

PN942 ARMY nomination of Hyun S. Sim, which was received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN943 ARMY nomination of Olga Betancourt, which was received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN944 ARMY nomination of Michael C. Freidl, which was received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN945 ARMY nomination of Natacha L. Miller, which was received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN946 ARMY nomination of Benjamin D. Owen, which was received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN947 ARMY nominations (5) beginning HEIDI J. COX, and ending MARK A. RICH, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN948 ARMY nominations (4) beginning COLIN A. BITTERFIELD, and ending ANDREAS W. WOOTEN, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN949 ARMY nominations (26) beginning RICHARD J. ALLINGER, and ending MARGARET A. YOUNGBLOOD, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN950 ARMY nominations (8) beginning BRIAN R. BENJAMIN, and ending MARK D. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN951 ARMY nominations (11) beginning TERESE B. ACOCELLA, and ending GARY L. WILLIAMSON, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN952 ARMY nominations (51) beginning MICHAEL D. ALPERIN, and ending DAVID S. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN953 ARMY nominations (19) beginning CLAYTON T. ABE, and ending TERRENCE A. SMITH, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN954 ARMY nominations (6) beginning GEORGE V. HANKEWYCZ, and ending HENRY K. THOMAS, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN955 ARMY nominations (15) beginning JOHN F. BOWLEY, and ending MAUREEN E. WEBER, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN972 ARMY nomination of Kelly A. Cricks, which was received by the Senate and appeared in the Congressional Record of September 15, 2011.

PN973 ARMY nomination of Damian G. McCabe, which was received by the Senate and appeared in the Congressional Record of September 15, 2011.

PN974 ARMY nomination of John R. Pendergrass, which was received by the Senate and appeared in the Congressional Record of September 15, 2011.

PN975 ARMY nominations (3) beginning ROBERT D. BLACK, and ending TRUDY A. SALERNO, which nominations were received by the Senate and appeared in the Congressional Record of September 15, 2011.

PN976 ARMY nominations (4) beginning JAMES A. CHRISTENSEN, and ending KATHLEEN A. WILLIAMS, which nominations

were received by the Senate and appeared in the Congressional Record of September 15, 2011.

PN977 ARMY nominations (7) beginning MATTHEW J. CONDE, and ending VICTOR M. PALOMARES, which nominations were received by the Senate and appeared in the Congressional Record of September 15, 2011.

PN978 ARMY nominations (34) beginning LEE A. ADAMS, and ending MARK A. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of September 15, 2011.

PN979 ARMY nominations (3) beginning KATHIE S. CLARK, and ending NANCY L. MCLAUGHLIN, which nominations were received by the Senate and appeared in the Congressional Record of September 15, 2011.

PN980 ARMY nominations (8) beginning LYNN R. GAYLORD, and ending VICKI L. NOLIN, which nominations were received by the Senate and appeared in the Congressional Record of September 15, 2011.

PN981 ARMY nominations (3) beginning NATHAN W. BLACK, and ending TROY G. DANDERSON, which nominations were received by the Senate and appeared in the Congressional Record of September 15, 2011.

#### IN THE MARINE CORPS

PN237 MARINE CORPS nominations (610) beginning PAUL M. ABOUD, and ending RICHARD M. ZJAWIN, which nominations were received by the Senate and appeared in the Congressional Record of February 3, 2011.

PN936 MARINE CORPS nomination of John L. Hyatt, Jr., which was received by the Senate and appeared in the Congressional Record of September 8, 2011.

#### IN THE NAVY

PN372 NAVY nomination of Paul E. Schoenbucher, Jr., which was received by the Senate and appeared in the Congressional Record of March 30, 2011.

PN881 NAVY nomination of John N. Desverreaux, which was received by the Senate and appeared in the Congressional Record of August 2, 2011.

PN915 NAVY nomination of David D. Dinkins, which was received by the Senate and appeared in the Congressional Record of September 6, 2011.

PN933 NAVY nomination of Kevin J. Oliver, which was received by the Senate and appeared in the Congressional Record of September 8, 2011.

PN934 NAVY nominations (3) beginning MICHAEL FORTUNATO, and ending MATTHEW T. WELLOCK, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2011.

PN935 NAVY nominations (484) beginning JOSEPH H. ADAMS, II, and ending JEREMY S. YARBROUGH, which nominations were received by the Senate and appeared in the Congressional Record of September 8, 2011.

PN956 NAVY nominations (242) beginning DAMON M. ARMSTRONG, and ending MARISOL C. ZIEMBA, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN957 NAVY nominations (39) beginning JAMES P. ALDERETE, II, and ending SETH T. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN958 NAVY nominations (131) beginning SAAD M. ALAZIZ, and ending MICHAEL A. ZUNDEL, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN959 NAVY nominations (22) beginning MICHAEL W. BLOOMROSE, and ending CHRISTOPHER P. TOSCANO, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN960 NAVY nominations (131) beginning HECTOR ACEVEDO, and ending JAY ZULUETA, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN961 NAVY nominations (72) beginning JAVIER ARAUJO, and ending RAYMOND C. YAU, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN962 NAVY nominations (25) beginning THOMAS T. COOK, and ending LEROY C. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN963 NAVY nominations (36) beginning ADNAN S. AHSAN, and ending REBECCA L. WALDRAM, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

PN964 NAVY nominations (9) beginning FABIO O. AUSTRIA, JR., and ending DONNA L. SMOAK, which nominations were received by the Senate and appeared in the Congressional Record of September 14, 2011.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

#### AUTHORIZATION OF TESTIMONY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 282, submitted earlier today.

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

The clerk will report.

