

COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on December 14, 2011, at 10 a.m.

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

COMMITTEE ON THE JUDICIARY

Mr. REED. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on December 14, 2011, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Oversight of the Federal Bureau of Investigation."

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

SUBCOMMITTEE ON SECURITIES, INSURANCE, AND
INVESTMENT

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Securities, Insurance, and Investment be authorized to meet during the session of the Senate on December 14, 2011, at 9:30 a.m., to conduct a hearing entitled "Examining Investor Risks in Capital Raising."

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

PRIVILEGES OF THE FLOOR

Mr. BARRASSO. Mr. President, I ask unanimous consent that Clay Robbins, who is an intern serving in the office of Senator MERKLEY, the Presiding Officer, have the privilege of the floor for the remainder of the day.

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

Mr. FRANKEN. Mr. President, I ask unanimous consent that my legislative fellows, Erin Boyd and Sharon Hessney, be given the privileges of the floor for the duration of today's session.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 380, 411, 458, and 459; that the nominations be confirmed en bloc; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate resume legislative session.

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

The nominations considered and confirmed are as follows:

IN THE NAVY

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (1h) Barry L. Bruner
Rear Adm. (1h) Jerry K. Burroughs
Rear Adm. (1h) James D. Cloyd
Rear Adm. (1h) Michael T. Franken
Rear Adm. (1h) Bradley R. Gehrke
Rear Adm. (1h) Robert P. Girrier
Rear Adm. (1h) Paul A. Grosklags
Rear Adm. (1h) Sinclair M. Harris
Rear Adm. (1h) Margaret D. Klein
Rear Adm. (1h) Richard B. Landolt
Rear Adm. (1h) Brian L. Losey
Rear Adm. (1h) William F. Moran
Rear Adm. (1h) Troy M. Shoemaker
Rear Adm. (1h) Dixon R. Smith
Rear Adm. (1h) Robert L. Thomas, Jr.

IN THE COAST GUARD

The following named officer for appointment to serve as the Director of the Coast Guard Reserve pursuant to title 14, U.S.C., section 53 in the grade indicated:

To be rear admiral (lower half)

RDML David R. Callahan

IN THE COAST GUARD

The following named officer for appointment in the United States Coast Guard Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Kurt B. Hinrichs

The following named officers for appointment in the United States Coast Guard to the grade indicated under title 14, U.S.C., section 271:

To be rear admiral (lower half)

Captain Mark E. Butt
Captain Linda L. Fagan
Captain Thomas W. Jones
Captain Steven D. Poulin
Captain James E. Rendon
Captain Joseph A. Servidio

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

UNANIMOUS CONSENT

AGREEMENT—CALENDAR NO. 337

Mr. REID. Mr. President, I ask unanimous consent that following morning business tomorrow morning, Thursday, December 15, the Senate proceed to executive session to consider Calendar No. 337; that there be 30 minutes for debate, equally divided in the usual form; that upon the use or yielding back of time, the Senate resume legislative session, and at a time to be determined by the majority leader, in consultation with the Republican leader, the Senate return to executive session, resume consideration of the nomination, and there be an additional 2 minutes for debate, equally divided in the usual form prior to a vote on Calendar No. 337; that the motion to reconsider be considered made and laid upon the table, 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 the President be immediately notified of the Senate's ac-

tion and the Senate then resume legislative session.

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

Mr. REID. As the Chair knows, Calendar No. 337 is Morgan Christen of Alaska.

REAUTHORIZING THE BELARUS
DEMOCRACY ACT OF 2004

Mr. REID. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of H.R. 515 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title. The bill clerk read as follows:

A bill (H.R. 515) to reauthorize the Belarus Democracy Act of 2004.

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

AMENDMENT NO. 1462

Mr. REID. Mr. President, I ask unanimous consent that the Kerry amendment No. 1462 be agreed to.

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

The amendment (No. 1462) was agreed to, as follows:

On page 6, line 19, strike "and" and insert "expanded its visa ban list, imposed additional financial sanctions on certain state-owned enterprises, and initiated preparations to freeze the assets of several individuals in Belarus. The".

On page 10, line 9, strike "continue to".

The PRESIDING OFFICER. The question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read the third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 515), as amended, was passed, as follows:

H.R. 515

Resolved, That the bill from the House of Representatives (H.R. 515) entitled "An Act to reauthorize the Belarus Democracy Act of 2004," do pass with the following amendments:

[1]On page 6, line 19, strike "and" and insert "expanded its visa ban list, imposed additional financial sanctions on certain state-owned enterprises, and initiated preparations to freeze the assets of several individuals in Belarus. The".

[2]On page 10, line 9, strike "continue to".

Mr. REID. Mr. President, I ask unanimous consent that the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the bill be printed in the RECORD.

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

INTELLIGENCE AUTHORIZATION
ACT FOR FISCAL YEAR 2012

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to Calendar No. 161.

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

The bill clerk read as follows:

A bill (H.R. 1892) to authorize appropriations for fiscal year 2012 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

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

Mrs. FEINSTEIN. Mr. President, I am very pleased to rise today in support of the Senate's passage of the Intelligence Authorization Act of Fiscal Year 2012. I understand that the House of Representatives intends to consider this legislation on the suspension calendar later this week, so it should be enacted prior to the end of this session.

This will be the third time in less than 15 months that the Congress will enact an intelligence authorization bill—including bills for fiscal years 2010, 2011, and 2012—after a 6 year hiatus in passing such legislation. What this means is that Congress, through the Senate and House Intelligence Committees, is restoring oversight over the intelligence community and fulfilling our responsibility to thoroughly examine intelligence policies and budgets.

Unlike the last two authorization bills, this bill was completed contemporaneously with, instead of after, the appropriations process that funds intelligence efforts. The classified annex to this legislation authorizes appropriations for intelligence activities and has helped guide the work of the appropriations committees as they considered intelligence spending. The days when the intelligence community can bypass the intelligence committees and deal solely with the appropriations committees are over.

