

LEGISLATIVE SESSION

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

UNANIMOUS CONSENT AGREE—
MENT—EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that at a time to be determined by the majority leader, after consultation with the Republican leader, the Senate proceed to executive session to consider Calendar No. 405; that there be 15 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on Calendar No. 405; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

UINTAH WATER CONSERVANCY
DISTRICT PREPAYMENT ACT

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to Calendar No. 211.

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

The legislative clerk read as follows:

A bill (H.R. 818) to direct the Secretary of the Interior to allow for prepayment of repayment contracts between the United States and the Uintah Water Conservancy District.

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

Mr. REID. I ask unanimous consent the bill be read a third time, passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The bill (H.R. 818) was ordered to a third reading, was read the third time, and passed.

ASIA-PACIFIC ECONOMIC COOPERATION
BUSINESS TRAVEL
CARDS ACT OF 2011

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to S. 1487, Calendar No. 216.

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

The legislative clerk read as follows:

A bill (S. 1487) 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.

There being no objection, the Senate proceeded to consider the bill, which had been reported by the Committee on Homeland Security and Governmental

Affairs, with an amendment to strike out all after the enacting clause and insert the following:

S. 1487

SECTION 1. SHORT TITLE.

This Act may be cited as the "Asia-Pacific Economic Cooperation Business Travel Cards Act of 2011".

SEC. 2. ASIA-PACIFIC ECONOMIC COOPERATION
BUSINESS TRAVEL CARDS.

(a) *IN GENERAL.—During the 7-year period ending on September 30, 2018, the Secretary of Homeland Security, in coordination with the Secretary of State, is authorized to issue Asia-Pacific Economic Cooperation Business Travel Cards (referred to in this section as "ABT Cards") to any eligible person, including business leaders and United States Government officials who are actively engaged in Asia-Pacific Economic Cooperation business. An individual may not receive an ABT Card under this section unless the individual has been approved and is in good standing in an international trusted traveler program of the Department of Homeland Security.*

(b) *INTEGRATION WITH EXISTING TRAVEL PROGRAMS.—The Secretary of Homeland Security may integrate application procedures for, and issuance, suspension, and revocation of, ABT Cards with other appropriate international trusted traveler programs of the Department of Homeland Security.*

(c) *COOPERATION WITH PRIVATE ENTITIES.—In carrying out this section, the Secretary of Homeland Security may consult with appropriate private sector entities.*

(d) *RULEMAKING.—The Secretary of Homeland Security, in coordination with the Secretary of State, may prescribe such regulations as may be necessary to carry out this section, including regulations regarding conditions of or limitations on eligibility for an ABT Card.*

(e) *FEE.—*

(1) *IN GENERAL.—The Secretary of Homeland Security may—*

(A) *prescribe and collect a fee for the issuance of ABT Cards; and*

(B) *adjust such fee to the extent the Secretary determines to be necessary to comply with paragraph (2).*

(2) *LIMITATION.—The Secretary of Homeland Security shall ensure that the total amount of the fees collected under paragraph (1) during any fiscal year is sufficient to offset the direct and indirect costs associated with carrying out this section during such fiscal year, including the costs associated with establishing the program.*

(3) *ACCOUNT FOR COLLECTIONS.—There is established in the Treasury of the United States an "APEC Business Travel Card Account" into which the fees collected under paragraph (1) shall be deposited as offsetting receipts.*

(4) *USE OF FUNDS.—Amounts deposited into the APEC Business Travel Card Account—*

(A) *shall be credited to the appropriate account of the Department of Homeland Security for expenses incurred in carrying out this section; and*

(B) *shall remain available until expended.*

(f) *TERMINATION OF PROGRAM.—The Secretary of Homeland Security, in coordination with the Secretary of State, may terminate activities under this section if the Secretary of Homeland Security determines such action to be in the interest of the United States.*

Mr. REID. I ask unanimous consent the committee-reported substitute be agreed to, the bill, as amended, be read a third time, passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 1487), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

AMERICA'S CUP ACT OF 2011

Mr. REID. I now ask unanimous consent the Senate proceed to Calendar No. 218, S. 1759.

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

The legislative clerk read as follows:

A bill (S. 1759) 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.

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

Mr. REID. I ask the Feinstein amendment at the desk be agreed to, the bill as amended be read a third time and passed, the motion to reconsider be made and laid upon the table, and any statements be printed in the RECORD.

