

Dr. Alvarez is retired from the U.S. Army Reserve where he served as a colonel and regional flight surgeon. He was also State medical commander for the Montana National Guard as well as flight surgeon to the 189th Aviation Battalion. During his service he received multiple decorations, including five Commendation Medals and five Meritorious Service Medals. Upon retirement, he received the Legion of Merit for exceptional meritorious conduct in the performance of outstanding services and achievements.

Dr. Alvarez and his wife of 43 years, Marie, have been dedicated to and are actively involved in the Helena community. They created the Dr. Faust M. & Marie Alvarez Scholarship in 1975. It is awarded annually to a deserving Carroll College student demonstrating academic integrity and financial need majoring in biology or a health-field program. Dr. Alvarez has also served as a member of the Regional Airport Board and as a senior FAA medical examiner. Both he and Marie are pilots. He also enjoys restoring classic automobiles and building fine wood furniture. He has five daughters and four grandchildren.

Dr. Alvarez has been an outstanding civil servant. I thank him for his service and what he has done for Montana's veterans. I wish him and his wife the best in their future endeavors.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the Committee on Foreign Relations.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

##### ENROLLED BILL SIGNED

At 7:57 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3951. An act to designate the facility of the United States Postal Service located at 2000 Louisiana Avenue in New Orleans, Louisiana, as the "Roy Rondenno, Sr. Post Office Building".

#### 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-6234. A communication from the Executive Director, Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "17 CFR Part 190 (75 FR 17297, April 6, 2010), Account Class" (RIN3038-AC94) received in the Office of the President of the Senate on June 10, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6235. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Bacillus thuringiensis eCry3.1Ab Protein in Corn; Temporary Exemption from the Requirement of a Tolerance" (FRL No. 8829-9) received in the Office of the President of the Senate on June 15, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6236. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pesticide Management and Disposal; Standards for Pesticide Containers and Containment; Change to Labeling Compliance Date" (FRL No. 8830-7) received in the Office of the President of the Senate on June 15, 2010; to the Committee on Agriculture, Nutrition, and Forestry.

EC-6237. A communication from the Assistant Secretary of Defense (Reserve Affairs), transmitting, pursuant to law, a quarterly report relative to withdrawals or diversions of equipment from Reserve component units from January 1, 2010 to March 31, 2010; to the Committee on Armed Services.

EC-6238. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Robert T. Moeller, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-6239. A communication from the Acting Director of the Acquisition Policy and Legislation Branch, Office of the Chief Procurement Officer, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Revision of Department of Homeland Security Acquisition Regulations; Restrictions on Foreign Acquisition" (RIN1601-AA57) received in the Office of the President of the Senate on June 10, 2010; to the Committee on Armed Services.

EC-6240. A communication from the Associate Director, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Final Rule Amending Appendix A to the Iranian Transactions Regulations" (31 CFR Part 560) received in the Office of the President of the Senate on June 15, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC-6241. A communication from the Division Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Local Number Portability Porting Interval and Validation Requirements; Telephone Number Portability" (FCC 10-85) received in the Office of the President of the Senate on June 16, 2010; to the Committee on Commerce, Science, and Transportation.

EC-6242. A communication from the Deputy Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Facilitating the Provision of Fixed and Mobile Broadband Access, Educational and Other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands" (FCC 10-107) received in the Office of the President of the Senate on June 16, 2010; to the Com-

mittee on Commerce, Science, and Transportation.

EC-6243. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report relative to obligations and unobligated balances of funds provided for Federal-aid highway and safety construction programs during fiscal year 2008; to the Committee on Commerce, Science, and Transportation.

EC-6244. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of the Clean Air Act, Section 112(I), Authority for Hazardous Air Pollutants: Air Emission Standards for Halogenated Solvent Cleaning Machines: State of Rhode Island Department of Environmental Management" (FRL No. 9163-2) received in the Office of the President of the Senate on June 15, 2010; to the Committee on Environment and Public Works.

EC-6245. A communication from the Director of the Regulatory Management Division, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Transportation Conformity Regulations" (FRL No. 9164-5) received in the Office of the President of the Senate on June 15, 2010; to the Committee on Environment and Public Works.