Since receiving the President's budget request for the intelligence community in February, the Intelligence Committee has recognized that the massive increase in intelligence spending over the past decade has come to an end. Our original bill, reported to the Senate in August of this year, reduced intelligence spending below the President's request. Since then, we have worked closely with the House Intelligence Committee, the Senate Appropriations Committee, and the executive branch to reflect the spending reductions set in the Budget Control Act of 2011. The legislation we are approving today keeps funding for intelligence essentially flat from fiscal year 2011, representing the a meaningful reduction from the President's request.

As we look to 2013, many more difficult decisions will need to be made to make further reductions to intelligence spending. It is my belief that real reductions in intelligence spending can be accomplished without sacrificing capability, but this will require a rigorous review and the executive branch being more forthcoming than it has been to date about where it believes cuts are possible.

Of course, the bill also provides significant legislative provisions to give the intelligence community the authorities and flexibilities it needs to continue protecting our national security and providing policymakers the information they need to make foreign policy and security decisions; and other provisions for the effective and appropriate functioning of our intelligence apparatus.

I note that passage of the last intelligence authorization bill occurred shortly after the strike leading to the death of Usama bin Laden in Abbottabad, Pakistan. Since then, the intelligence community has had continued success in tracking and removing terrorist threats to the United States. Senior leaders and commanders of al-Qaida, including all of its affiliate groups as well as militant organizations involved in the Afghan war, have been removed from the fight, and terrorist plots and plotting have been disrupted. Among them, a plot to kill the Saudi Ambassador to the United States was thwarted due to the skillful and cooperative efforts of the FBI, DEA, CIA, and others.

Intelligence has factored into significant policy decisions and U.S. actions, including with respect to interdicting the proliferation of weapons, setting economic sanctions, protecting ISAF forces in Afghanistan, blocking cyber attacks against our government and certain critical infrastructure companies, and contributing to the NATO effort in Libya.

It is my hope that the provisions in this bill will continue to aid the intelligence community as it conducts its missions; ensure better stewardship of taxpayer dollars; and support its thousands of civilians and military employees.

Among other things, this bill includes: A section that provides for burial allowances for intelligence employees killed in the line of duty, similar to those for members of the U.S. military; New procurement authorities that enable intelligence agencies to protect against supply chain risk to information technologies; a measure authorizing new accounts at the Department of Treasury that will enable defense intelligence agencies to become financially auditable; Provisions that strengthen congressional oversight of the transfer of detainees from Guantanamo Bay; a section that will improve the accuracy of intelligence community cost estimates; and Provisions that provide the Director of National Intelligence with needed personnel management authorities.

As I noted, the bill contains a 275-page classified schedule and annex that authorizes intelligence funding and implements the committee's oversight findings over the past year. That annex is available to all Senators in the intelligence committee's offices.

Mr. President, let me note my sincere appreciation for the close collaboration of Senator CHAMBLISS, the vice

chairman of the committee, throughout the legislative process. He and his staff—in particular Martha Scott Poindexter and Jacqueline Russell—have continued the bipartisan approach that the committee followed in the last Congress, and we have together agreed to every provision in the bill.

As can be imagined, it has taken enormous effort to produce a third bill in such a short time frame. I sincerely thank the efforts of the staff to review the President's requested funding levels and legislative provisions, to draft legislation, and to negotiate a final product. In particular, I thank Lorenzo Goco, the Deputy Staff Director who has overseen the legislative efforts, Michael Davidson, the general counsel of the Senate Intelligence Committee until this past Labor Day, and Christine Healey, who has carried the load of the legislative work throughout and who replaced Mr. Davidson as general counsel. I also extend my appreciation for the work of Eric Losick and Mike Buchwald, majority counsel on the Committee, and Jack Livingston and Kathleen Rice, the minority counsel.

Similarly, the Committee's budget staff has worked diligently and expertly in their preparation of the classified annex to this bill and in working with intelligence agencies to understand and guide their efforts. I thank the committee's budget director, Peggy Evans, and the budget staff through this period: Hayden Milberg, Randy Bookout, Andrew Kerr, John Dickas, Paul Matulic, Matt Pollard, Amy Hopkins, Jamal Ware, Iram Ali, Jeffrey Howard, Andy Grotto, Jim Smythers, Brian Miller, Eric Chapman, John Maguire, Tyler Stephens, Evan Gottesman, Brian Walsh, Ryan Tully, and Christian Cook.

I also appreciate the work and relationship with Chairman ROGERS and Ranking Member RUPPERSBERGER of the House Permanent Select Committee on Intelligence. The version of the legislation approved today builds on the House legislation, and our two committees have consulted closely throughout this process. We held a joint open hearing on the tenth anniversary of the September 11, 2001, attacks and I look forward to continuing to work together next year to enact the fiscal year 2013 intelligence authorization bill.

Let me also note my appreciation for two other Senate committees. The Senate Appropriations Subcommittee on Defense has closely followed our authorizations as it drafted its appropriations bill. This underscores the work done in our bill, and limits to a minimum the cases where the authorization and appropriations levels do not match.

We have also worked over the past week with the Senate Armed Services Committee to include language in the classified annex to this bill concerning the Military Intelligence Program and a military construction program authorized for the National Security

Agency. The Armed Services Committee and the Intelligence Committee both exercise jurisdiction over military construction projects with intelligence funding; in this instance, the two committees have both included authorizations for the High Performance Computing Center II, and have jointly agreed to the language included in this annex.