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

The amendment (No. 923) was agreed to, as follows:

(Purpose: To authorize issuance of certificates of documentation authorizing certain vessels to engage in coastwise trade in the carriage of natural gas)

At the end, add the following:

SEC. 7. VESSEL DOCUMENTATION EXEMPTION.

(a) *IN GENERAL.—Notwithstanding sections 12112 and 12132 and chapter 551 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation with a coastwise endorsement for each of the following vessels:*

(1) *LNG GEMINI (United States official number 595752).*

(2) *LNG LEO (United States official number 595753).*

(3) *LNG VIRGO (United States official number 595755).*

(b) *LIMITATION ON OPERATION.—Coastwise trade authorized under subsection (a) shall be limited to carriage of natural gas, as that term is defined in section 3(13) of the Deepwater Port Act of 1974 (33 U.S.C. 1502(13)).*

(c) *TERMINATION OF EFFECTIVENESS OF ENDORSEMENTS.—The coastwise endorsement issued under subsection (a) for a vessel shall expire on the date of the sale of the vessel by the owner of the vessel on the date of enactment of this Act to a person who is not related by ownership or control to such owner.*

SEC. 8. OPERATION OF DRY DOCK IN KETCHIKAN,
ALASKA.

A vessel transported in Dry Dock #2 (State of Alaska registration AIDEA FDD-2) is not merchandise for purposes of section 55102 of title 46, United States Code, if, during such transportation, Dry Dock #2 remains connected by a utility or other connecting line to pierside moorage located in Ketchikan, Alaska.

The bill (S. 1759), as amended, was ordered to be engrossed for a third reading, was read the third time and passed, as follows:

S. 1759

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “America’s Cup Act of 2011”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **34TH AMERICA’S CUP.**—The term “34th America’s Cup”—

(A) means the sailing competitions, commencing in 2011, to be held in the United States in response to the challenge to the defending team from the United States, in accordance with the terms of the America’s Cup governing Deed of Gift, dated October 24, 1887; and

(B) if a United States yacht club successfully defends the America’s Cup, includes additional sailing competitions conducted by America’s Cup Race Management during the 1-year period beginning on the last date of such defense.

(2) **AMERICA’S CUP RACE MANAGEMENT.**—The term “America’s Cup Race Management” means the entity established to provide for independent, professional, and neutral race management of the America’s Cup sailing competitions.

(3) **ELIGIBILITY CERTIFICATION.**—The term “Eligibility Certification” means a certification issued under section 4.

(4) **ELIGIBLE VESSEL.**—The term “eligible vessel” means a competing vessel or supporting vessel of any registry that—

(A) is recognized by America’s Cup Race Management as an official competing vessel, or supporting vessel of, the 34th America’s Cup, as evidenced in writing to the Administrator of the Maritime Administration of the Department of Transportation;

(B) transports not more than 25 individuals, in addition to the crew;

(C) is not a ferry (as defined under section 2101(10b)) of title 46, United States Code;

(D) does not transport individuals in point-to-point service for hire; and

(E) does not transport merchandise between ports in the United States.

(5) **SUPPORTING VESSEL.**—The term “supporting vessel” means a vessel that is operating in support of the 34th America’s Cup by—

(A) positioning a competing vessel on the race course;

(B) transporting equipment and supplies utilized for the staging, operations, or broadcast of the competition; or

(C) transporting individuals who—

(i) have not purchased tickets or directly paid for their passage; and

(ii) who are engaged in the staging, operations, or broadcast of the competition, race team personnel, members of the media, or event sponsors.

SEC. 3. AUTHORIZATION OF ELIGIBLE VESSELS.

Notwithstanding sections 55102, 55103, and 55111 of title 46, United States Code, an eligible vessel, operating only in preparation for, or in connection with, the 34th America’s Cup competition, may position competing vessels and may transport individuals and equipment and supplies utilized for the staging, operations, or broadcast of the competition from and around the ports in the United States.

SEC. 4. CERTIFICATION.

(a) **REQUIREMENT.**—A vessel may not operate under section 3 unless the vessel has received an Eligibility Certification.

(b) **ISSUANCE.**—The Administrator of the Maritime Administration of the Department of Transportation is authorized to issue an Eligibility Certification with respect to any vessel that the Administrator determines, in his or her sole discretion, meets the requirements set forth in section 2(4).

