

inserting “customs and border protection officer, or Pentagon Force Protection Agency officer”.

(4) IMMEDIATE RETIREMENT.—Section 8336 of title 5, United States Code, is amended—

(A) in subsection (c)(1), by striking “or customs and border protection officer” and inserting “customs and border protection officer, or Pentagon Force Protection Agency officer”;

(B) in subsections (m) and (n), by striking “or as a customs and border protection officer,” and inserting “as a customs and border protection officer, or as a Pentagon Force Protection Agency officer”.

(b) AMENDMENTS RELATING TO THE FEDERAL EMPLOYEES’ RETIREMENT SYSTEM.—

(1) DEFINITIONS.—Section 8401 of title 5, United States Code, is amended—

(A) in paragraph (35), by striking “and” at the end;

(B) in paragraph (36), by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(37) ‘Pentagon Force Protection Agency officer’ means an employee appointed to perform law enforcement and security functions under section 2674(b) of title 10 whose permanent duty station is the Pentagon Reservation and who occupies a position in job series 0083, or any successor position, for which the rate of basic pay is fixed in accordance with paragraph (2) of such section.’”.

(2) IMMEDIATE RETIREMENT.—Paragraphs (1) and (2) of section 8412(d) of title 5, United States Code, are amended by striking “or customs and border protection officer,” and inserting “customs and border protection officer, or Pentagon Force Protection Agency officer”.

(3) COMPUTATION OF BASIC ANNUITY.—Section 8415(h)(2) of title 5, United States Code, is amended by striking “or customs and border protection officer” and inserting “customs and border protection officer, or Pentagon Force Protection Agency officer”.

(4) DEDUCTIONS FROM PAY.—The table contained in section 8422(a)(3) of title 5, United States Code, is amended by adding at the end the following:

“Pentagon Force Protection Agency officer	7.5	After the date of enactment of the Pentagon Force Protection Agency Retirement Act of 2011.”.
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(5) GOVERNMENT CONTRIBUTIONS.—Paragraphs (1)(B)(i) and (3) of section 8423(a) of title 5, United States Code, are amended by inserting “Pentagon Force Protection Agency officers,” after “customs and border protection officers,” each place it appears.

(6) MANDATORY SEPARATION.—Section 8425(b)(1) of title 5, United States Code, is amended—

(A) by striking “or customs and border protection officers who” and inserting “customs and border protection officer, or Pentagon Force Protection Agency officers who”;

(B) by striking “or customs and border protection officer as the case” and inserting “customs and border protection officer, or Pentagon Force Protection Agency officer, as the case”.

(c) MAXIMUM AGE FOR ORIGINAL APPOINTMENT.—Section 3307 of title 5, United States Code, is amended by adding at the end the following:

“(h) The Secretary of Defense may determine and fix the maximum age limit for an original appointment to a position as a Pentagon Force Protection Agency officer, as defined by section 8401(37).”.

(d) REGULATIONS.—Any regulations necessary to carry out the amendments made by this section shall be prescribed by the Director of the Office of Personnel Management, in consultation with the Secretary of Defense.

(e) EFFECTIVE DATE; TRANSITION RULES.—

(1) EFFECTIVE DATE.—The amendments made by this section shall become effective on the first day of the first pay period beginning at least 6 months after the date of the enactment of this Act.

(2) TRANSITION RULES.—

(A) NONAPPLICABILITY OF MANDATORY SEPARATION PROVISIONS TO CERTAIN INDIVIDUALS.—The amendments made by subsections (a)(3) and (b)(6), respectively, shall not apply to an individual first appointed as a Pentagon Force Protection Agency officer before the effective date under paragraph (1).

(B) TREATMENT OF PRIOR PENTAGON FORCE PROTECTION AGENCY OFFICER SERVICE.—Nothing in this section or any amendment made by this section shall be considered to apply with respect to any service performed as a Pentagon Force Protection Agency officer before the effective date under paragraph (1).

(C) MINIMUM ANNUITY AMOUNT.—The annuity of an individual serving as a Pentagon Force Protection Agency officer on the effective date under paragraph (1) pursuant to an appointment made before that date shall, to the extent that its computation is based on service rendered as a Pentagon Force Protection Agency officer on or after that date, be at least equal to the amount that would be payable—

(i) to the extent that such service is subject to the Civil Service Retirement System, by applying section 8339(d) of title 5, United States Code, with respect to such service; and

(ii) to the extent that such service is subject to the Federal Employees’ Retirement System, by applying section 8415(d) of title 5, United States Code, with respect to such service.