Finally, Mr. President, I note that while there is no committee report or conference report associated with the text that we are approving today, the Intelligence Committee issued a report to accompany the bill it reported to the Senate in August. As the legislation has changed since House passage of its authorization bill and consideration today of this amendment, I ask unanimous consent to have printed in the RECORD a section-by-section analysis of the legislation so as to provide for the legislative history needed to explain the authors' intent and better clarify the effects of the provisions included.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

For purposes of the legislative history of the Intelligence Authorization Act for Fiscal Year 2012, the Managers Amendment we will pass today is an amendment in the nature of a substitute to H.R. 1892. In large measure, the legislative text of H.R. 1892 and this Managers Amendment follows the legislative text of S. 1458, reported from the Select Committee on Intelligence on August 1, 2011, Report No. 112-43. The Managers Amendment also includes a classified Schedule of Authorizations and annex; this is a modified version of the classified Schedule and annex that were passed by the House of Representatives. They have been made available to the Executive Branch and appropriate congressional committees. The report language in the annex should be understood to represent congressional intent where reference is made to the Committee.

SECTION-BY-SECTION ANALYSIS AND
EXPLANATION

TITLE I—BUDGET AND PERSONNEL
AUTHORIZATIONS

Section 101. Authorization of appropriations

Section 101 lists the United States Government departments, agencies, and other elements for which the Act authorizes appropriations for intelligence and intelligence-related activities for Fiscal Year 2012.

Section 102. Classified Schedule of Authorizations

Section 102(a) provides that the details of the amounts authorized to be appropriated for intelligence and intelligence-related activities and the applicable personnel levels for Fiscal Year 2012 are contained in the classified Schedule of Authorizations and that the classified Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President. Section 102(b) provides that the President shall not publicly disclose the classified Schedule except as provided in Section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007; to the extent necessary to implement the budget; or as otherwise required by law. Section 102(c) authorizes the Director of the Federal Bureau of Investigation (FBI) to expend funds authorized in the Act for a purpose further described in the classified annex.

Section 103. Personnel Ceiling Adjustments

Section 103 is intended to provide additional flexibility to the Director of National Intelligence (DNI) in managing the civilian personnel of the Intelligence Community. Section 103(a) provides that the DNI may authorize employment of civilian personnel (expressed as full-time equivalent positions) in Fiscal Year 2012 in excess of the number of authorized full-time equivalent positions by an amount not exceeding 3 percent of the total limit applicable to each IC element under Section 102. The DNI may do so only if necessary to the performance of important intelligence functions.

Section 103(b) provides additional flexibility when the heads of Intelligence Community elements determine that work currently performed by contract personnel should be performed by government employees. It does so by authorizing the DNI to authorize employment of additional full-time equivalent personnel in a number equal to the number of full-time equivalent contract personnel currently performing that work. Under this section, any exercise of this authority should be implemented in accordance with a plan that includes adequate support for personnel. It is intended that the exercise of this authority should result in an actual reduction of the number of contract personnel and not a shift of resources to hire other contract personnel.

The DNI must report the decision to allow an Intelligence Community element to exceed the personnel ceiling or to convert contract personnel under Section 103(a) and (b) in advance to the congressional intelligence committees.

During consideration of the Fiscal Year 2008 request, the congressional intelligence committees learned that practices within different elements of the Intelligence Community on the counting of personnel with respect to legislatively-fixed ceilings were inconsistent, and included not counting certain personnel at all against personnel ceilings. The committees requested that the Intelligence Community Chief Human Capital Officer ensure that by the beginning of Fiscal Year 2010 there would be a uniform and accurate method of counting all Intelligence Community employees under a system of personnel levels expressed as full-time equivalents. The committees also expressed their view that the DNI express the personnel levels for civilian employees of the Intelligence Community as full-time equivalent positions in the congressional budget justifications for Fiscal Year 2010. The DNI has done so. In addition, the DNI has issued a policy to ensure a uniform method for counting Intelligence Community employees. Subsection (c) confirms in statute the obligation of the DNI to establish these guidelines.

Section 104. Intelligence Community Management Account

Section 104 authorizes appropriations for the Intelligence Community Management Account (ICMA) of the DNI and sets the authorized full-time equivalent personnel levels for the elements within the ICMA for Fiscal Year 2012.

Subsection (a) authorizes appropriations of \$576,393,000 for Fiscal Year 2012 for the activities of the ICMA. Subsection (b) authorizes 777 full-time or full-time equivalent personnel for elements within the ICMA for Fiscal Year 2012 and provides that such personnel may be permanent employees of the Office of the Director of National Intelligence (ODNI) or detailed from other elements of the United States Government.

Subsection (c) authorizes additional appropriations and full-time equivalent personnel for the classified Community Management

Account as specified in the classified Schedule of Authorizations and permits the funding for advanced research and development to remain available through September 30, 2013.

TITLE II—CENTRAL INTELLIGENCE AGENCY
RETIREMENT AND DISABILITY SYSTEM

Section 201. Authorization of appropriations

Section 201 authorizes appropriations in the amount of \$514,000,000 for Fiscal Year 2012 for the Central Intelligence Agency (CIA) Retirement and Disability Fund. For Fiscal Year 2011, Congress authorized \$292,000,000. While that level was consistent with prior authorizations, it did not fully fund, as prior authorizations had not fully funded, the obligations of the Fund. The Fiscal Year 2012 increase is based on the Administration's determination, which the congressional intelligence committees support, that the obligations of this retirement and disability system should be fully funded.

TITLE III—GENERAL INTELLIGENCE COMMUNITY
MATTERS

Section 301. Increase in employee compensation and benefits authorized by law

Section 301 provides that funds authorized to be appropriated by this Act for salary, pay, retirement, and other benefits for federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in compensation or benefits authorized by law.

Section 302. Restriction on conduct of intelligence activities

Section 302 provides that the authorization of appropriations by the Act shall not be deemed to constitute authority for the conduct of any intelligence activity that is not otherwise authorized by the Constitution or laws of the United States.

Section 303. Annual report on hiring of National Security Education Program participants

Section 303 requires a report not later than 90 days after the end of the fiscal years 2012, 2013, and 2014, by the head of each element of the Intelligence Community on the number of personnel hired by such element during such fiscal year who were at any time recipients of a grant or scholarship under the David L. Boren National Security Education Act of 1991 (50 USC 1901 et seq.). The report may be in classified form.