The assistant legislative clerk read as follows:

A resolution (S. Res. 282) to authorize testimony in *Kanelos v. Mohave, et al.*, and *Zanna, et al. v. Mohave County, et al.*

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

Mr. REID. Mr. President, this resolution concerns a request for testimony in related civil actions pending in Arizona Federal district court. In these actions, plaintiffs claim that Arizona local officials hosting a Senator McCain town hall meeting allegedly violated plaintiffs' rights by prohibiting their distribution of political literature at the meeting and subsequently enacting a policy limiting the use of county facilities to the conduct of official government business. The defendants have requested a declaration from a member of Senator McCain's staff who witnessed relevant events. Senator McCain would like to cooperate with this request. This resolution would authorize testimony in connection with these actions.

Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider laid upon the table, without any intervening action or debate, and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 282) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 282

Whereas, in the cases of *Kanelos v. County of Mohave*, et al., Civ. No. 10-8099 (D. Ariz.) and *Zanna, et al. v. Mohave County*, et al., Civ. No. 10-8149 (D. Ariz.), pending in federal district court in Arizona, the defendants have requested that a declaration be submitted by Gina Gormley, an employee of Senator John McCain;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it *Resolved*, That Gina Gormley is authorized to testify in the cases of *Kanelos v. County of Mohave*, et al. and *Zanna, et al. v. Mohave County* et al., except concerning matters for which a privilege should be asserted.

#### ORDERS FOR MONDAY, SEPTEMBER 26, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3:30 p.m., Monday, September 26; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have 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 period of morning business until 4:30 p.m., with Senators permitted to speak therein for up to 10 minutes each; and that following morning business, the Senate resume consideration of the motion to concur with respect to the House message to accompany H.R. 2608, which is the vehicle for the continuing resolution and the FEMA funding, with the time until 5:30 p.m. equally divided and controlled between the two leaders or their designees; further, that the second-degree filing deadline for the motion to concur be at 5 p.m. on Monday.

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

#### PROGRAM

Mr. REID. Mr. President, the next rollcall vote will be at 5:30 p.m. Monday on the motion to invoke cloture on the motion to concur in the House message to accompany H.R. 2608 with an amendment, which is basically a 6-week continuing resolution to fund the government, together with FEMA.

#### ADJOURNMENT UNTIL MONDAY, SEPTEMBER 26, 2011, AT 3:30 P.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that

the Senate adjourn under the previous order, with the understanding that the vote at 5:30 Monday will be continued more than the normal time, but people need to be reasonable. We cannot leave it open forever.

There being no objection, the Senate, at 3:59 p.m., adjourned until Monday, September 26, 2011, at 3:30 p.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MAURICE A. JONES, OF VIRGINIA, TO BE DEPUTY SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE RONALD C. SIMS, RETIRED.

##### DEPARTMENT OF THE TREASURY

MATTHEW S. RUTHERFORD, OF ILLINOIS, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE MARY JOHN MILLER.

#### DISCHARGED NOMINATIONS

The Senate Committee on Health, Education, Labor, and Pensions was discharged from further consideration of the following nominations by unanimous consent and the nominations were confirmed:

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING WITH AYSHA Z. AKHTAR AND ENDING WITH MYKAH N. WYNTER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 8, 2011.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate September 23, 2011:

##### DEPARTMENT OF DEFENSE

ASHTON B. CARTER, OF MASSACHUSETTS, TO BE DEPUTY SECRETARY OF DEFENSE.

##### IN THE AIR FORCE

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

*To be brigadier general*

COL. TIMOTHY J. LEAHY

##### IN THE NAVY

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

*To be rear admiral (lower half)*

CAPT. REBECCA J. MCCORMICK-BOYLE

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

*To be rear admiral (lower half)*

CAPT. RAQUEL C. BONO

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. JAN-MARC JOUAS

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE SURGEON GENERAL, UNITED STATES ARMY, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 3036:

*To be lieutenant general*

MAJ. GEN. PATRICIA D. HOROHO

##### IN THE NAVY

THE FOLLOWING NAMED OFFICER 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) DOUGLAS J. VENLET

THE FOLLOWING NAMED OFFICER 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) DAVID C. JOHNSON

THE FOLLOWING NAMED OFFICER 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) DONALD E. GADDIS

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

*To be rear admiral (lower half)*

CAPT. MARK R. WHITNEY

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

*To be rear admiral (lower half)*

CAPT. CINDY L. JAYNES

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. JUDITH A. FEDDER

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. MICHAEL T. FLYNN

##### IN THE AIR FORCE

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

*To be major general*

BRIG. GEN. SCOTT M. HANSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

MAJ. GEN. CLYDE D. MOORE II

##### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be admiral*

VICE ADM. CECIL E. D. HANEY

##### IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be brigadier general*

COL. ROBERT F. THOMAS

##### IN THE AIR FORCE

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

*To be major general*

BRIG. GEN. ALLYSON R. SOLOMON

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

*To be brigadier general*

COL. GARY W. KEEFE

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

*To be brigadier general*

COLONEL FREDERIK G. HARTWIG  
COLONEL DONALD L. JOHNSON  
COLONEL KENNETH W. WISLAN

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

*To be major general*

BRIGADIER GENERAL JOSEPH G. BALSUKS