

I am especially proud to acknowledge that the AbilityOne Program is affiliated with the Arc of Caddo-Bossier in Shreveport, LA.

The history of the Arc of Caddo-Bossier represents a true example of what it means to grow and help people with disabilities to become an active and contributing part of society. The Arc of Caddo-Bossier was founded in 1954 by a small group of parents with a mission to promote the growth of their children by developing programs and services to meet their needs. In 1996, the Arc of Caddo-Bossier Foundation was established to further promote community involvement and programs for people with mental disabilities. Today, the Arc of Caddo-Bossier still remains committed to their unique mission to help the needs of people with developmental disabilities and their families.

It is with great pleasure that I first extend my support to the AbilityOne Program. Secondly, I commend the dedication and commitment of the Arc of Caddo-Bossier executive director, Janet Parker, and her staff for helping individuals who have a disability find employment. Their work helps people live fuller lives and become more active members of their community. I also commend each AbilityOne employee who works every day to improve their lives and make our country a better place to live.●

#### 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 appropriate committees.

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

#### REPORT CONCERNING THE RATIFICATION OF THE TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE RUSSIAN FEDERATION ON MEASURES FOR THE FURTHER REDUCTION AND LIMITATION OF STRATEGIC OFFENSIVE ARMS, SIGNED IN PRAGUE ON APRIL 8, 2010 (THE "NEW START TREATY")—PM 4

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States which was referred to the Committee on Foreign Relations:

*To the Senate of the United States:*

I have considered the United States Senate's December 22, 2010, Resolution of Advice and Consent to Ratification of the Treaty between the United

States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed in Prague on April 8, 2010, with Protocol, including Annexes (the "New START Treaty"; Treaty Document 111-5), and I hereby certify that:

1. United States National Technical Means, in conjunction with the verification activities provided for in the New START Treaty, are sufficient to ensure effective monitoring of Russian compliance with the provisions of the New START Treaty and timely warning of any Russian preparation to break out of the limits in Article II of the New START Treaty.

2. The New START Treaty does not require, at any point during which it will be in force, the United States to provide to the Russian Federation telemetric information under Article IX of the New START Treaty, Part Seven of the Protocol, and the Annex on Telemetric Information to the Protocol for the launch of (a) any missile defense interceptor, as defined in paragraph 44 of Part One of the Protocol to the New START Treaty; (b) any satellite launches, missile defense sensor targets, and missile defense intercept targets, the launch of which uses the first stage of an existing type of United States intercontinental ballistic missile (ICBM) or submarine-launched ballistic missile (SLBM) listed in paragraph 8 of Article III of the New START Treaty; or (c) any missile described in clause (a) of paragraph 7 of Article III of the New START Treaty.

3. I intend to (a) modernize or replace the triad of strategic nuclear delivery systems: a heavy bomber and air-launched cruise missile, an ICBM, and a nuclear-powered ballistic missile submarine (SSBN) and SLBM; and (b) maintain the United States rocket motor industrial base.

4. (a) The United States will seek to initiate, following consultation with NATO Allies but not later than 1 year after the entry into force of the New START Treaty, negotiations with the Russian Federation on an agreement to address the disparity between the non-strategic (tactical) nuclear weapons stockpiles of the Russian Federation and of the United States and to secure and reduce tactical nuclear weapons in a verifiable manner; and (b) it is the policy of the United States that such negotiations shall not include defensive missile systems.

5. I intend to (a) accelerate, to the extent possible, the design and engineering phase of the Chemistry and Metallurgy Research Replacement (CMRR) building and the Uranium Processing Facility (UPF); and (b) request full funding, including on a multi-year basis as appropriate, for the CMRR building and the UPF upon completion of the design and engineering phase for such facilities.

6. It is the policy of the United States to continue development and deployment of United States missile de-

fense systems to defend against missile threats from nations such as North Korea and Iran, including qualitative and quantitative improvements to such systems. As stated in the resolution, such systems include all phases of the Phased Adaptive Approach to missile defenses in Europe, the modernization of the Ground-Based Midcourse Defense system, and the continued development of the two-stage Ground-Based Interceptor as a technological and strategic hedge. As I stated in my letter to the Senate of December 18, 2010, the United States believes that these systems do not and will not threaten the strategic balance with the Russian Federation. Consequently, while the United States cannot circumscribe the sovereign rights of the Russian Federation under paragraph 3 of Article XIV of the Treaty, the United States believes continued improvement and deployment of United States missile defense systems do not constitute a basis for questioning the effectiveness and viability of the Treaty, and therefore would not give rise to circumstances justifying the withdrawal of the Russian Federation from the Treaty.