Section 304. Enhancement of authority for flexible personnel management among the elements of the intelligence community

Section 304 adds a subsection to Section 102A of the National Security Act of 1947 to promote the ability to manage all the elements of the Intelligence Community as a single cohesive community. The new Subsection 102A(v) enables the DNI, with the concurrence of the head of the covered department concerned and in coordination with the Director of the Office of Personnel Management (OPM), to convert competitive service positions within an Intelligence Community element of the covered department to excepted positions and to establish new positions in the excepted service within an Intelligence Community element of a covered department. Under Section 304, an incumbent occupying a position on the date of enactment selected to be converted to the excepted service shall have the right to refuse the conversion. Once such individual no longer occupies the position, the position may be converted.

Because of their unique intelligence, investigative and national security missions, most Intelligence Community elements are in the excepted civil service. However, civilian employees in several smaller Intelligence Community elements are still covered under competitive service rules. The ability to convert those positions to the excepted service

will enable the Intelligence Community to maintain a system throughout the Intelligence Community that is responsive to the needs of the Intelligence Community both for secrecy and the ability to quickly respond to personnel requirements. The DNI has requested a similar authority in the past. Under Section 304, the covered departments are the Department of Energy, the Department of Homeland Security, the Department of State, and the Department of the Treasury.

Although new positions in the excepted service may be created within an element of the Intelligence Community within the covered departments under this authority, the personnel ceilings referred to in Section 102(a) still apply to the number of personnel in an element. It is not intended for this conversion authority to be used to increase the number of full-time equivalent personnel in an intelligence element above the applicable personnel ceilings.

Section 305. Preparation of nuclear proliferation assessment statements

As set forth in the Atomic Energy Act, the United States may enter into a Civilian Nuclear Agreement (or "123 Agreement") with another nation or multinational organization. After negotiating the terms of the 123 Agreement, the Administration submits the terms to Congress for review along with a Nuclear Proliferation Assessment Statement (NPAS). Under current law, the NPAS is drafted by the State Department, in consultation with the Director of Central Intelligence; the Act has not been amended to reflect the establishment of the Director of National Intelligence. In multiple reports, the Government Accountability Office has identified various problems with this process, including insufficient time for consultation with the Intelligence Community, a lack of adequate formal interagency guidance for NPAS development, and ambiguity as to whether Intelligence Community comments were fully incorporated into the final NPAS. Section 305 is a modification of Section 305 of S. 1458 as reported from the Senate Intelligence Committee and is intended to clarify the role of the DNI and the Intelligence Community in the NPAS process.

Section 305 amends the National Security Act of 1947 to require the DNI, in consultation with the heads of the appropriate elements of the Intelligence Community and the Secretary of State, to provide an addendum to each NPAS accompanying a civilian nuclear cooperation agreement, containing a comprehensive analysis of the country's export control system with respect to nuclear-related matters. The DNI is to provide the addendum to the President, the congressional intelligence committees and the congressional foreign relations committees.

Section 306. Cost estimates

Section 306 amends Section 506A of the National Security Act of 1947 to require that independent cost estimates include all costs associated with a major system acquisition even when a service or capability to deliver end-to-end functionality will be provided by another Intelligence Community agency or element. This additional requirement in the preparation of the independent cost estimate will assist Congress and the Executive Branch in evaluating the full cost of an acquisition, including the costs to process, exploit, disseminate, and store the information such major systems collect. The amendments made by Section 306 become effective 180 days after enactment.

Section 307. Updates of intelligence relating to terrorism recidivism of detainees held at United States Naval Station, Guantanamo Bay, Cuba

Section 307 provides for a regular unclassified summary of intelligence relating to re-

cidivism of detainees formerly held at Guantanamo Bay to be made public by the DNI. Section 334 of the Intelligence Authorization Act for Fiscal Year 2010, Public Law 111-259, required the DNI, along with the Director of the CIA and the Director of the Defense Intelligence Agency, to make publicly available, on a one-time basis, an unclassified summary that includes the intelligence relating to former Guantanamo detainees. Under Section 319 of the Supplemental Appropriations Act of 2009, Public Law 111-32, the President is required to submit classified quarterly reports to Congress that include classified information about detainees' recidivist activities.

Section 307 amends the National Security Act of 1947 to require the semiannual updating of the Section 334 report, which is to include an unclassified summary of intelligence relating to recidivism of detainees currently or formerly held at Guantanamo Bay and an assessment of the likelihood that such detainees will engage in terrorism or communicate with persons in terrorist organizations. The initial update shall be made publicly available not later than 10 days after the date that the first report following enactment is submitted to members and committees pursuant to Section 319 of the Supplemental Appropriations Act, 2009. The summary will be prepared by the DNI, in consultation with the Director of the CIA and the Director of the Defense Intelligence Agency, and will include the number of confirmed or suspected recidivists.

Section 308. Notification of transfer of a detainee held at United States Naval Station, Guantanamo Bay, Cuba

Section 308 requires the President to submit to Congress, in classified form, at least 30 days prior to the transfer or release of an individual detained at Naval Station, Guantanamo Bay, Cuba, as of June 24, 2009, the following information: (1) the name of the individual to be transferred or released; (2) the country or freely associated state to which the individual is to be transferred; (3) the terms of any agreement with the country or state for the acceptance of such individual, including the amount of any financial assistance related to such agreement; and (4) the agencies or departments of the United States responsible for ensuring the agreement is carried out.

Section 308 is a modification of Section 306 of S. 1458, which amended similar notification requirements found in Public Law 111-83, 123 Stat. 2178, and Public Law 111-88, 123 Stat. 2963. Section 308 requires the notification be at least 30 days, rather than 15 days, prior to transfer and requires information be provided concerning what agencies or departments of the United States, if any, are responsible for ensuring any agreement with the receiving country or state is carried out. Nothing in this section is to be construed to supersede or otherwise affect Section 1023 of the National Defense Authorization Act for Fiscal Year 2012 or Section 8120 of the Department of Defense Appropriations Act, 2012.