SEC. 5. ENFORCEMENT.

Notwithstanding sections 55102, 55103, and 55111 of title 46, United States Code, an Eligibility

Certification shall be conclusive evidence to the Secretary of the Department of Homeland Security of the qualification of the vessel for which it has been issued to participate in the 34th America’s Cup as a competing vessel or a supporting vessel.

SEC. 6. PENALTY.

Any vessel participating in the 34th America’s Cup as a competing vessel or supporting vessel that has not received an Eligibility Certification or is not in compliance with section 12112 of title 46, United States Code, shall be subject to the applicable penalties provided in chapters 121 and 551 of title 46, United States Code.

SEC. 7. VESSEL DOCUMENTATION EXEMPTION.

(a) **IN GENERAL.**—Notwithstanding sections 12112 and 12132 and chapter 551 of title 46, United States Code, the Secretary of the department in which the Coast Guard is operating may issue a certificate of documentation with a coastwise endorsement for each of the following vessels:

(1) **LNG GEMINI** (United States official number 595752).

(2) **LNG LEO** (United States official number 595753).

(3) **LNG VIRGO** (United States official number 595755).

(b) **LIMITATION ON OPERATION.**—Coastwise trade authorized under subsection (a) shall be limited to carriage of natural gas, as that term is defined in section 3(13) of the Deepwater Port Act of 1974 (33 U.S.C. 1502(13)).

(c) **TERMINATION OF EFFECTIVENESS OF ENDORSEMENTS.**—The coastwise endorsement issued under subsection (a) for a vessel shall expire on the date of the sale of the vessel by the owner of the vessel on the date of enactment of this Act to a person who is not related by ownership or control to such owner.

SEC. 8. OPERATION OF DRY DOCK IN KETCHIKAN, ALASKA.

A vessel transported in Dry Dock #2 (State of Alaska registration AIDEA FDD-2) is not merchandise for purposes of section 55102 of title 46, United States Code, if, during such transportation, Dry Dock #2 remains connected by a utility or other connecting line to pierside moorage located in Ketchikan, Alaska.

AUTHORIZING PRINTING OF A COLLECTION OF RULES OF THE COMMITTEES OF THE SENATE

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to S. Res. 311.

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

The legislative clerk read as follows:

A resolution (S. Res. 311) to authorize the printing of a collection of the rules of the committees of the Senate.

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

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

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

The resolution (S. Res. 311) as agreed to, reads as follows:

S. RES. 311

Resolved, That a collection of the rules of the committees of the Senate, together with related materials, be printed as a Senate document, and that there be printed 250 addi-

tional copies of such document for the use of the Committee on Rules and Administration.

MEASURES READ THE FIRST TIME—H.R. 1070 and H.R. 1965

Mr. REID. Madam President, there are two bills at the desk. I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title.

The legislative clerk read as follows:

A bill (H.R. 1070) to amend the Securities Act of 1933 to require the Securities and Exchange Commission to exempt a certain class of securities from such Act.

A bill (H.R. 1965) to amend the securities laws to establish certain thresholds for shareholder registration, and for other purposes.

Mr. REID. Madam President, I now ask for a second reading of these two bills, but I object to my own request en bloc.

The PRESIDING OFFICER. Objection is heard.

The bills will be read for the second time on the next legislative day.

ORDERS FOR MONDAY, NOVEMBER 7, 2011

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, the Senate adjourn until 2 p.m., Monday, November 7, 2011; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate will be in a period of morning business until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each; that following morning business, the Senate will resume consideration of the motion to proceed to H.R. 674, the 3 Percent Withholding Repeal and Job Creation Act, with 30 minutes of debate, equally divided and controlled between Senators BAUCUS and HATCH or their designees; further, that the cloture vote with respect to the motion to proceed to H.R. 674 occur at 5:30 p.m., on Monday, November 7, 2011.

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

PROGRAM

Mr. REID. Madam President, the next rollcall vote will be at 5:30 p.m., on Monday, on the motion to invoke cloture on the motion to proceed to H.R. 674.

ADJOURNMENT UNTIL MONDAY, NOVEMBER 7, 2011, AT 2 P.M.

Mr. REID. Madam 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 6:43 p.m., adjourned until Monday, November 7, 2011, at 2 p.m.