

emissions, according to the Department of Energy. However, the consulting firm McKinsey and Company has found that improving building energy efficiency is one of the most cost effective ways to reduce greenhouse gas emissions.

Since 1974, California has used mandates, regulations and incentives to hold its per capita energy consumption essentially constant, while energy use per-person for the United States overall has jumped 50 percent.

This legislation provides a solution by stimulating the renovation of existing homes.

This is a jobs bill that provides incentives to reward energy efficient renovations that will create jobs in the construction sector, avoid increasing the supply of housing beyond demand, decrease energy use and reduce pollution, and expand the market for efficient technology and products.

This bill would create the first tax incentive for energy efficiency home renovation based on the energy performance of the home rather than the cost of the equipment.

This concept, which Senator SNOWE and I first proposed in 2007 as part of the Extend Act, is recommended by most energy efficiency experts.

Current policy allow homeowners to claim credits for the purchase of energy efficient insulation, windows, doors, heaters, air conditioners and water heaters. This approach is very expensive, largely due to claims filed for windows.

By restructuring the credit to apply to whole-home energy renovations that reward energy efficiency performance instead of the cost of equipment, this proposal has the potential to increase effectiveness while substantially lowering costs.

The legislation also includes provisions to ensure effectiveness and prevent abuse. The work must be done by a contractor who must sign an affidavit certifying the work was done and submit photographs of the work. The contractor must use certified, computer-based energy efficiency measurement tools. The credit would be limited to renovations of primary residences that do not increase the size of the home, and the credit would be capped at no more than 30 percent of the cost of renovation, to prevent homeowners from making large claims for relatively inexpensive renovations. As a tax credit, all claims would also be subject to IRS audits.

The bill is supported by the California Energy Commission, the Alliance to Save Energy, Efficiency First, the American Council for an Energy Efficient Economy and the Natural Resource Defense Council.

By offering incentives for energy efficient renovations, this bill helps create jobs in California's ailing construction sector while at the same time decreasing energy use and pollution.

This sort of investment, putting Americans back to work while leaving

behind lasting improvements, is the type of legislation on which Congress should be spending time.

ADDITIONAL STATEMENTS

REMEMBERING HARRY PACHON

• Mrs. BOXER. Mr. President, I wish to honor Harry Pachon, one of our Nation's most dedicated scholars and civil rights leaders, who passed away on November 4, 2011.

Harry Pachon was born to immigrant parents in Miami, FL, in 1945 and spent part of his childhood in Colombia. He returned to the United States, where he completed high school in Montebello, CA, and earned a bachelor's degree and a master's degree in political science from California State University, Los Angeles, and a Ph.D. in government from Claremont Graduate University.

Mr. Pachon dedicated his life to public service and fought tirelessly to elevate the role of the Latino community in politics. After serving as the chief of staff for Los Angeles Representative Edward R. Roybal, Harry became a founding board member and executive director of the National Association of Latino Elected and Appointed Officials. Beginning in 1993, Mr. Pachon became the president of the Tomás Rivera Policy Institute in California. Under his leadership, the institute conducted groundbreaking research on key issues facing the Latino community, including immigration, education, and political participation, and brought national attention to the needs of Latinos. In 2003, the institute moved to the University of Southern California, where Harry was a beloved and respected professor of public policy.

I invite all of my colleagues to join me in honoring Harry Pachon and extending our deepest condolences to his wife Barbara; his children, Marc, Melissa, Nicholas, and Andrew; and his four grandchildren. He will be deeply missed.●

REMEMBERING DANIEL G. MCKAY

• Mrs. MCCASKILL. Mr. President, today I wish to honor the life of Daniel G. McKay who passed away on November 10, 2011. It is with deep sorrow that I offer my condolences, to his wife Sharron for the loss of her beloved husband, to his two sons: Dan Jr. and Mark, and to his three grandchildren; Jesse, Dana and Danny.

A native of St. Louis, MO, Dan grew up in north St. Louis and attended Central High School. He began his career after high school as a truck driver and worked for over 30 years as a driver for several local companies.

Dan assumed leadership in the Teamsters and spent much of his life and career working tirelessly to secure the rights of working men and women. Within Teamsters' Local 600, Dan held several leadership positions including

business representative, recording secretary and President. His passion for helping others also led Dan to become President of Teamsters Joint Council 13 in 2002, representing over 25,000 Teamster families in Missouri. Dan also held several positions in the Missouri Kansas Nebraska Conference of Teamsters. He retired from both Local 600 and Joint Council 13 in March, 2010.

