

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District and Imperial County Air Pollution Control District" (FRL No. 9479-3) received in the Office of the President of the Senate on November 1, 2011; to the Committee on Environment and Public Works.

EC-3784. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; North Dakota; Revisions to the Air Pollution Control Rules" (FRL No. 9486-2) received in the Office of the President of the Senate on November 1, 2011; to the Committee on Environment and Public Works.

EC-3785. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Addition of the Cook Islands to the List of Nations Entitled to Special Tonnage Tax Exemption" (CBP Dec. 11-21) received in the Office of the President of the Senate on November 1, 2011; to the Committee on Finance.

EC-3786. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "United States-Peru Trade Promotion Agreement" (RIN1515-AD79) received in the Office of the President of the Senate on November 1, 2011; to the Committee on Finance.

EC-3787. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Medicare Part B Monthly Actuarial Rates, Premium Rate, and Annual Deductible Beginning January 1, 2012" (RIN0938-AQ16) received in the Office of the President of the Senate on November 2, 2011; to the Committee on Finance.

EC-3788. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Part A Premiums for Calendar Year 2012 for the Uninsured Aged and for Certain Disabled Individuals Who Have Exhausted Other Entitlement" (RIN0938-AQ15) received in the Office of the President of the Senate on November 2, 2011; to the Committee on Finance.

EC-3789. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Final Waivers in Connection With the Shared Savings Program" (RIN0938-AR30) received in the Office of the President of the Senate on November 2, 2011; to the Committee on Finance.

EC-3790. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; End-Stage Renal Disease Prospective Payment System and Quality Incentive Program; Ambulance Fee Schedule; Durable Medical Equipment; and Competitive Acquisition of Certain Durable Medical Equipment, Prosthetics, Orthotics and Supplies" (RIN0938-AQ27) received in the Office of the President of the Senate on November 2, 2011; to the Committee on Finance.

EC-3791. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Inpatient Hospital Deductible and Hospital and Extended Care Services Co-insurance Amounts for Calendar Year 2012" (RIN0938-AQ14) received in the Office of the President of the Senate on November 2, 2011; to the Committee on Finance.

EC-3792. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Home Health Prospective Payment System Rate Update for Calendar Year 2012" (RIN0938-AQ30) received in the Office of the President of the Senate on November 2, 2011; to the Committee on Finance.

EC-3793. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Medicare Shared Savings Program; Accountable Care Organization" (RIN0938-AQ22) received in the Office of the President of the Senate on November 2, 2011; to the Committee on Finance.

EC-3794. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program: Payment Policies Under the Physician Fee Schedule, Five-Year Review of Work Relative Value Units, Clinical Laboratory Fee Schedule: Signature on Requisition, and Other Revisions to Part B for Calendar Year 2012" (RIN0938-AQ25 and RIN0938-AQ00) received in the Office of the President of the Senate on November 2, 2011; to the Committee on Finance.

EC-3795. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and Medicaid Programs: Hospital Outpatient Prospective Payment; Ambulatory Surgical Center Payment; Hospital Value-Based Purchasing Program; Physician Self-Referral; and Patient Notification Requirements in Provider Agreements" (RIN0938-AQ26) received in the Office of the President of the Senate on November 2, 2011; to the Committee on Finance.

EC-3796. A communication from the Department of State, transmitting, pursuant to law, a report relative to U.S. Assistance for the Government of Ukraine (DCN OSS-2011-1727); to the Committee on Foreign Relations.

EC-3797. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to recent Global Fund audit information, commitment and disbursement data, and a summary of the recipient and sub-recipient expenditures as reported to the United States Government; to the Committee on Foreign Relations.

EC-3798. A communication from the Chairman of the National Council on Disability, transmitting, pursuant to law, a report entitled "National Disability Policy: A Progress Report"; to the Committee on Health, Education, Labor, and Pensions.

