

were referred to the Committee on the Judiciary.

(The nomination received today is printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 2:18 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. 2279. An act to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. INOUE).

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 1249. An act to amend title 35, United States Code, to provide for patent reform.

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-48. A joint memorial adopted by the Legislature of the State of New Mexico requesting Congress allow for payments from both the survivor benefit plan and the dependency and indemnity compensation; to the Committee on Armed Services.

HOUSE JOINT MEMORIAL NO. 1

Whereas, the legislature recognizes the pain and suffering of military widows and widowers whose spouses have died on the battlefield or through other service to the United States of America; and

Whereas, this nation has an obligation to care for its military widows and widowers; and

Whereas, military widows and widowers are unfairly deprived of monetary benefits from the survivor benefit plan, which their military spouses purchased and earned, when they receive dependency and indemnity compensation payments from the federal department of veterans affairs; and

Whereas, survivor benefit plan payments are reduced by the amount of the payments received from the dependency and indemnity compensation; and

Whereas, that reduction does not apply to veterans or military retirees employed as federal government civil servants enrolled in the civil service survivor benefit plan; and

Whereas, often the dependency and indemnity compensation payment completely offsets the survivor benefit plan payment; and

Whereas, many military widows and widowers are elderly and live on a fixed income and are in need of payments from both the survivor benefit plan and the dependency and indemnity compensation; and

Whereas, a federal court of appeals decision will require the department of defense to eliminate the dependency and indemnity compensation offset for widows and widowers who remarry at or after the age of fifty-seven; and

Whereas, President Abraham Lincoln committed this nation "to care for him who shall have borne the battle and for his widow and his orphan": Now, therefore, be it

Resolved by the Legislature of the State of New Mexico, That the United States congress be requested to allow for payments from both the survivor benefit plan and the dependency and indemnity compensation; and be it further

Resolved, That copies of this memorial be transmitted to the president of the United States, the speaker of the United States house of representatives, the president of the United States Senate and the New Mexico congressional delegation.

POM-49. A joint memorial adopted by the Legislature of the State of New Mexico requesting Congress expedite the passage of legislation and appropriations to enact the necessary funding for the reclamation of abandoned uranium mines and the remediation of uranium mill tailings; to the Committee on Energy and Natural Resources.

HOUSE MEMORIAL

Whereas, the Grants mineral belt, situated between Gallup and the Pueblo of Laguna in New Mexico, contains one of the world's richest uranium deposits; and

Whereas, dating back to the 1940s, states such as New Mexico mined uranium for the benefit of the atomic energy commission and the federal government's nuclear weapons program; and

Whereas, beginning in the 1950s and 1960s, private companies began extensive exploration, mining and milling activities related to the uranium deposits located in the Grants mineral belt on private, state, federal and tribal lands; and

Whereas, these activities continued through the 1990s, resulting in the mining and milling of more than one hundred seventy-five thousand tons of uranium ore from lands located in New Mexico; and

Whereas, unremediated contamination resulting from past uranium exploration, mining and milling activities constitutes a continuing threat to the health and well-being of residents of northwestern New Mexico; and

Whereas, state and federal studies have repeatedly shown that surface water, ground water and soils were and remain contaminated by past uranium mining and milling activities; and

Whereas, the federal government and others have direct responsibility to provide funding, both for the initial surveying of these mines and for potential subsequent reclamation and remediation where warranted; and

Whereas, the Surface Mining Control and Reclamation Act of 1977 is a federal law that mandates a reclamation fee on each ton of coal produced in the country, and Title IV of that act provides for abandoned mine reclamation; and

Whereas, in 2006, the United States congress passed amendments to Title IV of the Surface Mining Control and Reclamation Act of 1977, providing that the funds collected from the reclamation fees will now go directly to the states rather than be appropriated by congress, and those amendments limit uncertified states, such as New Mexico, from using the funds available through the Surface Mining Control and Reclamation Act of 1977 for non-coal mine reclamation; and

Whereas, H.R. 785, introduced in the United States House of Representatives, would address the need for uncertified states to use Surface Mining Control and Reclamation Act of 1977 funding for non-coal mine reclamation; and

Whereas, under the Uranium Mill Tailings Radiation Control Act of 1978, which established two programs, the United States department of energy is charged with completing surface reclamation at inactive uranium mill tailings piles; and

Whereas, various federal agencies were made aware of the tremendous need for the uranium legacy cleanup in the Grants mineral belt by the uranium mining and tailings task force established by the New Mexico legislative council in 2009, and the agencies have since made the uranium legacy cleanup in the Grants mineral belt a high priority; and