Section 309. Enhanced procurement authority to manage supply chain risk

Section 309 authorizes the heads of those elements of the Intelligence Community outside the Department of Defense to take certain procurement actions under certain circumstances to reduce the risk that an adversary may sabotage, maliciously introduce unwanted functions, or otherwise subvert information systems so as to surveil, deny, disrupt or otherwise degrade them. Section 309 is based on Section 806 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383).

Section 309(a) defines the following terms: covered agency, covered item of supply, cov-

ered procurement, covered procurement action, covered system, and supply chain risk. The definitions of these terms are modifications of the definitions of these terms as found in Section 309 of S. 1458, to include specific references to appropriate provisions of existing law.

Under subsection (b), the head of a covered agency, in consultation with the DNI, is authorized to carry out a covered procurement action and limit the disclosure of information concerning the basis for such action. Covered procurement actions are subject to the conditions in subsection (c), including appropriate consultation with procurement officials within the covered agency and a determination made in writing that the use of the authority is necessary to protect national security. In addition, there must be a determination that less intrusive measures are not reasonably available. Where the head of the covered agency plans to limit disclosure of information relating to the basis for carrying out a covered procurement action, the risk to national security due to disclosing such information must outweigh the risk of not disclosing such information.

The head of the covered agency must give notice to the congressional intelligence committees of a determination to exercise this authority. Subsection (d) limits delegation of the authority to take a covered procurement action to no lower than the level of the service acquisition executive for the agency concerned. Subsection (e) provides that the authority under the section is in addition to any other authority under any other provision of law. The authority provided in Section 309 is not intended to alter or effect the exercise of any other provision of law, including other procurement authorities available to an intelligence agency head to protect the national security.

The requirements of Section 309 take effect 180 days after enactment and expire on the date that Section 806 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 expires, which will occur in January 2014.

Section 310. Burial allowances

Section 310 authorizes the head of a department or agency that contains an element of the Intelligence Community to pay a burial allowance to the estate of a civilian officer or employee of such department or agency who dies as the result of hostile or terrorist activities or intelligence activities having a substantial element of risk. The burial allowance is to reimburse the estate for burial expenses, including recovery, mortuary, funeral, or memorial service, cremation, burial costs, and costs of transportation. The amount of the burial allowance is not to be greater than the maximum reimbursable amount available to the uniformed services under Department of Defense Instruction 1344.08 or its successor, now set at \$8,800, plus actual transportation costs, and is in addition to any other benefit permitted under any other provision of law, including funds that may be expended as specified in the General Provisions of the classified annex accompanying this Act.

In addition, Section 310 requires the Director of the OPM, in consultation with the DNI and the Secretaries of Labor and Defense, to submit a report to Congress no later than 180 days after enactment on the feasibility of implementing legislation to provide for burial allowances at a level that adequately addresses the cost of burial expenses and provides for equitable treatment when any officer or employee of the federal government dies as the result of an injury sustained in the performance of official duties.

Section 311. Modification of certain reporting requirements

The Congress frequently requests information from the Intelligence Community in the

form of reports, the contents of which are specifically defined by statute. The reports prepared pursuant to these statutory requirements provide Congress with an invaluable source of information about specific matters of concern.

Congressional reporting requirements, and particularly recurring reporting requirements, however, can place a significant burden on the resources of the Intelligence Community. The congressional intelligence committees are therefore reconsidering these reporting requirements on a periodic basis to ensure that the reports that have been requested are the best mechanism for the Congress to receive the information it seeks. In some cases, annual reports can be replaced with briefings or notifications that provide the Congress with more timely information and offer the Intelligence Community a direct line of communication to respond to congressional concerns.

In response to a request from the DNI, the congressional intelligence committees examined a set of recurring reporting requirements nominated by the Intelligence Community. Because the majority of recurring reports provide critical information relevant to challenges facing the Intelligence Community today, Section 311 eliminates or modifies only four statutory reporting requirements, all from past intelligence authorization acts or the Intelligence Reform and Terrorism Prevention Act of 2004.

Section 312. Review of strategic and competitive analysis conducted by the intelligence community

Section 312 requires the DNI to direct the Director's Senior Advisory Group to conduct a comprehensive review of the strategic and competitive analysis of international terrorism and homegrown violent extremism conducted by elements of the Intelligence Community during the 12 month period following enactment. Within 15 months of enactment, the Director shall submit to the congressional intelligence committees a report on the results of the review and any actions taken by the Director to implement the recommendations, if any, of the Senior Advisory Group based on such results.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

Section 401. Intelligence community assistance to counter drug trafficking organizations using public lands

Section 401 requires the DNI to consult with the heads of the federal land management agencies on the appropriate actions the Intelligence Community can take to assist such agencies in responding to the threat from international drug trafficking organizations or other drug traffickers that are currently or have previously used public lands in the United States to further their operations. The DNI is to submit a report to the congressional intelligence and judiciary committees within 180 days of enactment on the results of this consultation.

Section 402. Application of certain financial reporting requirements to the Office of the Director of National Intelligence

Section 402 provides a limited grace period for the ODNI in meeting the requirements of 31 USC 3515 until Fiscal Year 2013. The DNI, in requesting this legislative provision, stated that the grace period will allow time for the implementation of system improvements as well as process changes in the financial management system currently supporting the ODNI. Together these efforts are intended to yield financial statements that meet the prescribed legal and audit standards.

Although the ODNI, under 31 USC 3515, is required to prepare and submit to the Congress and the Director of the Office of Management and Budget an audited financial statement for the preceding fiscal year by March 1st, Section 369 of the Intelligence Authorization Act for Fiscal Year 2010, enacted on October 7, 2010, directs the DNI "to develop a plan and schedule to achieve a full, unqualified audit of each element of the intelligence community not later than September 30, 2013." Section 402 will align the statutory requirement for auditability with the plan for achieving auditability set forth in the Fiscal Year 2010 Act.