It is with great humility and respect that I honor Dan today. His dedicated leadership improved the work experience for many Missourians, and under Dan's leadership the Teamsters organized and educated workers so they would know their workplace rights and could participate fully in our democratic society.

Dan touched the lives of many, and improved the quality of life in the community at large. The International Brotherhood of Teamsters has lost a friend and an advocate, and I have lost a dear friend, advisor, and confidant.

Dan was afraid of no one when it came to defending his friends or confronting his adversaries. When I explained to him one time that his political support of me was going to cause him trouble, he said, "Nothing that I can't handle. We are in this together."

Dan will certainly be remembered for his gruff but engaging personality as well as for his many accomplishments. Dan was tough, but under that tough exterior was a huge heart filled with love for his family, for his community and for his brothers and sisters in labor.

Dan's life and commitment to others serve as an inspiration to me and to all Missourians. Our State has truly lost a leader and a hero.

I extend my deepest sympathies and sincerest condolences to Dan's family in their time of bereavement, and I invite the Senate to join me in honoring the life and accomplishments of this son of Missouri.●

REPORT RELATIVE TO THE ISSUANCE OF AN EXECUTIVE ORDER TO TAKE ADDITIONAL STEPS WITH RESPECT TO THE NATIONAL EMERGENCY ORIGINALLY DECLARED ON MARCH 15, 1995 IN EXECUTIVE ORDER 12957 WITH RESPECT TO IRAN, RECEIVED DURING ADJOURNMENT OF THE SENATE ON NOVEMBER 21, 2011—PM 35

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), I hereby report that I have issued an Executive Order (the "order") that takes additional steps with respect to the national

emergency declared in Executive Order 12957 of March 15, 1995.

In Executive Order 12957, the President found that the actions and policies of the Government of Iran threaten the national security, foreign policy, and economy of the United States. To deal with that threat, the President in Executive Order 12957 declared a national emergency and imposed prohibitions on certain transactions with respect to the development of Iranian petroleum resources. To further respond to that threat, Executive Order 12959 of May 6, 1995, imposed comprehensive trade and financial sanctions on Iran. Executive Order 13059 of August 19, 1997, consolidated and clarified the previous orders.

In the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195) (22 U.S.C. 8501 *et seq.*) (CISADA), which I signed into law on July 1, 2010, the Congress found that the illicit nuclear activities of the Government of Iran, along with its development of unconventional weapons and ballistic missiles and its support for international terrorism, threaten the security of the United States. The Congress also found in CISADA that economic sanctions imposed pursuant to the provisions of CISADA, the Iran Sanctions Act of 1996 (Public Law 104-172) (50 U.S.C. 1701 note) (ISA), and IEEPA, and other authorities available to the United States to prevent Iran from developing nuclear weapons, are necessary to protect the essential security interests of the United States. To take additional steps with respect to the national emergency declared in Executive Order 12957 and to implement section 105(a) of CISADA (22 U.S.C. 8514(a)), I issued Executive Order 13553 on September 28, 2010, to impose sanctions on officials of the Government of Iran and other persons acting on behalf of the Government of Iran determined to be responsible for or complicit in certain serious human rights abuses. To take additional steps with respect to the threat posed by Iran and to provide implementing authority for a number of the sanctions set forth in ISA, as amended by, *inter alia*, CISADA, I issued Executive Order 13574 on May 23, 2011, to authorize the Secretary of the Treasury to implement certain sanctions imposed pursuant to ISA by the Secretary of State.

This order expands upon actions taken pursuant to ISA, as amended by, *inter alia*, CISADA. The ISA requires that, absent a waiver, the President impose at least three of nine possible forms of sanctions on persons determined to have made certain investments in Iran's energy sector. The CISADA expanded ISA to, *inter alia*, require the same treatment of persons determined to have provided refined petroleum to Iran above specified monetary thresholds or have provided certain goods, services, technology, information, or support to Iran related to the importation or development of refined petroleum. This order authorizes

the Secretary of State to impose similar sanctions on persons determined to have provided certain goods, services, technology, or support that contributes to either Iran's development of petroleum resources or to Iran's production of petrochemicals, two sectors that continue to fund Iran's illicit nuclear activities and that could serve as conduits for Iran to obtain proliferation sensitive technology. Because CISADA has impeded Iran's ability to develop its domestic refining capacity, Iran has tried to compensate by using its petrochemical facilities to refine petroleum. These new authorities will allow the United States to target directly Iran's attempts to subvert U.S. sanctions.