EC-3799. A communication from the Chairman of the National Council on Disability, transmitting, pursuant to law, a report entitled "The Power of Digital Inclusion: Technology's Impact on Employment and Opportunities for People with Disabilities"; to the Committee on Health, Education, Labor, and Pensions.

EC-3800. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to waiving or partially waiving Section 404(a) of the Child Soldiers Prevention Act of 2008 with respect to Yemen, the Democratic Republic of the Congo, and Chad; to the Committee on the Judiciary.

EC-3801. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Fiscal Year 2010 Annual Report to Congress for the Office of Justice Programs; to the Committee on the Judiciary.

EC-3802. A communication from the Deputy Assistant Administrator of the Office of Diversion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Temporary Placement of Three Synthetic Cathinones Into Schedule I" (Docket No. DEA-357) received during recess of the Senate in the Office of the President of the Senate on October 24, 2011; to the Committee on the Judiciary.

EC-3803. A communication from the Chair, U.S. Sentencing Commission, transmitting, pursuant to law, a report entitled "Mandatory Minimum Penalties in the Federal Criminal Justice System"; to the Committee on the Judiciary.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 75. A bill to restore the rule that agreements between manufacturers and retailers, distributors, or wholesalers to set the minimum price below which the manufacturer's product or service cannot be sold violates the Sherman Act.

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment in the nature of a substitute:

S. 1487. A bill to authorize the Secretary of Homeland Security, in coordination with the Secretary of State, to establish a program to issue Asia-Pacific Economic Cooperation Business Travel Cards, and for other purposes.

By Mr. ROCKEFELLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1759. A bill to facilitate the hosting in the United States of the 34th America's Cup by authorizing certain eligible vessels to participate in activities related to the competition.

## EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Stephanie Dawn Thacker, of West Virginia, to be United States Circuit Judge for the Fourth Circuit.

Michael Walter Fitzgerald, of California, to be United States District Judge for the Central District of California.

Ronnie Abrams, of New York, to be United States District Judge for the Southern District of New York.

Rudolph Contreras, of Virginia, to be United States District Judge for the District of Columbia.

Miranda Du, of Nevada, to be United States District Judge for the District of Nevada.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### 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. GRASSLEY (for himself and Mr. JOHANNIS):

S. 1795. A bill to require the Corps of Engineers to revise the Missouri River Mainstem Reservoir System Master Water Control Manual to ensure greater storage capacity to prevent serious downstream flooding; to the Committee on Environment and Public Works.

By Mr. PRYOR (for himself and Mr. ISAKSON):

S. 1796. A bill to make permanent the Internal Revenue Service Free File program; to the Committee on Finance.

By Mr. MERKLEY:

S. 1797. A bill to amend title 23, United States Code, to permit as part of certain highway projects the installation of charging infrastructure for plug-in electric drive vehicles; to the Committee on Environment and Public Works.

By Mr. UDALL of New Mexico (for himself, Mr. CORKER, Mrs. MCCASKILL, Mr. BINGAMAN, Mr. SCHUMER, Mr. NELSON of Florida, Mr. UDALL of Colorado, and Mr. ALEXANDER):

S. 1798. A bill to direct the Secretary of Veterans Affairs to establish an open burn pit registry to ensure that members of the Armed Forces who may have been exposed to toxic chemicals and fumes caused by open burn pits while deployed to Afghanistan or Iraq receive information regarding such exposure, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TESTER (for himself, Mr. WYDEN, Mr. BEGICH, and Mr. PRYOR):

S. 1799. A bill to amend title 38, United States Code, to provide for certain requirements relating to the immunization of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PAUL:

S. 1800. A bill to prohibit the use of Federal funds for any universal or mandatory mental health screening program; to the Committee on Health, Education, Labor, and Pensions.

By Ms. SNOWE:

S. 1801. A bill to amend the Internal Revenue Code of 1986 to extend certain provisions of the Creating Small Business Jobs Act of 2010, and for other purposes; to the Committee on Finance.