Section 403. Public availability of information regarding the Inspector General of the Intelligence Community

Section 403 requires the DNI to establish and maintain on the publicly accessible ODNI website information relating to the Inspector General for the Intelligence Community including methods to contact the Inspector General. Section 403 is based on a similar requirement in Section 8L of the Inspector General Act, as added by the Inspector General Reform Act of 2008, 5 USC App., and is similar to Section 413, applicable to the CIA Inspector General. The information about the Inspector General is to be obvious and facilitate access to the Inspector General. Given that most of the Inspector General's reports will be classified, Section 403 does not require that Inspector General reports and audits be posted on the publicly accessible website.

Section 404. Clarification of Status of Chief Information Officer in the Executive Schedule

Section 404 amends 5 USC 5315 to establish the salary level of the Chief Information Officer of the Intelligence Community at Level IV of the Executive Schedule, the level of other chief information officers in the federal government with comparable duties and responsibilities. The Chief Information Officer of the Intelligence Community is a position established in Section 103G of the National Security Act, added by Section 303 of Public Law 108-487, the Intelligence Authorization Act for Fiscal Year 2005, and amended by Section 404 of Public Law 111-259, the Intelligence Authorization Act for Fiscal Year 2010.

Section 405. Temporary appointment to fill vacancies within Office of the Director of National Intelligence

Section 405 permits the President to make temporary appointments to fill vacancies in offices within the ODNI that require Senate confirmation (except the DNI, for whom by Section 103A(a)(6) of the National Security Act of 1947 the Principal Deputy DNI is next in line) with an individual who serves in another element of the Intelligence Community. A similar provision was requested by the DNI.

The Vacancies Act (5 USC 3345(a)(1)) provides that upon a vacancy in a Senate-confirmed position (1) the first assistant of the office may begin serving as the acting officer immediately and automatically upon the occurrence of the vacancy; (2) another officer who has already received Senate confirmation may be directed by the President to serve as the acting officer; and (3) certain other senior agency officials may be designated by the President to serve in an acting capacity. Given the relatively small size of the ODNI, the fact that a significant number of the personnel within the ODNI are on detail to the office from other elements of the Intelligence Community, and the fact that positions in the ODNI to which the Vacancies Act applies serve the entire Intelligence Community (such as the Director of the National Counterterrorism Center or the

Inspector General for the Intelligence Community), an individual employed within the Intelligence Community but outside the ODNI may be best suited to fill a key leadership position temporarily.

Section 405 addresses this issue by expanding the President's choice for appointment under the third category of the Vacancies Act to include senior officials from any element of the Intelligence Community. Nothing in Section 401 modifies or precludes the utilization of sections 3345(a)(1) or (2) of title 5 to fill vacancies.

Subtitle B—Central Intelligence Agency

Section 411. Acceptance of gifts

Section 411 is a provision that arose out of the CIA's review of benefits available to the survivors of CIA employees killed in the line of duty following the December 2009 attack at Khowst, Afghanistan. The CIA concluded that the Director of the CIA did not have the authority under Section 12 of the CIA Act to accept and use gifts for purposes related to the welfare, education and recreation of those survivors. Under current law, the Director of the CIA may "accept, hold, administer, and use gifts of money, securities and other property whenever the Director determines it would be in the interest of the United States . . . for purposes relating to the general welfare, education, or recreation of employees or dependents of employees of the Agency or for similar purposes. . . ."

Section 411 amends Section 12 of the CIA Act to authorize the Director (or the Director's designee) both to accept gifts and to use them for the welfare of employees injured in the line of duty without legal concern whether those actions are for the general welfare of the CIA employee population as a whole. It also provides that gifts may be used for the assistance of the family of CIA officers who were injured or who died from hostile or terrorist activities or in connection with other intelligence activities having a substantial element of risk. Gifts for injured employees and their families or survivors are to be accepted by the CIA on behalf of the CIA employees concerned, and not directly by such employees or their family members. The Director is authorized to assign the gifts accepted under the new authority provided by this section to the CIA officers and their surviving family members.

Section 411 provides that any exercise of authority under Section 12, including the acceptance of gifts to provide for the general welfare, education, or recreation of the CIA employee population as a whole, shall be made according to regulations developed by the Director of the CIA in consultation with the Director of the Office of Government Ethics, consistent with all relevant ethical constraints and principles.

Section 412. Foreign language proficiency requirements for Central Intelligence Agency officers

Section 412 makes amendments in Section 104A(g) of the National Security Act of 1947 which imposes foreign language requirements on certain personnel within the CIA. Section 412 is intended to tie the need for foreign language skills to officers in occupations where foreign language ability is most important, rather than to specific positions, within the Directorate of Intelligence career service or the National Clandestine Service career service. It is intended to eliminate the need for the Director of the CIA to approve waivers for the promotion, appointment, or transfer of personnel such as attorneys or human resources officers for whom the requirement is not intended to apply. Section 412 sets the language proficiency at the objective level of level 3 on the Interagency Language Roundtable Language

Skills Level or a commensurate proficiency level.

Section 412 requires the Director of the CIA to provide a report within 45 days of enactment, and three subsequent annual reports, to the congressional intelligence committees on the number of personnel transferred to a Senior Intelligence Service position in the Directorate of Intelligence career service or the National Clandestine career service who did not meet the foreign language requirements of Section 104A(g). Section 412 also makes technical corrections to delete outdated references to the Directorate of Operations.

Section 413. Public availability of information regarding the Inspector General of the Central Intelligence Agency

Section 413 requires the Director of the CIA to establish and maintain on the publicly accessible CIA website information relating to the CIA Inspector General including methods to contact the Inspector General. Section 413 is based on a similar requirement in the Inspector General Reform Act, 5 USC App. 8L, and is similar to Section 403. The information about the Inspector General is to be obvious and facilitate access to the Inspector General. Given that most of the Inspector General's reports will be classified, Section 413 does not require that Inspector General reports and audits be posted on the publicly accessible website. Section 413 is based upon a request of the CIA Inspector General.