The report called for in the sixth Condition of the Resolution will be provided under separate cover to the Committees on Armed Services and Foreign Relations.

BARACK OBAMA.  
THE WHITE HOUSE, February 2, 2011.

#### 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-405. A communication from the Director of Human Capital and Resource Management performing the duties of the Principal Deputy Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a report relative to a list of controlled merchandise items; to the Committee on Armed Services.

EC-406. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Non-American Fisheries Act Crab Vessels Harvesting Pacific Cod for Processing by the Inshore Component in the Central Regulatory Area of the Gulf of Alaska" (RIN0648-XA155) received in the Office of the President of the Senate on February 1, 2011; to the Committee on Commerce, Science, and Transportation.

EC-407. A communication from the Director, Bureau of Economic Analysis, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Direct Investment Surveys: BE-11, Annual Survey of U.S. Direct Investment Abroad" (RIN0691-AA74) received in the Office of the President of the Senate on February 1, 2011; to the Committee on Commerce, Science, and Transportation.

EC-408. A communication from the Director, Bureau of Economic Analysis, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Direct Investment Surveys: BE-577, Quarterly Survey of U.S. Direct Investment Abroad—Direct Transactions of U.S. Reporter with Foreign Affiliate" (RIN0691-AA75) received in

the Office of the President of the Senate on February 2, 2011; to the Committee on Commerce, Science, and Transportation.

EC-409. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “List of Nonconforming Vehicles Decided to be Eligible for Importation” (Docket No. NHTSA-2010-0125) received in the Office of the President of the Senate on January 31, 2011; to the Committee on Commerce, Science, and Transportation.

EC-410. 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 “Suppression of Rev. Proc. 2008-52 and Modification of Rev. Proc. 97-27, Procedures for Automatic and Non-Automatic Changes in Method of Accounting” (Rev. Proc. 2011-14) received in the Office of the President of the Senate on January 31, 2011; to the Committee on Finance.

EC-411. A joint communication from the Chairperson and Vice-Chairperson of the National Commission on Children and Disasters, transmitting a report relative to funding the establishment of a National Resource and Information Center on Children and Disasters; to the Committee on Health, Education, Labor, and Pensions.

EC-412. A communication from the Secretary of the Department of Health and Human Services, transmitting, pursuant to law, a performance report relative to the Animal Generic Drug User Fee Act for fiscal year 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-413. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report relative to the Animal Drug User Fee Act for Fiscal Year 2010; to the Committee on Health, Education, Labor, and Pensions.

EC-414. 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 2005-48; Small Entity Compliance Guide” (FAC 2005-48) received in the Office of the President of the Senate on January 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-415. A communication from the Associate General Counsel for General Law, Office of the General Counsel, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the Department of Homeland Security in the position of Administrator, U.S. Fire Administration, received in the Office of the President of the Senate on February 1, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-416. A communication from the Secretary, Judicial Conference of the United States, transmitting, pursuant to law, a report relative to privacy and security concerns relating to electronically filed documents in the federal courts; to the Committee on the Judiciary.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-1. A resolution adopted by the Legislature of Rockland County, New York urging Congress to pass the Livable Communities Act of 2010; to the Committee on Banking, Housing, and Urban Affairs.

#### RESOLUTION NO. 624

Whereas, the Rockland County Legislature agrees that demographic trends support the need for cooperation in land use planning and the development of housing and transportation. The population of the United States will grow from approximately 307,000,000 people to approximately 439,000,000 people during the period between 2009 and 2050, an increase of more than 40 percent; and

Whereas, the Energy Information Administration of the Department of Energy forecasts that driving will increase 59 percent between 2005 and 2030, far outpacing the projected 23 percent increase in population; and

Whereas, demographers estimate that as much as 30 percent of current demand for housing is for housing in dense, walkable, mixed-use communities, and that less than 2 percent of new housing is in this category; and