EC-6246. A communication from the Director, Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Extension of Expiration Dates for Several Body System Listings" (RIN0960-AH20) received in the Office of the President of the Senate on June 15, 2010; to the Committee on Finance.

EC-6247. A communication from the Deputy Associate Commissioner, Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Technical Amendment Language Change from 'Wholly' to 'Fully'" (RIN0960-AH16) received in the Office of the President of the Senate on June 11, 2010; to the Committee on Finance.

EC-6248. 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 "Section 41 Research Credit—Intra-Group Receipts from Foreign Affiliates" (UIL No. 41.51-11) received in the Office of the President of the Senate on June 16, 2010; to the Committee on Finance.

EC-6249. 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 "Built-in Gains and Losses under Section 382(h)" ((TD9487) (RIN1545-BG03)) received in the Office of the President of the Senate on June 16, 2010; to the Committee on Finance.

EC-6250. 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 "Section 382 Segregation Rules" (Notice No. 2010-49) received in the Office of the President of the Senate on June 16, 2010; to the Committee on Finance.

EC-6251. 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 "Section 382(I)(3)(C) Fluctuations in Values" (Notice No. 2010-50) received in the Office of the President of the

Senate on June 16, 2010; to the Committee on Finance.

EC-6252. 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 "Indoor Tanning Services; Cosmetic Services; Excise Taxes" (RIN1545-BJ41) received in the Office of the President of the Senate on June 16, 2010; to the Committee on Finance.

EC-6253. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to U.S. military personnel and U.S. civilian contractors involved in the anti-narcotics campaign in Colombia; to the Committee on Foreign Relations.

EC-6254. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to provisions of Section 7072 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010, as they relate to restrictions on assistance to the central government of Serbia; to the Committee on Foreign Relations.

EC-6255. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a notification of the Department's intent to obligate Fiscal Year 2010 Non-proliferation, Antiterrorism, Demining and Related Programs funds to be used for the Export Control and Related Border Security Program; to the Committee on Foreign Relations.

### 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-123. A resolution adopted by the Senate of the State of Alaska relative to the mining and processing of rare earth elements in Alaska and to the stockpiling of rare earth elements; and urging Congress to pass H.R. 4866; to the Committee on Energy and Natural Resources.

#### SENATE RESOLVE NO. 8

Whereas the United States once was largely self-sufficient in rare earth elements; and Whereas mineable concentrations of rare earth elements are not commonly found; and Whereas rare earth elements are exceptionally valuable because of their unique chemical, electrical, and physical properties; and

Whereas the unique chemical, electrical, and physical properties of rare earth elements make them indispensable for a wide variety of emerging critical technologies, and, in particular, technologies needed for defense and clean energy applications; and

Whereas the United States has become almost entirely dependent on foreign sources of yttrium, niobium, and rare earth elements, as well as associated elements of tantalum and zirconium; and

Whereas dysprosium and terbium are among the scarcest, most valuable, and most sought after rare earth metals needed for green technology and military applications; and

Whereas the value-added technology and skill to allow both the recovery of rare earth elements from mineral forms in ore and the manufacture of finished products, such as magnets, from rare earth elements has almost entirely migrated to China, as has the actual mining of rare earth ores; and

Whereas China currently accounts for 97 percent of the world's production of rare earth elements; and

Whereas China has reduced its exports of rare earth elements; and

Whereas a future in which manufacturing of wind turbines, solar panels, advanced batteries, and geothermal steam turbines are produced only outside of the United States poses a risk to the country; and

Whereas, after extraction of rare earth ores, processing, refining, and production are needed to provide the United States with self-reliance in these technologies; and

Whereas, in contrast to rare earth element deposits found elsewhere in the United States, Bokan Mountain discoveries on the southern end of Prince of Wales Island are rich in the heavy rare earth elements of europium, gadolinium, terbium, dysprosium, thulium, holmium, erbium, ytterbium, lutetium, and yttrium; and

Whereas continued exploration, together with the establishment of secondary processing and research facilities in Alaska, would result in new career opportunities for Alaskans; and

Whereas current economic opportunities on Prince of Wales Island and throughout Alaska have significantly decreased; and

Whereas the federal Tongass National Forest Land and Resource Management Plan has been completed and the Bokan Mountain area zoned for mineral development; and