Whereas, as a result of the activities of the uranium mining and tailings task force, the United States environmental protection agency, specifically region six, took the lead to coordinate various federal, state and tribal agencies to be responsible for the uranium legacy cleanup and for publishing a multi-agency, five-year plan to address the uranium legacy cleanup; and

Whereas, New Mexico regulates uranium mining and milling activities through the department of environment and the energy, minerals and natural resources department; and

Whereas, the department of environment and the mining and minerals division of the energy, minerals and natural resources department have entered into cooperative agreements with various federal agencies to address the uranium legacy cleanup; and

Whereas, funding is a major limitation to completing the reclamation of abandoned uranium mines and the remediation of uranium mill tailings in the Grants mineral belt: Now, therefore, be it

Resolved by the House of Representatives of the State of New Mexico, That congress be requested to expedite the passage of legislation and appropriations to enact the necessary funding for the reclamation of abandoned uranium mines and the remediation of uranium mill tailings; and be it further

Resolved, That the department of environment and the energy, minerals and natural resources department report on any funding received from the federal government and other sources since 2009 that may be used for the uranium legacy cleanup and that the departments provide a detailed presentation on the specific standards used to determine the expenditures of federal funds by November 1, 2011 to the appropriate interim legislative committee; and be it further

Resolved, That copies of this memorial be transmitted to the director of the superfund division of region six of the United States environmental protection agency, the secretary of environment, the secretary of energy, minerals and natural resources, the speaker of the United States house of representatives, the president pro tempore of the United States senate and the New Mexico congressional delegation.

POM-50. A memorial adopted by the Legislature of the State of New Mexico urging the President to consult with state and local interests, tribes and other interested parties when designating national monuments; to the Committee on Energy and Natural Resources.

HOUSE MEMORIAL

Whereas, the federal Antiquities Act of 1906 authorizes the president of the United States to designate as national monuments "historic landmarks, historic and prehistoric structures and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States" in the state of New Mexico and elsewhere; and

Whereas, the president has previously exercised this authority to protect some of New

Mexico's most cherished and significant places, including Chaco canyon, Carlsbad caverns and White Sands national monument; and

Whereas, the state probably contains additional sites on federal land that meet the criteria for national monument designation; and

Whereas, the residents of New Mexico have a clear and compelling interest in how federal lands in the state are managed; and

Whereas, the federal Antiquities Act of 1906 requires national monument lands to be "confined to the smallest area compatible with proper care and management of the objects to be protected" and necessary to preserve and protect the historical sites or objects; and

Whereas, the residents of New Mexico wholeheartedly embrace the opportunity to engage constructively and participate in identifying and recommending sites and boundaries of potential national monument designations; and

Whereas, the president of the United States should recognize and take steps to ensure the interests of the residents of New Mexico in the process of designation of national monuments in the state; and

Whereas, sustainable land management and conservation policies are best developed and administered with local government and community support and commitment to those policies: Now, therefore, be it

Resolved by the House of Representatives of the State of New Mexico, That it request formal consultation and coordination among the president of the United States, the governor of New Mexico, the New Mexico congressional delegation, the New Mexico legislature, local officials and interested conservation, industry, Indian nations, tribes or pueblos and user groups ensuring transparency and open public participation prior to any designation of national monuments in New Mexico; and, be it further

Resolved, That copies of this memorial be transmitted to the president of the United States, the secretary of the interior, the president pro tempore of the United States senate, the speaker of the United States house of representatives and members of the New Mexico congressional delegation.

POM-51. A memorial adopted by the Legislature of the State of New Mexico urging Congress to reauthorize the Water Resources Development Act of 2007, Section 5065, and to appropriate sufficient funds to investigate and address salinity sources affecting water quality in the Pecos River; to the Committee on Environment and Public Works.

HOUSE MEMORIAL

Whereas, the Pecos river is a tributary of the Rio Grande that flows between New Mexico and Texas; and

Whereas, the Pecos river is known for its naturally high salinity, but as human needs and environmental concerns relating to the river continue to increase, the adverse economic and environmental impacts of the river's naturally high salinity have become a much greater issue; and

Whereas, much of the natural salinity in the Pecos river enters the river in localized areas where geologic brines from ancient salt-bearing formations naturally discharge to the surface, which presents an opportunity for engineered solutions to intercept such brines before they enter the Pecos river; and

Whereas, the Pecos River Compact between Texas and New Mexico provides that "New Mexico and Texas shall cooperate with agencies of the United States to devise and effectuate means of alleviating the salinity conditions of the Pecos river"; and

