

SA 621. Mr. PAUL proposed an amendment to the bill H.R. 2887, to provide an extension of surface and air transportation programs, and for other purposes.

SA 622. Mr. PAUL proposed an amendment to the bill H.R. 2887, *supra*.

#### TEXT OF AMENDMENTS

**SA 610.** Mr. COBURN submitted an amendment intended to be proposed to amendment SA 602 proposed by Mr. REID to the joint resolution H.J. Res. 66, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . CONSOLIDATING UNNECESSARY DUPLICATIVE AND OVERLAPPING GOVERNMENT PROGRAMS.**

Notwithstanding any other provision of law, not later than 150 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall coordinate with the heads of the relevant department and agencies to—

(1) use available administrative authority to eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in the March 2011 Government Accountability Office report to Congress, entitled “Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO-11-318SP) and apply the savings towards deficit reduction;

(2) identify and report to Congress any legislative changes required to further eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in the March 2011 Government Accountability Office report to Congress, entitled “Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO-11-318SP);

(3) determine the total cost savings that shall result to each agency, office, and department from the actions described in paragraph (1); and

(4) rescind from the appropriate accounts the amount greater of—

(A) \$7,000,000,000; or

(B) the total amount of cost savings estimated by paragraph (3).

**SA 611.** Mr. COBURN submitted an amendment intended to be proposed to amendment SA 602 proposed by Mr. REID to the joint resolution H.J. Res. 66, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . CONSOLIDATING UNNECESSARY DUPLICATIVE, OVERLAPPING, AND INEFFECTIVE GOVERNMENT PROGRAMS.**

Notwithstanding any other provision of law, not later than 150 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall coordinate with the heads of the relevant departments and agencies, including the Secretary of the Department of Labor, the Secretary of the Department of Health and Human Services, and the Secretary of Education, to—

(1) use available administrative authority to consolidate Government employment and

training programs with duplicative and overlapping missions identified in the 2011 Government Accountability Office reports to Congress, entitled “Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO-11-318SP) and “Multiple Employment and Training Programs: Providing Information on Consolidating Services and Consolidating Administrative Structures Could Promote Efficiencies” (GAO-11-92), including the Department of Health and Human Services’ Temporary Assistance for Needy Families (TANF) and the Department of Labor’s Employment Service and Workforce Investment Act (WIA) Adult programs, and apply the savings towards deficit reduction;

(2) reduce by no less than 10 percent the excessive administrative costs of Government employment and training services identified in the 2011 Government Accountability Office reports to Congress, entitled “Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO-11-318SP) and “Multiple Employment and Training Programs: Providing Information on Consolidating Services and Consolidating Administrative Structures Could Promote Efficiencies” (GAO-11-92), including the \$160,000,000 spent by the Temporary Assistance for Needy Families program to administer employment and training services and the \$56 million spent by the Department of Labor to administer the WIA Adult program, including the approximately \$4,000 spent for each WIA Adult participant who receives training services, and apply the savings towards deficit reduction;

(3) eliminate, as part of the consolidation described in paragraph (1), Government employment and training programs that have not demonstrated effectiveness in documenting a high rate of participants entering full-time employment or obtaining other positive job-related outcomes, such as increased wage or promotion;

(4) identify and report to Congress any legislative changes required to further eliminate, consolidate, streamline, and reduce administrative costs of Government employment and training programs with duplicative and overlapping missions identified in the March 2011 Government Accountability Office report to Congress, entitled “Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO-11-318SP);

(5) determine the total cost savings that shall result to each department and program from the actions described in paragraphs (1), (2), and (3); and

(6) rescind from the appropriate accounts of the Department of Labor and the Department of Health and Human Services the amount greater of—

(A) \$7,000,000,000; or

(B) the total amount of cost savings estimated under paragraph (5).

**SA 612.** Mr. COBURN submitted an amendment intended to be proposed to amendment SA 602 proposed by Mr. REID to the joint resolution H.J. Res. 66, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

**SEC. \_\_\_\_ . RESCISSION OF UNSPENT FEDERAL FUNDS TO OFFSET INCREASE IN SPENDING.**

(a) IN GENERAL.—Notwithstanding any other provision of law, of all available unob-

ligated funds, \$28,000,000,000 in appropriated discretionary funds are hereby rescinded.