Section 414. Creating an official record of the Osama bin Laden operation

Section 414 makes findings concerning the raid of May 1, 2011, that killed terrorist leader Osama bin Laden in his compound in Abbottabad, Pakistan. Section 414 includes a statement of the sense of Congress that the events that transpired before, during, and as a result of the raid be memorialized to allow the United States to have an accurate account of these events in the future. Section 414 requires the Director of the CIA to provide to the congressional intelligence committees the report being prepared by the Center for the Study of Intelligence that documents the history of and lessons learned from the raid not later than 90 days after its completion and to preserve any records, including intelligence information and assessments, used to generate this report.

Section 415. Recruitment of personnel in the Office of the Inspector General

Section 415 requires the Inspector General of the OPM, in consultation with the Inspector General of the CIA, to conduct a study of the personnel authorities and available personnel benefits of the Office of the Inspector General of the CIA. The study shall include identification of any barriers and disincentives to the recruitment or retention of experienced investigators within the Office of the Inspector General of the CIA. The study shall compare the personnel authorities of the CIA Inspector General with the personnel authorities of other federal Inspectors General, including a comparison of the benefits available to experienced investigators within the offices of other federal Inspectors General with those available to investigators within the Office of the CIA Inspector General. The OPM Inspector General is to submit the report to the congressional intelligence and homeland security committees not later than 120 days after enactment.

Subtitle C—National Security Agency

Section 421. Additional authorities for National Security Agency security personnel

Section 421 amends Section 11 of the National Security Agency Act of 1959 to authorize NSA security personnel to transport ap-

prehended individuals from NSA premises to the custody of law enforcement officials. Under current law, when NSA security personnel apprehend an individual, they must wait with the individual until local law enforcement personnel arrive to complete the transfer of custody. This can require NSA personnel to wait, frequently for hours, often with the apprehended individual in a security vehicle, for the transfer to local law enforcement. According to the DNI, from 2004 to 2009, on 448 occasions, the apprehension of an individual engaged NSA personnel and transportation resources for over 2 hours.

Section 421 provides a limited expansion of authority for NSA security personnel to transport apprehended individuals to the custody of local law enforcement within 30 miles of NSA premises. This authority is to be used sparingly by NSA security personnel under a well-established regime of administrative controls and management oversight, and only with prior consent from the accepting jurisdiction.

Subtitle D—Other Elements

Section 431. Codification of Office of Intelligence and Analysis of the Department of Homeland Security as an element of the intelligence community

Section 431 amends Section 3(4)(K) of the National Security Act of 1947 in order to include the Office of Intelligence and Analysis of the Department of Homeland Security within the term "intelligence community" for purposes of the Act. This provides for a more specific reference to the Office of Intelligence and Analysis, in addition to the intelligence element of the Coast Guard, that is part of the Intelligence Community, in the same manner as Congress has done in Section 3(4)(I) and (J) for the State and Treasury Department elements of the Intelligence Community.

Section 432. Federal Bureau of Investigation participation in the Department of Justice leave bank

Section 432 provides for participation of employees of the FBI in the Department of Justice's Voluntary Leave Bank Program. The Voluntary Leave Bank Program allows federal employees to donate to and to receive donations from a leave "bank" to cover absences necessitated by extraordinary medical conditions. Current law does not allow participation by FBI employees in the Department's program, although the FBI is part of the Department. While 5 USC 6372(c) would allow FBI to establish its own voluntary leave bank program, the Director of the FBI has determined that it would be more cost effective and efficient to allow FBI employees to participate in the larger Department of Justice program and has requested a legislative provision to accomplish this objective for the overall benefit of the Bureau and its personnel.

Under Section 432, the Director is to consider the protection of sources and methods in allowing for participation in the leave bank program. In providing for leave bank opportunities to cover absences necessitated by extraordinary medical conditions, it is intended that the Director consider any impact on operations of the Bureau when making a decision on whether to allow FBI employees to take part in the program.

Section 433. Accounts and transfer authority for appropriations and other amounts for intelligence elements of the Department of Defense

Section 433 authorizes the Secretary of Defense to transfer defense appropriations available for the activities of the defense intelligence elements into an account or accounts established for receipt of such funds. These accounts may receive transfers and re-

imbursement from transactions, authorized by law, between the defense intelligence elements and other entities, and the DNI may also transfer funds into these accounts. Appropriations transferred pursuant to this section shall remain available for the same time period, and for the same purposes, as the appropriations from which funds were transferred. This section is intended to ensure improved auditing of defense intelligence appropriations.

Section 434. Report on training standards of defense intelligence workforce

Section 434 requires not later than 180 days after enactment the DNI and the Under Secretary of Defense for Intelligence to submit to the congressional intelligence and armed services committees a report on the training standards of the defense intelligence workforce. The report is to include a description of existing training, education, and professional development standards applied to the personnel of defense intelligence components, and an assessment of the ability to implement a certification program based on achievement of required training, education, and professional development standards.

TITLE V—OTHER MATTERS

Section 501. Report on airspace restrictions for use of unmanned aerial vehicles along the border of the United States and Mexico

Section 501 requires the Secretary of Homeland Security not later than 90 days after enactment to submit to the congressional intelligence and homeland security committees a report on whether restrictions on the use of airspace are hampering the use of unmanned aerial vehicles by the Department of Homeland Security along the international border between the United States and Mexico.

Section 502. Sense of Congress regarding integration of fusion centers

Section 502 states that it is the sense of Congress that the Secretary of Homeland Security, in consultation with the DNI, should continue to integrate and utilize fusion centers to enlist all of the intelligence, law enforcement, and homeland security capabilities of the United States in a manner that is consistent with the Constitution to prevent acts of terrorism against the United States.