This order authorizes the Secretary of State, in consultation with the Secretary of the Treasury, the Secretary of Commerce, and the United States Trade Representative, and with the President of the Export-Import Bank, the Chairman of the Board of Governors of the Federal Reserve System, and other agencies and officials as appropriate, to impose sanctions on a person upon determining that the person:

—knowingly, on or after the effective date of the order, sells, leases, or provides to Iran goods, services, technology, or support that has a fair market value of \$1,000,000 or more or that, during a 12-month period, has an aggregate fair market value of \$5,000,000 or more, and that could directly and significantly contribute to the maintenance or enhancement of Iran's ability to develop petroleum resources located in Iran;

—knowingly, on or after the effective date of this order, sells, leases, or provides to Iran goods, services, technology, or support that has a fair market value of \$250,000 or more or that, during a 12-month period, has an aggregate fair market value of \$1,000,000 or more, and that could directly and significantly contribute to the maintenance or expansion of Iran's domestic production of petrochemical products;

—is a successor entity to a person that engaged in a provision of goods, services, technology, or support for which sanctions may be imposed pursuant to this new order;

—owns or controls a person that engaged in provision of goods, services, technology, or support for which sanctions may be imposed pursuant to this new order and had actual knowledge or should have known that the person engaged in the activities; or

—is owned or controlled by, or under common ownership or control with, a person that engaged in the provision of goods, services, technology, or support for which sanctions may be imposed pursuant to this new order, and knowingly participated in the provision of such goods, services, technology, or support.

The following sanctions may be selected for imposition on a person that the Secretary of State determines to meet any of the above criteria:

—the Board of Directors of the Export-Import Bank shall deny approval of the issuance of any guarantee, insurance, extension of credit, or participation in an extension of credit in connection with the export of any goods or services to the sanctioned person;

—agencies shall not issue any specific license or grant any other specific permission or authority under any statute that requires the prior review and approval of the United States Government as a condition for the export or reexport of goods or technology to the sanctioned person;

—with respect to a sanctioned person that is a financial institution, the Chairman of the Board of Governors of the Federal Reserve System and the President of the Federal Reserve Bank of New York shall take such actions as they deem appropriate, including denying designation, or terminating the continuation of any prior designation of, the sanctioned person as a primary dealer in United States Government debt instruments; or agencies shall prevent the sanctioned person from serving as an agent of the United States Government or serving as a repository for United States Government funds;

—agencies shall not procure, or enter into a contract for the procurement of, any goods or services from the sanctioned person;

—the Secretary of the Treasury shall prohibit any United States financial institution from making loans or providing credits to the sanctioned person totaling more than \$10,000,000 in any 12-month period unless such person is engaged in activities to relieve human suffering and the loans or credits are provided for such activities;

—the Secretary of the Treasury shall prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and in which the sanctioned person has any interest;

—the Secretary of the Treasury shall prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the sanctioned person;

—the Secretary of the Treasury shall block all property and interests in property that are in the United States, that come within the United States, or that are or come within the possession or control of any United States person, including any foreign branch, of the sanctioned person, and provide that such property and interests in property may not be transferred, paid, exported, withdrawn, or otherwise dealt in; or

—the Secretary of the Treasury shall restrict or prohibit imports of goods, technology, or services, directly or indirectly, into the United States from the sanctioned person.

I have delegated to the Secretary of the Treasury the authority, in consultation with the Secretary of State, to take such actions, including the promulgation of rules and regulations, and

to employ all powers granted to the President by IEPPA as may be necessary to carry out the purposes of section 3 of the order. All agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the order.

I am enclosing a copy of the Executive Order I have issued.

BARACK OBAMA,
THE WHITE HOUSE, November 20, 2011.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILLS SIGNED

Under the authority of the order of the Senate of January 5, 2011, the Secretary of the Senate, on November 19, 2011, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. UPTON) had signed the following enrolled bills:

H.R. 674. An act to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs, and for other purposes.