Whereas, people who live in areas of compact development (where housing, shopping, jobs, and public transportation are in close proximity) drive 20 to 40 percent less than people who live in average development patterns in the United States; and

Whereas, transportation accounts for 70 percent of the oil consumed in the United States and nearly 1/3 of carbon emissions in the United States come from the transportation sector. Reducing the growth of the number of miles driven and providing transportation alternatives through good planning and sustainable development is a necessary part of the energy independence and climate change strategies of the United States; and

Whereas, a number of studies, reports, and articles by organizations including the Environmental Protection Agency, the National Association of Realtors, and the Transit Cooperative Research Project have found that one of the keys to revitalizing and maintaining the character of town centers and preserving surrounding agricultural land in small and rural communities is to prevent commercial and residential development on the outskirts of town, by promoting integrated housing, economic, and transportation development in town centers; and

Whereas, funding for integrated housing, transportation, energy, environmental, and economic development and other land use planning efforts at the local and regional levels is necessary to provide for sustainable development and smart growth, and

Whereas, the Livable Communities Act of 2010 would provide funding and support services to help municipalities make smart planning decisions by:

1. facilitating and improving the coordination of housing, community development, transportation, energy, and environmental policy in the United States;

2. encouraging regional planning for livable communities and the adoption of sustainable development techniques, including transit-oriented development;

3. providing a variety of safe, reliable transportation choices, with special emphasis on public transportation and complete streets, in order to reduce traffic congestion, greenhouse gas emissions, and dependence on foreign oil;

4. providing affordable, energy-efficient, and location-efficient housing choices for people of all ages, incomes, races, and ethnicities, and making the combined costs of housing and transportation more affordable to families;

5. promoting economic development and competitiveness by connecting the housing and employment locations of workers, reducing traffic congestion, and providing families with access to essential services;

6. supporting public health and improving quality of life for the residents of and work-

ers in communities by promoting healthy, walkable neighborhoods, access to green space, and the mobility to pursue greater opportunities,

and

Whereas, to accomplish these goals, the Livable Communities Act of 2010 would establish the Office of Sustainable Housing and Communities, the Interagency Council on Sustainable Communities, a Comprehensive Planning Grant Program, and a Sustainability Challenge Grant Program; and

Whereas, the Planning and Public Works Committee has met, considered and by a vote of four ayes, two nays and one absent, approved this resolution; Now therefore be it

*Resolved*, That the Legislature of Rockland County hereby requests that the United States Senate and House of Representatives pass bills S. 1619 and H.R. 4690—the Livable Communities Act of 2010, and that the President of United States sign such legislation; and be it further

*Resolved*, That the Clerk to the Legislature be and he is hereby authorized and directed to send a certified copy of this resolution to Hon. Barack H. Obama, President of the United States; Hon. Charles E. Schumer and Hon. Kirsten E. Gillibrand, United States Senators; Hon. Eliot Engel, Hon. Nita Lowey and Hon. Nan Hayworth, Members of the United States Congress; the President Pro Tem of the United States Senate; the Speaker of the United States House of Representatives; the Majority and Minority Leaders of the United States Senate and House of Representatives; and to such other persons as the Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

POM-2. A message from the Executive Director, The Privacy Projects, transmitting, a report relative to the Organization for Economic Cooperation and Development (OECD) Privacy Guidelines; to the Committee on the Judiciary.

#### 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. ENSIGN (for himself, Mr. CRAPO, Mr. INHOFE, and Mr. JOHANNES):

S. 255. A bill to require the Congressional Budget Office and the Joint Committee on Taxation to use dynamic economic modeling in addition to static economic modeling in the preparation of budgetary estimates of proposed changes in Federal revenue law; to the Committee on the Budget.

By Mr. PRYOR:

S. 256. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for equity investments in small business concerns; to the Committee on Finance.

By Ms. LANDRIEU (for herself and Mr. KERRY):

S. 257. A bill to improve certain programs of the Small Business Administration to better assist small business customers in accessing broadband technology, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. MENENDEZ (for himself, Mr. MERKLEY, Mr. WHITEHOUSE, Mr. LAUTENBERG, Mr. REED, Mrs. BOXER, Mr. NELSON of Florida, and Mr. LEAHY):

S. 258. A bill to amend the Internal Revenue Code of 1986 to eliminate oil and gas company preferences; to the Committee on Finance.