(b) IMPLEMENTATION.—The Director of the Office of Management and Budget shall determine and identify from which appropriation accounts the rescission under subsection (a) shall apply and the amount of such rescission that shall apply to each such account. Not later than 60 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit a report to the Secretary of the Treasury and Congress of the accounts and amounts determined and identified for rescission under the preceding sentence.

(c) EXCEPTION.—This section shall not apply to the unobligated funds of the Department of Defense, the Department of Veterans Affairs, or the Social Security Administration.

**SA 613.** Mr. PAUL submitted an amendment intended to be proposed to amendment SA 602 proposed by Mr. REID to the joint resolution H.J. Res. 66, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003; as follows:

On page 12, between lines 11 and 12, insert the following:

**TITLE VI  
OFFSET**

SEC. 601. (a) All unobligated balances made available to the United States Agency for International Development for foreign assistance programs for fiscal year 2011 are rescinded.

(b) There is rescinded on a pro rata base from the unobligated balances made available to the Department of State for fiscal 2011 an amount equal to the difference obtained by subtracting—

(1) the amount rescinded under subsection (a); from

(2) the amount appropriated under this division.

**SA 614.** Mr. NELSON of Nebraska submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 66, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003; which was ordered to lie on the table; as follows:

After section 2, insert the following:

**SEC. 3. EXEMPTION.**

The reconstruction process of any road, highway, or bridge that is in operation or under construction when damaged by a natural disaster, including a flood, and reconstructed in the same location shall be exempt from any environmental review under—

(1) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(2) sections 402 and 404 of the Federal Water Pollution Control Act (33 U.S.C. 1342, 1344);

(3) the National Historic Preservation Act (16 U.S.C. 470 et seq.);

(4) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(5) the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.);

(6) the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.);

(7) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), except when the reconstruction occurs in designated critical habitat for threatened and endangered species;

(8) Executive Order 11990 (42 U.S.C. 4321 note; relating to the protection of wetlands); and

(9) any Federal law (including regulations) requiring no net loss of wetlands.

**SA 615.** Mr. SANDERS (for himself and Mr. LEAHY) submitted an amendment intended to be proposed to amendment SA 602 proposed by Mr. REID to the joint resolution H.J. Res. 66, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . HIGHWAY EMERGENCY RELIEF.**

(a) DEFINITION OF QUALIFYING STATE.—In this section, the term “qualifying State” means a State in which—

(1) there occurred, during fiscal year 2011, a major disaster or emergency designated by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); and

(2) the major disaster or emergency resulted in estimated damages to the Federal-aid highway system in the State in an amount that exceeds an amount equal to twice the total annual apportionment provided to any State under section 104(b) of title 23, United States Code, for fiscal year 2011.

(b) EXEMPTION.—As determined by the Secretary of Transportation—

(1) in the case of a qualifying State, notwithstanding section 120(e) of title 23, United States Code, or any other provision of law, the Federal share of the cost of carrying out eligible emergency repairs to minimize damage, protect facilities, or restore essential traffic, and the cost of carrying out permanent restoration work on all Federal-aid highways (as defined in section 101 of title 23, United States Code), affected by the major disaster or emergency in the State using funds made available under section 125 of title 23, United States Code, shall be 100 percent; and

(2) in the case of any State described in subsection (a)(1), the limitations under section 125(d) of title 23, United States Code, on the maximum amount of funding that may be received by the State shall not apply.

(c) ADDITIONAL FUNDING.—

(1) IN GENERAL.—Subject to paragraph (2), there is appropriated, out of money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2012, for an additional amount for the “Emergency Relief Fund”, authorized under section 125 of title 23, United States Code, for expenses described in subsection (a) of that section resulting from a major disaster (as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122), \$2,500,000,000, to remain available until expended.

(2) BUDGET CONTROL AUTHORITY.—The amount made available by paragraph (1) is designated by Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177).

**SA 616.** Mr. SANDERS (for himself, Mr. LEAHY and Mr. LAUTENBERG) submitted an amendment intended to be proposed to amendment SA 602 proposed by Mr. REID to the joint resolution H.J. Res. 66, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . DISASTER ASSISTANCE.**

(a) DEFINITIONS.—In this section—

(1) the term “covered major disaster” means the major disaster described in paragraph (2) for a covered State;

(2) the term “covered State” means a State for which the Federal obligations under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) relating to a major disaster during fiscal year 2011 are not less than double the threshold amount applicable to fiscal year 2011 under section 206.47(b) of title 44, Code of Federal Regulations; and

(3) the term “major disaster” means a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

(b) INCREASED FEDERAL SHARE.—Notwithstanding any other provision of law, for assistance under section 403, 406, 407, and 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b, 5172, 5173, and 5174) provided in a covered State relating to the covered major disaster for the State, the Federal share of the assistance shall be 100 percent of the eligible costs under such sections.

