COLONEL WILLIAM O. HILL  
COLONEL JEROME P. LIMOGUE, JR.  
COLONEL DONALD A. MCGREGOR  
COLONEL TONY E. MCMILLIAN  
COLONEL GREGORY L. NELSON  
COLONEL GARY L. NOLAN  
COLONEL MICHAEL E. STENCEL  
COLONEL RICHARD G. TURNER  
COLONEL WILLIAM L. WELSH  
COLONEL DANIEL J. ZACHMAN

#### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

#### *To be major general*

BRIG. GEN. JON J. MILLER