Section 503. Strategy to counter improvised explosive devices

Section 503 requires the DNI and the Secretary of Defense to establish a coordinated strategy utilizing all available personnel and assets for intelligence collection and analysis to identify and counter network activity and operations in Pakistan and Afghanistan relating to the development and use of improvised explosive devices. Not later than 120 days after enactment, the DNI and the Secretary of Defense are to submit a report containing the strategy to the congressional intelligence and armed services committees and implement such strategy.

Section 504. Sense of Congress regarding the priority of railway transportation security

Section 504 states that it is the sense of Congress that railway transportation security, including subway transit security, should continue to be prioritized in the critical infrastructure threat assessment developed by the Office of Intelligence and Analysis of the Department of Homeland Security and included in threat assessment budgets of the Intelligence Community.

Section 505. Technical amendments to the National Security Act of 1947

Section 505 updates certain references in sections 3(6), 506(b) and 506A of the National Security Act of 1947 from the "Director of Central Intelligence" and the "National Foreign Intelligence Program" to the "Director

of National Intelligence” and the “National Intelligence Program.”

Section 506. Technical amendments to Title 18, United States Code

Section 506 updates references in 18 USC 351(a) to the Director and Deputy Director of Central Intelligence and provides that the amended section includes the DNI, the Principal Deputy DNI, and the Director and Deputy Director of the CIA among officials covered by the provision.

Section 507. Budgetary effects

Section 507 states that the budget effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

Mrs. FEINSTEIN. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I rise to join Chairman FEINSTEIN in thanking my colleagues for their support of the fiscal year 2012 Intelligence Authorization Act. Over the past several months, the committee has worked hard to resolve the final details of the bill and concerns raised by other committees and individual Members. The end result of this effort is a solid bill that ensures vigorous congressional oversight and provides needed authorities to the intelligence community.

Of course, the vast majority of what the committee authorized is classified, so I cannot discuss specifics. I can say that the classified annex is designed to improve the operations of the intelligence community—from counterterrorism and counterproliferation to the wars in Afghanistan and Iraq and everything in between.

This bill also implements fiscal discipline. Difficult economic times demand austerity, but cuts in this bill are specific and targeted to eliminate waste while preserving the critical work the intelligence community does to protect our country.

In the unclassified area—and one of great importance to me—we reached an agreeable compromise with the Administration that gives the committee the information we need about the transfer of Guantanamo Bay detainees. As the recidivism rate among former detainees rises over 27 percent, it is critical that the committee have full insight into the transfer and resettlement process. The vast majority of detainees are free when they are transferred, and this committee needs to know whether the countries charged with monitoring them are capable and willing to do so. Several provisions in this bill will help the committee do that.

The bill also addresses concerns from other committees with national security interests and from the House. As we go forward, I hope the committees of the Senate will do a better job of making sure that committees with

oversight of national security issues get the information they need, without automatic objections based on perceived jurisdictional lines. Too often, the intelligence committee includes other committees on receipt of reports or other products, but does not get the same treatment in return. That’s just not good for oversight or for fulfilling our responsibility to the American people.

I am also pleased that we were able to reach reasonable solutions for authorities requested by the intelligence community. The bill allows for the reimbursement of burial expenses for certain government employees who are killed as the result of hostile or terrorist activities or die in connection with a risky intelligence activity. In these difficult financial times, we worked hard to make sure that the provision is in line with benefits for the families of fallen soldiers and with the funeral costs generally paid by ordinary Americans. We also ensured that individuals in the same agency, like the FBI, are entitled to receive the same reimbursement. The bill also refines the administration of the CIA’s foreign language proficiency requirements and allows for more flexible personnel management by the Director of National Intelligence.

I thank Chairman FEINSTEIN for her hard work and leadership in getting this bill through the Senate. I also thank the committee staff for once again showing their dedication and commitment to protecting the national security of this country.

Mr. REID. Mr. President, I ask unanimous consent that the Feinstein substitute amendment, which is at the desk, be agreed to; the bill, as amended, be agreed to; the motions to reconsider be laid upon the table, with no further 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 amendment (No. 1463) was agreed to.

The amendment is printed in today’s RECORD under “Text of Amendments.”)

The amendment was ordered to be engrossed and the bill read a third time.

The bill (H.R. 1892), as amended, was read the third time and passed.

APPOINTMENT

THE PRESIDING OFFICER. The Chair announces, on behalf of the President pro tempore, pursuant to P.L. 110-315, the appointment of the following to be a member of the National Advisory Committee on Institutional Quality and Integrity: Ms. Jill Derby of Nevada, vice Daniel Klaich of Nevada.

ORDERS FOR THURSDAY, DECEMBER 15, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate

completes its business today, it adjourn until 9:30 a.m. on Thursday, December 15, 2011; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate proceed to executive session, under the previous order.

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

MEASURE PLACED ON THE CALENDAR—H.R. 3630

Mr. REID. Mr. President, I understand that H.R. 3630 is at the desk and due for a second reading.

The PRESIDING OFFICER. The clerk will report the bill by title for the second time.

The bill clerk read as follows:

A bill (H.R. 3630) to provide incentives for the creation of jobs, and for other purposes.

Mr. REID. I now object to any further proceedings at this time.

The PRESIDING OFFICER. Objection is heard. The bill will be placed on the calendar.

PROGRAM

Mr. REID. Mr. President, we expect to consider the DOD authorization conference report tomorrow. We also expect to consider the House Republican payroll tax cut bill or some version thereof.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. 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 8:10 p.m., adjourned until Thursday, December 15, 2011, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 14, 2011:

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) BARRY L. BRUNER
REAR ADM. (LH) JERRY K. BURROUGHS
REAR ADM. (LH) JAMES D. CLOYD
REAR ADM. (LH) MICHAEL T. FRANKEN
REAR ADM. (LH) BRADLEY R. GEHRKE
REAR ADM. (LH) ROBERT P. GIRRIER
REAR ADM. (LH) PAUL A. GROSKLAGS
REAR ADM. (LH) SINCLAIR M. HARRIS
REAR ADM. (LH) MARGARET D. KLEIN
REAR ADM. (LH) RICHARD B. LANDOLT