(c) MITIGATION ASSISTANCE.—Notwithstanding the second sentence of section 404(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c(a)), for a covered State that has a mitigation plan approved by the Administrator of the Federal Emergency Management Agency under section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165), the total of contributions in the covered State under such section 404 for the covered major disaster shall not exceed 20 percent of the estimated aggregate amount of grants to be made (less any associated administrative costs) in the State under the Robert T. Stafford Disaster Relief and Emergency Assistance Act with respect to the covered major disaster.

**SA 617.** Mr. LAUTENBERG (for himself, Mr. LEAHY, Mr. SANDERS, Mr. MENENDEZ, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 602 proposed by Mr. REID to the joint resolution H.J. Res. 66, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003; which was ordered to lie on the table; as follows:

On page 4, line 18, strike “\$135,000,000” and insert “\$500,000,000”.

**SA 618.** Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 602 proposed by Mr. REID to the joint resolution H.J. Res. 66, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003; which was ordered to lie on the table; as follows:

On page 12, between lines 11 and 12, insert the following:

**TITLE VI—GENERAL PROVISIONS**

**SEC. 601. NO REIMBURSEMENT REQUIRED FOR COVERED TORNADO SHELTER FACILITIES.**

(a) IN GENERAL.—Notwithstanding any other provision of law, the Federal Emergency Management Agency (in this section referred to as “FEMA”) shall not require an educational institution Public Assistance applicant to reimburse FEMA for the market value of a covered temporary tornado shelter facility when the facility is no longer needed for its temporary purpose.

(b) DEFINITIONS.—In this section the following definitions apply:

(1) COVERED TEMPORARY TORNADO SHELTER FACILITY.—The term “covered temporary tornado shelter facility” means a structure—

(A) designed to provide children protection from a tornado; and

(B) constructed or acquired with Federal financial assistance.

(2) EDUCATIONAL INSTITUTION.—The term “educational institution” means any elementary school or any secondary school that is an eligible applicant for FEMA assistance pursuant to section 403 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b).

**SA 619.** Mr. LEAHY (for himself, Mr. SANDERS, Mr. LAUTENBERG, Mrs. GILLIBRAND, and Mr. CONRAD) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 66, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . EMERGENCY RELIEF FUND.**

(a) FUNDING.—There is appropriated, out of money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2012, for an additional amount for the “Emergency Relief Fund”, authorized under section 125 of title 23, United States Code, for expenses described in subsection (a) of such section resulting from a major disaster (as defined in section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)), \$2,500,000,000, to remain available until expended: *Provided*, That such amount is designated by Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177).

(b) DISASTER-RELATED REPAIR WORK.—

(1) DEFINITION OF QUALIFYING STATE.—In this subsection, the term “qualifying State” means a State in which a major disaster or emergency was designated by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(2) EXEMPTIONS.—As determined by the Secretary of Transportation, in the case of a qualifying State—

(A) notwithstanding section 120(e) of title 23, United States Code, or any other provision of law, the Federal share of the cost of carrying out eligible emergency repairs to minimize damage, protect facilities, or restore essential traffic, and the cost of carrying out permanent restoration work on all Federal-aid highways (as defined in section 101 of title 23, United States Code), affected by the major disaster or emergency in the State using funds made available under section 125 of title 23, United States Code, shall be 100 percent; and

(B) the limitations under section 125(d) of title 23, United States Code, on the maximum amount of funding that may be received by a State shall not apply.

**SA 620.** Mr. CONRAD (for himself, Mr. LEAHY, Mr. LAUTENBERG, Mrs. GILLIBRAND, Mr. MENENDEZ, Mr. SANDERS, and Mr. HOEVEN) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 66, approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003;

which was ordered to lie on the table; as follows:

On page 10, line 14, strike “\$100,000,000” and insert “\$1,000,000,000”.