H.R. 3321. An act 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, and for other purposes.

Under the authority of the order of the Senate of January 5, 2011, the enrolled bills were signed on November 19, 2011, during the adjournment of the Senate, by the Acting President pro tempore (Mr. REID).

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1917. A bill to create jobs by providing payroll tax relief for middle class families and businesses, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-4055. A communication from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Karnal Bunt; Regulated Areas in California" (Docket No. APHIS-2011-0074) received in the Office of the President of the Senate on November 28, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4056. A communication from the Secretary, Division of Swap Dealer and Intermediary Oversight, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Reporting by Investment Advisers to Private Funds and Certain Commodity Pool Operators and Com-

modity Trading Advisors on Form PF" (RIN3235-AK92) received in the Office of the President of the Senate on November 17, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-4057. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Guy C. Swan III, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-4058. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a quarterly report entitled, "Acceptance of Contributions for Defense Programs, Projects, and Activities; Defense Cooperation Account"; to the Committee on Armed Services.

EC-4059. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Addition of Certain Persons to the Entity List; and Implementation of Entity List Annual Review Changes" (RIN0694-AF40) received in the Office of the President of the Senate on November 17, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-4060. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Repeal of Regulations" (RIN2590-AA52) received in the Office of the President of the Senate on November 28, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-4061. A communication from the General Counsel of the Federal Housing Finance Agency, transmitting, pursuant to law, the report of a rule entitled "Voluntary Mergers of Federal Home Loan Banks" (RIN2590-AA37) received in the Office of the President of the Senate on November 28, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-4062. A communication from the Secretary of the Interior, transmitting a legislative proposal relative to the issuance of coins to commemorate the 100th anniversary of the establishment of the National Park Service; to the Committee on Banking, Housing, and Urban Affairs.

EC-4063. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; MD Helicopters, Inc. Model MD900 Helicopters" ((RIN2120-AA64)(Docket No. FAA-2010-1301)) received in the Office of the President of the Senate on November 28, 2011; to the Committee on Commerce, Science, and Transportation.

EC-4064. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Nuiqsut, AK" ((RIN2120-AA66)(Docket No. FAA-2011-0759)) received in the Office of the President of the Senate on November 28, 2011; to the Committee on Commerce, Science, and Transportation.

EC-4065. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Valley City, ND" ((RIN2120-AA66)(Docket No. FAA-2011-0605)) received in the Office of the President of the Senate on November 28, 2011; to the Committee on Commerce, Science, and Transportation.

EC-4066. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant

to law, the report of a rule entitled "Enhancements to Emergency Preparedness Regulations" (RIN3150-A110) received in the Office of the President of the Senate on November 17, 2011; to the Committee on Environment and Public Works.

EC-4067. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Notice: Tier 2 Tax Rates for 2012" received in the Office of the President of the Senate on November 18, 2011; to the Committee on Finance.

EC-4068. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Application of the General Welfare Exclusion to Benefits Provided under Indian Tribal Government Programs" (Notice 2011-94) received in the Office of the President of the Senate on November 18, 2011; to the Committee on Finance.

EC-4069. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "2012 Section 1274A CPI Adjustments" (Rev. Rul. 2011-27) received in the Office of the President of the Senate on November 18, 2011; to the Committee on Finance.

EC-4070. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—December 2011" (Rev. Rul. 2011-31) received in the Office of the President of the Senate on November 18, 2011; to the Committee on Finance.

EC-4071. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Trusts for Distribution of Gaming Revenues to Indian Minors" (Rev. Proc. 2011-56) received in the Office of the President of the Senate on November 18, 2011; to the Committee on Finance.

EC-4072. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Application of Section 108(e)(8) to Indebtedness Satisfied by a Partnership Interest" ((RIN1545-BF27)(TD 9557)) received in the Office of the President of the Senate on November 18, 2011; to the Committee on Finance.

EC-4073. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Corporate Reorganizations; Allocation of Basis in 'All Cash D' Reorganizations" ((RIN1545-BJ21)(TD 9558)) received in the Office of the President of the Senate on November 18, 2011; to the Committee on Finance.

EC-4074. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement to include the export of defense articles, including technical data and defense services to support the sale of fourteen (14) additional AT-802 aircraft for use by the United Arab Emirates Armed Forces in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-4075. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other