Whereas, congress began that process by enacting Section 729 of the Water Resources Development Act of 1986 and by developing a program in Section 5056 of the Water Resources Development Act of 2007 that directs the secretary of the army to rehabilitate and enhance fish and wildlife habitats and to implement long-term monitoring, data collection and analysis, applied research and adaptive management within the Rio Grande basin; and

Whereas, a successful technical program to identify salinity sources and potential remedies on the Rio Grande in the New Mexico-Texas border region has been underway since 2008, under Section 729 of the Water Resources Development Act of 1986; and

Whereas, it is imperative that funding and continuing authority for Section 5056 of the Water Resources Development Act of 2007, which is set to expire in 2011, be reenacted so that efforts to address salinity issues in the Rio Grande and its tributaries can continue: Now therefore, be it

Resolved by the House of Representatives of the State of New Mexico, That congress be requested to reauthorize Section 5056 of the Water Resources Development Act of 2007 and to appropriate sufficient funds to carry out work related to that legislation; and be it further

Resolved, That copies of this memorial be transmitted to the president of the United States, the speaker of the United States house of representatives, the president of the United States senate and the members of the New Mexico congressional delegation.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mrs. FEINSTEIN for the Select Committee on Intelligence.

*David H. Petraeus, of New Hampshire, to be Director of the Central Intelligence Agency.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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. DURBIN (for himself, Mr. SANDERS, Mr. MERKLEY, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. LEAHY, Mr. KERRY, Mrs. GILLIBRAND, Mr. COONS, Mr. AKAKA, and Mr. LAUTENBERG):

S. 1283. A bill to amend the Family and Medical Leave Act of 1993 to permit leave to care for a same-sex spouse, domestic partner, parent-in-law, adult child, sibling, grandchild, or grandparent who has a serious health condition; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN:

S. 1284. A bill to amend the National Flood Insurance Act of 1968 to require the Administrator of the Federal Emergency Management Agency to consider reconstruction and improvement of flood protection systems when establishing flood insurance rates; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KOHL (for himself and Mr. BLUNT):

S. 1285. A bill to amend the Internal Revenue Code of 1986 to extend and modify the

credit for new qualified hybrid motor vehicles, and for other purposes; to the Committee on Finance.

By Mr. CASEY (for himself and Mr. BROWN of Ohio):

S. 1286. A bill to extend trade adjustment assistance, and for other purposes; to the Committee on Finance.

By Mr. DEMINT (for himself, Mr. LEE, and Mr. PAUL):

S. 1287. A bill to treat gold and silver coins used as legal tender in the same manner as United States currency for taxation purposes; to the Committee on Finance.

By Mr. ROBERTS (for himself, Mr. NELSON of Nebraska, Mr. MORAN, and Mr. JOHANNES):

S. 1288. A bill to exempt certain class A CDL drivers from the requirement to obtain a hazardous material endorsement while operating a service vehicle with a fuel tank containing 3,785 liters (1,000 gallons) or less of diesel fuel; to the Committee on Commerce, Science, and Transportation.

By Mr. CARPER (for himself and Mrs. BOXER):

S. 1289. A bill to amend the Internal Revenue Code of 1986 to reduce the tax gap, and for other purposes; to the Committee on Finance.

By Mr. TOOMEY:

S. 1290. A bill to impose discretionary and certain mandatory spending caps and correct the fiscal recklessness of 2001 through 2011; to the Committee on the Budget.

By Ms. KLOBUCHAR (for herself and Mr. JOHNSON of South Dakota):

S. 1291. A bill to amend the Internal Revenue Code of 1986 to provide a renewable electricity integration credit for a utility that purchases or produces renewable power; to the Committee on Finance.

By Mrs. MCCASKILL (for herself, Mr. DURBIN, Mr. KIRK, and Mr. BLUNT):

S.J. Res. 22. A joint resolution to grant the consent of Congress to an amendment to the compact between the States of Missouri and Illinois providing that bonds issued by the Bi-State Development Agency may mature in not to exceed 40 years; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 20

At the request of Mr. HATCH, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Kentucky (Mr. PAUL) were added as cosponsors of S. 20, a bill to protect American job creation by striking the job-killing Federal employer mandate.

S. 48

At the request of Mr. INOUE, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from North Dakota (Mr. CONRAD) were added as cosponsors of S. 48, a bill to amend the Public Health Service Act to provide for the participation of pharmacists in National Health Services Corps programs, and for other purposes.

S. 164

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 164, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 248

At the request of Mr. WYDEN, the name of the Senator from Virginia (Mr.