(D) RULE OF CONSTRUCTION.—Nothing in the amendment made by subsection (c) shall be considered to apply with respect to any appointment made before the effective date under paragraph (1).

(3) DEFINITION.—For purposes of this subsection, the term “Pentagon Force Protection Agency officer” has the meaning given such term by section 8331(32) or 8401(37) of title 5, United States Code (as amended by this Act).

(4) EXCLUSION.—Nothing in this Act or any amendment made by this Act shall be considered to afford any election or to otherwise apply with respect to any individual who, as of the day before the date of the enactment of this Act—

(A) holds a position within the Pentagon Force Protection Agency; and

(B) is considered a law enforcement officer for purposes of subchapter III of chapter 83 or chapter 84 of title 5, United States Code, by virtue of such position.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on September 12, 2011, at 4 p.m., in room 215 of the Dirksen Senate Office Building.

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

Mr. CONRAD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ORDERS FOR TUESDAY, SEPTEMBER 13, 2011

Mr. CONRAD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, September 13; 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 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 majority controlling the first half and the Republicans controlling the final half; that following morning business, the Senate resume consideration of the motion to proceed to H.J. Res. 66, the joint resolution regarding Burma sanctions and the expected legislative vehicle for additional FEMA funds; further, that the Senate recess from 12:30 until 2:15 p.m. to allow for the weekly caucus meetings; finally, that if cloture is invoked on the motion to proceed to H.J. Res. 66, all time during adjournment, morning business, and recess count postcloture and, if cloture is not invoked, a motion to reconsider be considered entered.

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

ORDER FOR ADJOURNMENT

Mr. CONRAD. Mr. President, if there is no business to come before the Senate, I ask unanimous consent that it adjourn under the previous order at the conclusion of the cloture vote on the motion to proceed to H.J. Res. 66.

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

Mr. CONRAD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

APPROVING THE RENEWAL OF IMPORT RESTRICTIONS CONTAINED IN THE BURMESE FREEDOM AND DEMOCRACY ACT OF 2003—MOTION TO PROCEED—Continued

CLOTURE MOTION

The PRESIDING OFFICER. The clerk will report the motion to invoke cloture.

The assistant legislative clerk read as follows:

We the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the motion to proceed to Calendar No. 154, H.J. Res. 66,

a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.J. Res. 66, an act approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003 shall be brought to a close? The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. CASEY), the Senator from Louisiana (Ms. LANDRIEU), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Vermont (Mr. SANDERS), the Senator from Michigan (Ms. STABENOW), and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from South Carolina (Mr. DEMINT), the Senator from North Dakota (Mr. HOEVEN), the Senator from Texas (Mrs. HUTCHISON), the Senator from Oklahoma (Mr. INHOFE), the Senator from

Illinois (Mr. KIRK), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from South Carolina (Mr. DEMINT) would have voted “nay.”

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 53, nays 33, as follows:

[Rollcall Vote No. 131 Leg.]

YEAS—53

Akaka	Feinstein	Merkley
Baucus	Franken	Mikulski
Begich	Gillibrand	Murray
Bennet	Hagan	Nelson (NE)
Bingaman	Harkin	Nelson (FL)
Blumenthal	Heller	Pryor
Blunt	Inouye	Reed
Boxer	Johnson (SD)	Reid
Brown (MA)	Kerry	Schumer
Brown (OH)	Klobuchar	Shaheen
Cantwell	Kohl	Snowe
Cardin	Lautenberg	Tester
Carper	Leahy	Udall (CO)
Coats	Levin	Udall (NM)
Collins	Lieberman	Warner
Conrad	Manchin	Webb
Coons	McCaskill	Whitehouse
Durbin	Menendez	

NAYS—33

Alexander	Barrasso	Burr
Ayotte	Boozman	Chambliss

Coburn	Isakson	Paul
Cochran	Johanns	Portman
Corker	Johnson (WI)	Risch
Cornyn	Kyl	Roberts
Crapo	Lee	Sessions
Enzi	Lugar	Shelby
Graham	McCain	Thune
Grassley	McConnell	Toomey
Hatch	Moran	Wicker

NOT VOTING—14

Casey	Kirk	Sanders
DeMint	Landrieu	Stabenow
Hoeven	Murkowski	Vitter
Hutchison	Rockefeller	Wyden
Inhofe	Rubio	

The PRESIDING OFFICER. On this vote, the yeas are 53, the nays are 33. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

Under the previous order, a motion to reconsider is entered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 5:58 p.m., adjourned until Tuesday, September 13, 2011, at 10 a.m.