**SA 621.** Mr. PAUL proposed an amendment to the bill H.R. 2887, to provide an extension of surface and air transportation programs, and for other purposes; as follows:

On page 38, line 24, strike “(d)” and insert the following:

(d) **LIMITATION ON HIGHWAY TRUST FUND EXPENDITURES.**—Notwithstanding any other provision of law, the amount authorized to be expended or transferred during a fiscal year from the Highway Trust Fund, established under section 9503 of the Internal Revenue Code of 1986, may not exceed the amount appropriated, transferred, or otherwise made available to the Highway Trust Fund during such fiscal year, based on estimates made by the Congressional Budget Office.

(e)

**SA 622.** Mr. PAUL proposed an amendment to the bill H.R. 2887, to provide an extension of surface and air transportation programs, and for other purposes; as follows:

At the end of title II, add the following:

**SEC. 210. AUTHORIZATION OF APPROPRIATIONS FOR FEDERAL AVIATION ADMINISTRATION AT FISCAL YEAR 2008 LEVELS.**

Notwithstanding the provisions of, or amendments made by, this title, or any other provision of law, there are authorized to be appropriated to the Federal Aviation Administration for the period beginning on September 17, 2011, and ending on January 31, 2012, for all purposes (other than for the Airport and Airway Trust Fund established under section 9502 of the Internal Revenue Code of 1986) amounts not to exceed the amounts authorized to be appropriated to the Administration for the period beginning on September 17, 2007, and ending on January 31, 2008, for such purposes.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on September 15, 2011, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

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

**COMMITTEE ON FINANCE**

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on September 15, 2011, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Tax Reform Options: Promoting Retirement Security.”

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

**COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS**

Mrs. BOXER. Mr. President, I ask unanimous consent that the Com-

mittee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, to conduct a hearing entitled “The Future of Employment for People with the Most Significant Disabilities” on September 15, 2011, at 10 a.m., in room 106 of the Dirksen Senate Office Building.

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

**COMMITTEE ON INDIAN AFFAIRS**

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on September 15, 2011, at 2:15 p.m., in room 628 of the Dirksen Senate Office Building, to conduct a hearing entitled “Tribal Transportation: Paving the Way for Jobs, Infrastructure, and Safety in Native Communities.”

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

**COMMITTEE ON THE JUDICIARY**

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on September 15, 2011, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

**COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP**

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on September 15, 2011, at 10 a.m., to conduct a hearing entitled “Disaster Recovery: Evaluating the Role of America’s Small Business in Rebuilding Their Communities.”

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

**SELECT COMMITTEE ON INTELLIGENCE**

Mrs. BOXER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 15, 2011, at 2:30 p.m.

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

**SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY**

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs’ Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on September 15, 2011, at 2:30 p.m., to conduct a hearing entitled, “Improving Financial Accountability at the Department of Defense.”

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

**EXECUTIVE SESSION**

**EXECUTIVE CALENDAR**

Mr. BENNET. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 358; that the nomination be confirmed; the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; 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.

The nomination considered and confirmed is as follows:

**DEPARTMENT OF STATE**

Wendy Ruth Sherman, of Maryland, to be an Under Secretary of State (Political Affairs).

Mr. INHOFE. Mr. President, I would like to inform the Chamber that I support the nomination of Wendy Sherman to be Under Secretary of State for Political Affairs. I had previously voted against her nomination earlier this week when it was brought before the Senate Foreign Relations Committee, but I have received information since that leads me to change my vote.

My good friend Senator ISAKSON of Georgia spoke to me about his 30-plus-year relationship with the Sherman family. Ms. Sherman’s mother, Miriam “Mimi” Sherman, started working for Northside Realty, Senator ISAKSON’s business based in Marietta, GA, in the late seventies and eighties. Mimi Sherman, who passed away in 2005, was a terrific person, and Senator ISAKSON was very happy to call her a close friend and fellow coworker. He also has known Wendy during this entire time and knows that she embodies the same qualities that her mother did. He is confident that she is qualified for the position and will do a great job at the State Department as Under Secretary of State for Political Affairs.

I have great respect for the wisdom and good judgment of my friend from Georgia. We both serve on the Africa Subcommittee, and as its ranking member, Senator ISAKSON always ensures that the views of his fellow Republican members are fully represented, even to the point of sharing his own speaking time at hearings with members like me who are passionate about bringing relief to the people on the African Continent. And when he expresses confidence in a particular person like Wendy Sherman, whom he has known personally for over three decades, that is good enough for me.

I support Ms. Sherman’s nomination to be Under Secretary of State for Political Affairs.