Whereas the state's Prince of Wales Island Area Plan has been completed and the Kendrick Bay area classified for mineral and forestry access and development; and

Whereas overland access and transport requirements in the Tongass National Forest are mitigated by immediate access to the mining property by ocean transport; and

Whereas H.R. 4866 has been introduced in the United States Congress to reestablish a competitive domestic rare earth elements production industry, a domestic rare earth processing, refining, purification, and metals production industry, a domestic rare earth metals alloying industry, and a domestic rare earth-based magnet production industry and supply chain in the United States; Be it Resolved, That the Senate urges the United States Congress expeditiously to pass H.R. 4866; and be it further

Resolved, That the Senate recommends continued exploration of rare earth deposits in Alaska, the issuance of permits, as promptly as allowed by law, for extraction, processing, and production of rare earth materials on the Bokan Mountain properties, and commencement of planning for extraction, processing, and production of rare earth materials by industry.

Copies of this resolution shall be sent to the Honorable Ike Skelton, Chair of the Armed Services Committee of the U.S. House of Representatives; the Honorable Sander M. Levin, Acting Chair of the Ways and Means Committee of the U.S. House of Representatives; the Honorable Barney Frank, Chair of the Financial Services Committee of the U.S. House of Representatives; the Honorable Lisa Murkowski and the Honorable Mark Begich, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress; and all other members of the 111th United States Congress.

### 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. McCAIN:

S. 3496. A bill to amend the Internal Revenue Code of 1986 to allow individuals to des-

ignate that up to 10 percent of their income tax liability be used to reduce the national debt, and to require spending reductions equal to the amounts so designated; to the Committee on Finance.

By Mr. BROWN of Massachusetts (for himself and Mrs. FEINSTEIN):

S. 3497. A bill to amend the Outer Continental Shelf Lands Act to require leases entered into under that Act to include a plan that describes the means and timeline for containment and termination of an ongoing discharge of oil, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LIEBERMAN (for himself and Mr. DODD):

S. 3498. A bill to support the establishment and operation of Teachers Professional Development Institutes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. AKAKA:

S. 3499. A bill to amend title 38, United States Code, to require fiduciaries of individuals receiving benefits under laws administered by the Secretary of Veterans Affairs to authorize the Secretary to obtain financial records with respect to such individuals for purposes of administering such laws, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BROWN of Ohio (for himself, Mr. FRANKEN, and Mr. BEGICH):

S. 3500. A bill to provide funds to States, units of general local government, and community-based organizations to save and create local jobs through the retention, restoration, or expansion of services needed by local communities, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BURR (for himself, Mr. KERRY, Mr. LUGAR, Mr. BROWN of Massachusetts, Mr. BEGICH, Mr. ROBERTS, Mr. BOND, Mr. AKAKA, Mr. SPECTER, Mrs. MCCASKILL, and Mr. DURBIN):

S.J. Res. 32. A joint resolution recognizing the 60th anniversary of the outbreak of the Korean War and reaffirming the United States-Korea alliance; considered and passed.

### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. ENZI (for himself, Mr. BARRASSO, Mr. BAUCUS, Mr. BINGAMAN, Mr. CONRAD, Mr. CRAPO, Mr. JOHANNES, Mr. JOHNSON, Mr. REID, and Mr. ROBERTS):

S. Res. 554. A resolution designating July 24, 2010, as "National Day of the American Cowboy"; to the Committee on the Judiciary.

By Ms. STABENOW (for herself, Mr. VOINOVICH, Mr. SPECTER, Mrs. MURRAY, Mr. BAYH, Mrs. FEINSTEIN, Mr. COCHRAN, Mrs. BOXER, Mr. CARDIN, Mr. MENENDEZ, and Ms. KLOBUCHAR):

S. Res. 555. A resolution supporting the goals and ideals of National Ovarian Cancer Awareness Month; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY (for herself, Mr. BOND, and Ms. CANTWELL):

S. Res. 556. A resolution recognizing the important role that fathers play in the lives of their children and families and designating 2010 as "The Year of the Father"; to the Committee on the Judiciary.

By Mr. NELSON of Nebraska (for himself and Mr. ISAKSON):

S. Res. 557. A resolution commending EyeCare America for its volunteerism and