By Mr. UDALL of Colorado (for himself, Mrs. GILLIBRAND, Mr. MERKLEY, and Mr. BENNET):

S. 1802. A bill to authorize the Secretary of the Interior to carry out programs and activities that connect Americans, especially children, youth, and families, with the outdoors; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MCCASKILL:

S. 1803. A bill to amend the Clean Air Act to limit Federal regulation of nuisance dust in areas in which that dust is regulated under State, tribal, or local law, to establish a prohibition against revising any national ambient air quality standard applicable to nuisance dust, and for other purposes; to the Committee on Environment and Public Works.

By Mr. REED (for himself, Mr. DURBIN, Mr. WHITEHOUSE, Mr. LEVIN, and Mr. MERKLEY):

S. 1804. A bill to amend title IV of the Supplemental Appropriations Act, 2008 to provide for the continuation of certain unemployment benefits, and for other purposes; to the Committee on Finance.

By Mr. JOHANNIS:

S. 1805. A bill to prohibit the Administrator of the Environmental Protection Agency from rejecting or otherwise determining to be inadequate a State implementation plan in any case in which the State submitting the plan has not been given a reasonable time to develop and submit the plan in accordance with a certain provision of the Clean Air Act; to the Committee on Environment and Public Works.

By Mrs. BOXER (for herself, Mr. BEGICH, and Mr. MERKLEY):

S. 1806. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate overpayments of tax as contributions to the homeless veterans assistance fund; to the Committee on Veterans' Affairs.

By Mr. BINGAMAN:

S. 1807. A bill to amend the Federal Non-nuclear Energy Research and Development Act of 1974 to provide for the prioritization, coordination, and streamlining of energy research, development, and demonstration programs to meet current and future energy needs, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. COONS (for himself and Mr. GRAHAM):

S. 1808. A bill to amend the Immigration and Nationality Act to toll, during active-duty service abroad in the Armed Forces, the periods of time to file a petition and appear for an interview to remove the conditional basis for permanent resident status, and for other purposes; to the Committee on the Judiciary.

By Mr. KERRY:

S. 1809. A bill to amend the Public Health Service Act to revise and extend the program for viral hepatitis surveillance, education, and testing in order to prevent deaths from liver cancer, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Ms. MIKULSKI (for herself and Ms. COLLINS):

S. Res. 310. A resolution designating 2012 as the "Year of the Girl" and Congratulating Girl Scouts of the USA on its 100th anniversary; to the Committee on the Judiciary.

By Mr. SCHUMER:

S. Res. 311. A resolution to authorize the printing of a collection of the rules of the committees of the Senate; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 91

At the request of Mr. WICKER, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 91, a bill to implement equal protection under the 14th article of amendment to the Constitution for the right to life of each born and unborn human person.

S. 299

At the request of Mr. PAUL, the name of the Senator from Maine (Ms. SNOWE)

was added as a cosponsor of S. 299, a bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

S. 412

At the request of Mr. LEVIN, the names of the Senator from Alaska (Mr. BEGICH) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 412, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 700

At the request of Ms. KLOBUCHAR, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 700, a bill to amend the Internal Revenue Code of 1986 to permanently extend the treatment of certain farming business machinery and equipment as 5-year property for purposes of depreciation.

S. 704

At the request of Mr. WYDEN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 704, a bill to provide for duty-free treatment of certain recreational performance outerwear, and for other purposes.

S. 707

At the request of Mr. DURBIN, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 707, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 720

At the request of Mr. THUNE, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 720, a bill to repeal the CLASS program.

S. 752

At the request of Mrs. FEINSTEIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 752, a bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner.

S. 829

At the request of Mr. CARDIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 829, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 1002

At the request of Mr. CORNYN, his name was added as a cosponsor of S. 1002, a bill to prohibit theft of medical products, and for other purposes.

S. 1251

At the request of Mr. CARPER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1251, a bill to amend title XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs.