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SA 1033. Mr. JOHNSON, of South Dakota (for himself and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 1034. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 957 proposed by Mr. REID to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 1035. Mr. CARDIN (for himself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 957 proposed by Mr. REID to the bill H.R. 2354, supra; which was ordered to lie on the table.

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SA 1037. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 957 proposed by Mr. REID to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 1038. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 1039. Ms. STABENOW (for herself, Mr. DURBIN, Mr. LEVIN, Mr. KOHL, Mr. BROWN of Ohio, Mr. FRANKEN, Mrs. GILLIBRAND, and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 1040. Mr. SANDERS (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 957 proposed by Mr. REID to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 1041. Mr. MCCAIN (for himself, Mr. ROCKEFELLER, Mr. JOHANNIS, Mr. BARRASSO, Mr. ENZI, Ms. MURKOWSKI, Mrs. MCCASKILL, Mr. BEGICH, Mr. COBURN, Mr. BLUNT, Mr. THUNE, Mr. HELLER, Mr. WEBB, Mr. MANCHIN, Mr. GRAHAM, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 1042. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 1043. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 1044. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 1045. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 957 proposed by Mr. REID to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 1046. Mr. KOHL (for himself, Ms. STABENOW, and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 1047. Mr. REED (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 1048. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 957 proposed by Mr. REID to

the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 1049. Mr. BAUCUS (for himself, Mr. ROBERTS, Mr. BINGAMAN, Mrs. MCCASKILL, Ms. CANTWELL, Mr. NELSON of Nebraska, Mr. HARKIN, Mr. PRYOR, Mr. TESTER, Mrs. MURRAY, Mr. MORAN, Mr. CRAPO, Mr. JOHNSON of South Dakota, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 1050. Mr. MCCAIN (for himself, Mr. COBURN, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 1051. Mr. CORKER (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 1052. Mr. COATS (for himself and Mr. LUGAR) submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 1053. Ms. LANDRIEU (for herself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by her to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 1054. Mr. BROWN of Ohio (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 957 proposed by Mr. REID to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 1055. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 1056. Mr. WICKER (for himself, Mr. INHOFE, Mr. SESSIONS, Mr. ROBERTS, Mr. PAUL, and Mr. JOHANNIS) submitted an amendment intended to be proposed by him to the bill S. 1867, to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 1057. Mr. WHITEHOUSE (for Mr. NELSON of Florida) proposed an amendment to the resolution S. Res. 303, honoring the life, service, and sacrifice of Captain Colin P. Kelly Jr., United States Army.

SA 1058. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table.

SA 1059. Mr. COONS (for himself, Mr. CASEY, and Mr. TOOMEY) submitted an amendment intended to be proposed to amendment SA 957 proposed by Mr. REID to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 1060. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 957 proposed by Mr. REID to the bill H.R. 2354, supra; which was ordered to lie on the table.

SA 1061. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2354, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1018. Mr. WICKER (for himself, Mr. BOOZMAN, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and

water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII of division B, add the following:

SEC. 7. None of the funds made available by this Act for fiscal year 2012 may be obligated or expended to implement or use green building rating standards unless the standards—

(1)(A) are developed in accordance with rules accredited by the American National Standards Institute; and

(B) are approved as American National Standards; or

(2) incorporate and document the use of lifecycle assessment in the evaluation of building materials.

SA 1019. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

In the last proviso of the matter under the heading "SALARIES AND EXPENSES" under the heading "FEDERAL ENERGY REGULATORY COMMISSION" under the heading "DEPARTMENT OF ENERGY" of title III, strike "a State" and all that follows through the period at the end and insert "avoided cost determined under section 210(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 824a-3) may differ by technology to take into account the requirement of a State that a utility purchase electric energy generated by specified technologies."

SA 1020. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

In title IV of division A, in the matter under the heading "OFFICE OF THE FEDERAL COORDINATOR FOR ALASKA NATURAL GAS TRANSPORTATION PROJECTS" under the heading "INDEPENDENT AGENCIES", strike "\$1,000,000" and insert "\$3,000,000".

SA 1021. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 40, strike line 23 and all that follows through page 41, line 4, and insert the following:

NAVAL PETROLEUM AND OIL SHALE RESERVES
None of the funds appropriated or otherwise made available by this Act shall be used to carry out naval petroleum and oil shale reserve activities.

SA 1022. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 39, strike line 21 and all that follows through page 40, line 22, and insert the following:

FOSSIL ENERGY RESEARCH AND DEVELOPMENT
(INCLUDING RESCISSION)

None of the funds appropriated or otherwise made available by this Act shall be used to carry out fossil energy research and development activities under the authority of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.): *Provided*, That of prior-year balances, \$187,000,000 are hereby rescinded: *Provided further*, That no rescission made by the previous proviso shall apply to any amount previously appropriated in Public Law 111-5 or designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.).

SA 1023. Mr. LEE submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 37, strike line 19 and all that follows through page 38, line 13.

On page 42, strike lines 13 through 16.

On page 47, strike lines 1 through 5.

On page 66, between lines 2 and 3, insert the following:

SEC. 3 . None of the funds appropriated or otherwise made available by this Act shall be used to carry out—

(1) energy efficiency and renewable energy activities in carrying out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including FreedomCAR and Fuel Partnership programs;

(2) activities of the Energy Information Administration; or

(3) the advanced technology vehicles manufacturing incentive program established under section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013).

SA 1024. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

In title III, at the end of the sections under the heading "GENERAL PROVISIONS—DEPARTMENT OF ENERGY", add the following:

SEC. ____ . None of the funds made available by this Act may be used to process, administer, or finalize any loan issued under the advanced technology vehicles manufacturing incentive program established under section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013) for the purposes of manufacturing advanced high-strength steel.

SA 1025. Mr. BROWN, of Massachusetts submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . TRANSPARENCY IN JUDGMENT PAYMENTS.

(a) DISCLOSURE OF PAYMENTS.—Section 1304 of title 31, United States Code, is amended by adding at the end the following:

"(d)(1) Not later than 30 days after the payment of a final judgment, award, or compromise settlement under this section, the Secretary of the Treasury shall publish electronically (including on a dedicated, publicly accessible Web site), in a manner consistent with applicable Federal privacy law—

"(A) the agency responsible for the payment;

"(B) a citation to the provision of law under which the claim was made;

"(C) the amount to be paid;

"(D) the amount of any interest to be paid;

"(E) the amount of any attorney fees to be paid; and

"(F) for any case filed in a court—

"(i) the case number for the case that resulted in the judgment, award, or settlement; and

"(ii) the court in which the case was filed.

"(2) The information published under paragraph (1) shall contain separate sections for claims filed in court and administrative claims.

"(3)(A) The Secretary of the Treasury shall submit to the Committee on the Judiciary and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on the Judiciary and the Committee on Oversight and Government Reform of the House of Representatives a quarterly report that contains—

"(i) any information published under paragraph (1) during the preceding quarter; and

"(ii) a confidential appendix that includes, for each case or claim described in clause (i), the identity of the plaintiff, counsel for the plaintiff, and the defendant.

"(B) A report under subparagraph (A) shall be exempt from disclosure under section 552 of title 5. For purposes of section 552 of title 5, this paragraph shall be considered a statute described in subsection (b)(3)(B) of such section 552."

(b) LITIGATION MANAGEMENT.—

(1) IN GENERAL.—Chapter 6 of title 5, United States Code, is amended by adding at the end the following:

"§ 613. Litigation management

"(a) Each agency, in consultation with the Attorney General of the United States and consistent with applicable Federal privacy law, shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives an annual report describing—

"(1) any civil action filed or pending against the agency or any employee of the agency; and

"(2) any settlements entered by or final judgments entered against the agency or any employee of the agency.

"(b) The report required under subsection (a) shall include—

"(1) a summary of—

"(A) the number of civil actions filed, pending, or settled;

"(B) the number of civil actions for which more than 36 months have passed since the date the action was filed;

"(C) the number of claims—

"(i) made under a statute or regulation; and

"(ii) alleging a violation of a statute or regulation;

"(D) the number of judgments entered for and against the agency;

"(E) the number of settlements or consent decrees involving the agency;

"(F) the number of judgments entered under seal;

"(G) the number of settlements or consent decrees involving a confidentiality agreement or order;

"(H) the total amount of all judgments, settlements, and attorney fees paid by or on behalf of the agency; and

"(I) the total number of agency rulemakings or other actions commenced due to a judgment or settlement;

"(2) for each filed or pending civil action, a summary of the action that—

"(A) describes—

"(i) the nature of the action;

"(ii) the cause of action asserted, including specific statutory references;

"(iii) the nature and amount of relief requested;

"(iv) whether the plaintiff is a party to any other litigation against the agency;

"(v) whether a claim for attorney fees has been made, and if so, the statutory basis for the claim;

"(vi) the date the action was filed; and

"(vii) whether more than 36 months have passed since the date the action was filed; and

"(B) identifies—

"(i) the court, the presiding judge, and the case number; and

"(ii) the plaintiff and counsel for the plaintiff; and

"(3) for each settlement or final judgment, except a settlement or final judgment described in paragraph (4), a summary of the civil action that includes—

"(A) the nature of the civil action;

"(B) the amount of the payment or other relief granted or agreed;

"(C) the amount of attorneys fees paid; and

"(D) the nature of any rulemaking or other agency action commenced due to the settlement or judgment; and

"(4) for each settlement or final judgment involving a judgment under seal or a confidentiality agreement or order—

"(A) the parties to the settlement or final judgment; and

"(B) each cause of action alleged in the complaint."

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 6 of title 5, United States Code, is amended by adding at the end the following:

"613. Litigation management."

SA 1026. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 957 proposed by Mr. REID to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 66, between lines 2 and 3, insert the following:

SEC. 3 ____ . Not later than 180 days after the date of enactment of this Act, the Secretary of Energy shall submit to the Committees on Appropriations of the House of Representatives and the Senate and post on the public Internet website of the Department of Energy a report describing all recipients of assistance (including grants, contracts, direct loans, loan guarantees, and cooperative agreements) from the Department during the 5-year period ending on the date of enactment of this Act that have filed for bankruptcy or were declared bankrupt, including the name of recipients, the amount of assistance, the date (by year) of receipt of assistance, and the date on which recipients filed for bankruptcy or were declared bankrupt.

SA 1027. Mr. COBURN submitted an amendment intended to be proposed by

him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division A, add the following:

SEC. 5 _____. Notwithstanding any other provision of this Act, none of the funds made available by this Act shall be used to carry out the Energy Star program established by section 324A of the Energy Policy and Conservation Act (42 U.S.C. 6294a).

SA 1028. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division A, add the following:

SEC. 5 _____. There are rescinded all remaining unobligated balances made available for the temporary program for rapid deployment of renewable energy and electric power transmission projects under section 1705 of the Energy Policy Act of 2005 (42 U.S.C. 16516).

SA 1029. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, add the following:

SEC. _____. A grant or contract funded by amounts appropriated by this Act may not be used for the purpose of defraying the costs of a banquet or conference that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a banquet or conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

SEC. _____. None of the funds made available by this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency at any single conference occurring outside the United States.

SEC. _____. (a) The head of any department, agency, board or commission funded by this Act shall submit quarterly reports to the Inspector General, or the senior ethics official for any entity without an inspector general, of the appropriate department, agency, board or commission regarding the costs and contracting procedures relating to each conference held by the department, agency, board or commission during fiscal year 2012 for which the cost to the Government was more than \$20,000.

(b) Each report submitted under subsection (a) shall include, for each conference described in that subsection held during the applicable quarter—

(1) a description of the subject of and number of participants attending that conference;

(2) a detailed statement of the costs to the Government relating to that conference, including—

(A) the cost of any food or beverages;

(B) the cost of any audio-visual services; and

(C) a discussion of the methodology used to determine which costs relate to that conference; and a description of the contracting procedures relating to that conference, including—

(i) whether contracts were awarded on a competitive basis for that conference; and

(ii) a discussion of any cost comparison conducted by the department, agency, board or commission in evaluating potential contractors for that conference.

SA 1030. Mr. COBURN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division A, add the following:

SEC. 5 _____. Notwithstanding any other provision of this Act, none of the funds made available by this Act shall be used to carry out any activity directed specifically or non-competitively for algae-based biofuels.

SA 1031. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division A, add the following:

SEC. 5 _____. Notwithstanding title III of division A, none of the funds made available by this Act shall be used to promulgate any regulation establishing energy-efficiency standards for televisions.

SA 1032. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division A, add the following:

SEC. 5 _____. Notwithstanding any other provision of this Act, none of the funds made available by this Act shall be used by the Office of Fossil Energy to carry out any energy research relating to fossil fuels, except that nothing in this section affects the responsibilities of the Secretary of Energy relating to national petroleum reserves.

SA 1033. Mr. JOHNSON, of South Dakota (for himself and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

In title II of division A, at the end of the sections under the heading "GENERAL PROVISIONS—DEPARTMENT OF THE INTERIOR", add the following:

SEC. _____. Any funds available to carry out the Oglala Sioux Rural Water Supply System established under section 3(a) of the

Mni Wiconi Project Act of 1988 (Public Law 100-516; 102 Stat. 2566) shall also be available for the Secretary of the Interior to plan, design, construct, operate, maintain, and replace the Oglala Sioux Rural Water Supply System within the entire boundary of the Pine Ridge Indian Reservation, including the tract of land in the State of Nebraska set aside as part of the Pine Ridge Indian Reservation by the Executive order dated February 20, 1904.

SA 1034. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 957 proposed by Mr. REID, to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 6, line 4, insert “, including any engineering and technical studies the Secretary determines to be necessary to estimate future storm-related releases of sediment deposited behind dams,” after “activities”.

SA 1035. Mr. CARDIN (for himself and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 957 proposed by Mr. REID to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 66, beginning on line 13, strike “\$58,024,000, to remain available until expended” and insert “\$68,000,000, to remain available until expended: *Provided*, That of the funds made available under this title, each account under this title (except the accounts under this heading) shall be reduced by the pro rata percentage required to reduce the total amount provided under this title by \$9,976,000”.

SA 1036. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 957 proposed by Mr. REID to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 141, line 15, insert “, including repairs required for structural safety,” after “repairs”.

SA 1037. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 957 proposed by Mr. REID to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 141, line 13, strike “funds;” and insert “funds: *Provided further*, That, not later than 120 days after the date of enactment of this Act, the General Services Administration shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed report, by project, for the construction projects included in the fiscal year 2011 project plan for the Federal Buildings Fund submitted to Congress on June 20, 2011, on the use of funds provided

under this Act for each project in fiscal year 2012, the future cost to complete each project, the added costs incurred for delays associated with each project, and the estimated number of construction and related jobs unfilled because of the delays associated with completion of each project;”.

SA 1038. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . SURETY BONDS.

(a) **MAXIMUM BOND AMOUNT.**—Section 411(a)(1) of the Small Business Investment Act of 1958 (15 U.S.C. 694b(a)(1)) is amended by striking “(1)” and all that follows and inserting the following: “(1)(A) The Administration may, upon such terms and conditions as it may prescribe, guarantee and enter into commitments to guarantee any surety against loss resulting from a breach of the terms of a bid bond, payment bond, performance bond, or bonds ancillary thereto, by a principal on any total work order or contract amount at the time of bond execution that does not exceed \$5,000,000.

“(B) The Administrator may guarantee a surety under subparagraph (A) for a total work order or contract amount that does not exceed \$10,000,000, if a contracting officer of a Federal agency certifies that such a guarantee is necessary.”.

(b) **DENIAL OF LIABILITY.**—Section 411 of the Small Business Investment Act of 1958 (15 U.S.C. 694b) is amended—

(1) by striking subsection (e) and inserting the following:

“(e) **REIMBURSEMENT OF SURETY; CONDITIONS.**—Pursuant to any such guarantee or agreement, the Administration shall reimburse the surety, as provided in subsection (c) of this section, except that the Administration shall be relieved of liability (in whole or in part within the discretion of the Administration) if—

“(1) the surety obtained such guarantee or agreement, or applied for such reimbursement, by fraud or material misrepresentation;

“(2) the total contract amount at the time of execution of the bond or bonds exceeds \$5,000,000;

“(3) the surety has breached a material term or condition of such guarantee agreement; or

“(4) the surety has substantially violated the regulations promulgated by the Administration pursuant to subsection (d).”;

(2) by striking subsection (k); and

(3) by adding after subsection (i) the following:

“(j) **DENIAL OF LIABILITY.**—For bonds made or executed with the prior approval of the Administration, the Administration shall not deny liability to a surety based upon material information that was provided as part of the guaranty application.”.

(c) **SIZE STANDARDS.**—Section 410 of the Small Business Investment Act of 1958 (15 U.S.C. 694a) is amended—

(1) by striking paragraph (9); and

(2) adding after paragraph (8) the following:

“(9) Notwithstanding any other provision of law or any rule, regulation, or order of the Administration, for purposes of sections 410, 411, and 412 the term ‘small business concern’ means a business concern that meets the size standard for the primary industry in which such business concern, and the affiliates of

such business concern, is engaged, as determined by the Administrator in accordance with the North American Industry Classification System.”.

SA 1039. Ms. STABENOW (for herself, Mr. DURBIN, Mr. LEVIN, Mr. KOHL, Mr. BROWN of Ohio, Mr. FRANKEN, Mrs. GILLIBRAND, and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I of division A, add the following:

SEC. 1 ____ . ASIAN CARP.

(a) **DEFINITIONS.**—In this section:

(1) **HYDROLOGICAL SEPARATION.**—The term “hydrological separation” means a physical separation on the Chicago Area Waterway System that—

(A) would disconnect the Mississippi River watershed from the Lake Michigan watershed; and

(B) shall be designed to be adequate in scope to prevent the transfer of all aquatic species between each of those bodies of water.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Army, acting through the Chief of Engineers.

(b) **EXPEDITED STUDY AND REPORT.**—

(1) **IN GENERAL.**—The Secretary shall—

(A) expedite completion of the report for the study authorized by section 3061(d) of the Water Resources Development Act of 2007 (Public Law 110-114; 121 Stat. 1121); and

(B) if the Secretary determines a project is justified in the completed report, proceed directly to project preconstruction engineering and design.

(2) **FOCUS.**—In expediting the completion of the study and report under paragraph (1), the Secretary shall focus on—

(A) the prevention of the spread of aquatic nuisance species between the Great Lakes and Mississippi River Basins, including through permanent hydrological separation of the Great Lakes and Mississippi River Basins; and

(B) the watersheds of the following rivers and tributaries associated with the Chicago Area Waterway System:

(i) The Illinois River, at and in the vicinity of Chicago, Illinois.

(ii) The Chicago River, Calumet River, North Shore Channel, Chicago Sanitary and Ship Canal, and Cal-Sag Channel in the State of Illinois.

(iii) The Grand Calumet River and Little Calumet River in the States of Illinois and Indiana.

(3) **EFFICIENT USE OF FUNDS.**—The Secretary shall ensure the efficient use of funds to maximize the timely completion of the study and report under paragraph (1).

(4) **DEADLINE.**—The Secretary shall complete the report under paragraph (1) by not later than 18 months after the date of enactment of this Act.

(5) **INTERIM REPORT.**—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Environment and Public Works of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report describing—

(A) interim milestones that will be met prior to final completion of the study and report under paragraph (1); and

(B) funding necessary for completion of the study and report under paragraph (1), including funding necessary for completion of each interim milestone identified under subparagraph (A).

SA 1040. Mr. SANDERS (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 957 proposed by Mr. REID to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, line 13, strike the period at the end and insert “: *Provided further*, That of the funds made available under this heading to carry out building technology activities, \$10,000,000 shall be made available to carry out geothermal heat pump research, development, and deployment activities.”.

SA 1041. Mr. MCCAIN (for himself, Mr. ROCKEFELLER, Mr. JOHANNES, Mr. BARRASSO, Mr. ENZI, Ms. MURKOWSKI, Mrs. MCCASKILL, Mr. BEGICH, Mr. COBURN, Mr. BLUNT, Mr. THUNE, Mr. HELLER, Mr. WEBB, Mr. MANCHIN, Mr. GRAHAM, and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Sec. ____ . Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this or any other Act may be used to pay compensation for senior executives at the Federal National Mortgage Association or Federal Home Loan Mortgage Corporation in the form of bonuses, during any period of conservatorship for those entities on or after the date of enactment of this Act.

SA 1042. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . (a) Except as provided in subsection (b), none of the funds made available by this division may be used to purchase new passenger motor vehicles.

(b) This section shall not apply to the purchase of new passenger motor vehicles that will be used primarily for national security, law enforcement, public transit, safety, or research purposes.

(c) Not later than 30 days after the last day of fiscal year 2012, the head of each agency or department receiving funds under this division shall submit a report to Congress that contains—

(1) a complete inventory of the vehicles owned, permanently retired, or purchased by the agency or department during fiscal year 2012; and

(2) the total cost of the agency’s or department’s vehicle fleet during fiscal year 2012, including costs for vehicle maintenance, fuel, storage, purchasing, and leasing.

SA 1043. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. The Propane Education and Research Act of 1996 (15 U.S.C. 6401 et seq.) is repealed.

SA 1044. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds appropriated or otherwise made available by this Act shall be used to pay the salaries and expenses of personnel of the Department of Energy to oversee the Propane Education and Research Council established under section 4(a) of the Propane Education and Research Act of 1996 (15 U.S.C. 6403(a)).

SA 1045. Mr. HOEVEN submitted an amendment intended to be proposed to amendment SA 957 proposed by Mr. REID to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 40, line 10, after "direction:", insert the following: " Provided further, That, of the amount made available under this heading (other than for program direction), \$5,000,000 shall be available for natural gas technologies, \$10,000,000 shall be available for unconventional fossil energy technologies:".

SA 1046. Mr. KOHL (for himself, Ms. STABENOW, and Mr. CORKER) submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, under the heading "GENERAL PROVISIONS—DEPARTMENT OF ENERGY", add the following:

SEC. 3. UNIFORM EFFICIENCY DESCRIPTOR FOR COVERED WATER HEATERS.

Section 325(e) of the Energy Policy and Conservation Act (42 U.S.C. 6295(e)) is amended by adding at the end the following:

"(5) UNIFORM EFFICIENCY DESCRIPTOR FOR COVERED WATER HEATERS.—

"(A) DEFINITIONS.—In this paragraph:

"(i) COVERED WATER HEATER.—The term 'covered water heater' means—

"(I) a water heater; and

"(II) a storage water heater, instantaneous water heater, and unfired water storage tank (as defined in section 340).

"(ii) FINAL RULE.—The term 'final rule' means the final rule published under this paragraph.

"(B) PUBLICATION OF FINAL RULE.—Not later than 180 days after the date of enactment of this paragraph, the Secretary shall publish a final rule that establishes a uni-

form efficiency descriptor and accompanying test methods for covered water heaters.

"(C) PURPOSE.—The purpose of the final rule shall be to replace with a uniform efficiency descriptor—

"(i) the energy factor descriptor for water heaters established under this subsection; and

"(ii) the thermal efficiency and standby loss descriptors for storage water heaters, instantaneous water heaters, and unfired water storage tanks established under section 342(a)(5).

"(D) EFFECT OF FINAL RULE.—

"(i) IN GENERAL.—Notwithstanding any other provision of this title, effective beginning on the effective date of the final rule, the efficiency standard for covered water heaters shall be denominated according to the efficiency descriptor established by the final rule.

"(ii) EFFECTIVE DATE.—The final rule shall take effect 1 year after the date of publication of the final rule under subparagraph (B).

"(E) CONVERSION FACTOR.—

"(i) IN GENERAL.—The Secretary shall develop a mathematical conversion factor for converting the measurement of efficiency for covered water heaters from the test procedures in effect on the date of enactment of this paragraph to the new energy descriptor established under the final rule.

"(ii) APPLICATION.—The conversion factor shall apply to models of covered water heaters affected by the final rule and tested prior to the effective date of the final rule.

"(iii) EFFECT ON EFFICIENCY REQUIREMENTS.—The conversion factor shall not affect the minimum efficiency requirements for covered water heaters otherwise established under this title.

"(iv) USE.—During the period described in clause (v), a manufacturer may apply the conversion factor established by the Secretary to rerate existing models of covered water heaters that are in existence prior to the effective date of the rule described in clause (v)(II) to comply with the new efficiency descriptor.

"(v) PERIOD.—Subclause (E) shall apply during the period—

"(I) beginning on the date of publication of the conversion factor in the Federal Register; and

"(II) ending on April 16, 2015.

"(F) EXCLUSIONS.—The final rule may exclude a specific category of covered water heaters from the uniform efficiency descriptor established under this paragraph if the Secretary determines that the category of water heaters—

"(i) does not have a residential use and can be clearly described in the final rule; and

"(ii) are effectively rated using the thermal efficiency and standby loss descriptors applied (as of the date of enactment of this paragraph) to the category under section 342(a)(5).

"(G) OPTIONS.—The descriptor set by the final rule may be—

"(i) a revised version of the energy factor descriptor in use as of the date of enactment of this paragraph;

"(ii) the thermal efficiency and standby loss descriptors in use as of that date;

"(iii) a revised version of the thermal efficiency and standby loss descriptors;

"(iv) a hybrid of descriptors; or

"(v) a new approach.

"(H) APPLICATION.—The efficiency descriptor and accompanying test method established under the final rule shall apply, to the maximum extent practicable, to all water heating technologies in use as of the date of enactment of this paragraph and to future water heating technologies.

"(I) PARTICIPATION.—The Secretary shall invite interested stakeholders to participate

in the rulemaking process used to establish the final rule.

"(J) TESTING OF ALTERNATIVE DESCRIPTORS.—In establishing the final rule, the Secretary shall contract with the National Institute of Standards and Technology, as necessary, to conduct testing and simulation of alternative descriptors identified for consideration.

"(K) EXISTING COVERED WATER HEATERS.—A covered water heater shall be considered to comply with the final rule on and after the effective date of the final rule and with any revised labeling requirements established by the Federal Trade Commission to carry out the final rule if the covered water heater—

"(i) was manufactured prior to the effective date of the final rule; and

"(ii) complied with the efficiency standards and labeling requirements in effect prior to the final rule."

SA 1047. Mr. REED (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

In the matter under the heading "CONSTRUCTION, GENERAL" under the heading "CORPS OF ENGINEERS—CIVIL" under the heading "CORPS OF ENGINEERS—CIVIL, DEPARTMENT OF THE ARMY", strike "Inland Waterways Trust Fund" and insert "Inland Waterways Trust Fund: Provided, That the funding level for each Continuing Authorities Program authority shall not be less than the amounts specified in the table on page 32 of Senate Report 112-75, except that \$15,000,000 shall be made available to carry out activities described in that table as Flood Control Projects (section 205)".

SA 1048. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 957 proposed by Mr. REID to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 66, between lines 2 and 3, insert the following:

SEC. 3 _____. The Secretary of Energy may authorize—

(1) the operation and maintenance of a Strategic Petroleum Reserve metering station and related equipment that is underutilized (as defined in section 102-75.50 of title 41, Code of Federal Regulations (or successor regulations)) on behalf of a private sector party; and

(2) the collection of a fee for the conduct of services described in paragraph (1) consistent with chapter 4 of the Atomic Energy Act of 1954 (42 U.S.C. 2051 et seq.) in an amount sufficient to cover the costs to the Federal Government of operation and maintenance described in paragraph (1).

SA 1049. Mr. BAUCUS (for himself, Mr. ROBERTS, Mr. BINGAMAN, Mrs. MCCASKILL, Ms. CANTWELL, Mr. NELSON, of Nebraska, Mr. HARKIN, Mr. PRYOR, Mr. TESTER, Mrs. MURRAY, Mr. MORAN, Mr. CRAPO, Mr. JOHNSON, of South Dakota, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and

water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. During fiscal year 2012, for purposes of section 908(b)(1) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7207(b)(1)), the term "payment of cash in advance" shall be interpreted as payment before the transfer of title to, and control of, the exported items to the Cuban purchaser.

SA 1050. Mr. McCAIN (for himself, Mr. COBURN, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

In title III, at the end of the sections under the heading "GENERAL PROVISIONS—DEPARTMENT OF ENERGY", add the following:

SEC. _____. None of the funds made available by this Act may be used by the Secretary of Energy to issue loan guarantees that, in any circumstances at the time of, or subsequent to, the issuance of the loan guarantee, make the Secretary subordinate to other financing.

SA 1051. Mr. CORKER (for himself and Mr. KYL) submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. 313. (a) Notwithstanding any other provision of law, the Secretary of State shall transfer \$321,000,000 of amounts appropriated or otherwise made available for the Department of State by the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2012, to the Secretary of Energy for the National Nuclear Security Administration for weapons activities.

(b) The Administrator for Nuclear Security shall allocate the amount transferred under subsection (a) to the weapons activities of the National Nuclear Security Administration that the Administrator, in consultation with the Secretary of Defense, determines to be the highest priority.

SA 1052. Mr. COATS (for himself and Mr. LUGAR) submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 1 _____. None of the funds made available by this Act shall be expended to carry out any Federal action that would involve or lead to any hydrological separation between the Great Lakes and the Mississippi River Basins.

SA 1053. Ms. LANDRIEU (for herself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by

her to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division A, add the following:

SEC. _____. The Secretary of Energy shall use \$2,000,000 for the support of the U.S.-Israeli energy cooperative agreement to be derived by transfer from the funds made available by this Act for salaries and expenses of the Department of Energy necessary for departmental administration under the heading "DEPARTMENTAL ADMINISTRATION", so that the total amount made available under that heading is \$235,623,000 and the amount made available from the general fund is not more than \$123,740,000.

SA 1054. Mr. BROWN, of Ohio (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 957 proposed by Mr. REID to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 40, line 10, insert "Provided further, That not less than \$25,000,000 shall be used for the research, development, and demonstration of solid oxide fuel cell systems:" after "program direction:".

SA 1055. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V of division A, add the following:

SEC. 5 _____. Notwithstanding title III of division A, none of the funds made available by this Act or previous Acts, making funds available for Energy and Water, shall be used to promulgate any regulation establishing energy-efficiency standards for televisions.

SA 1056. Mr. WICKER (for himself, Mr. INHOFE, Mr. SESSIONS, Mr. ROBERTS, Mr. PAUL, and Mr. JOHANN) submitted an amendment intended to be proposed by him to the bill S. 1867, to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

SEC. 527. FREEDOM OF CONSCIENCE OF MILITARY CHAPLAINS WITH RESPECT TO THE PERFORMANCE OF MARRIAGES.

A military chaplain who, as a matter of conscience or moral principle, does not wish to perform a marriage may not be required to do so.

SA 1057. Mr. WHITEHOUSE (for Mr. NELSON, of Florida) proposed an amendment to the resolution S. Res. 303, honoring the life, service, and sac-

rifice of Captain Colin P. Kelly Jr., United States Army; as follows:

In the preamble, amend the fourth and tenth clauses by striking "December 10, 1941" and inserting "December 9, 1941".

SA 1058. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title I (under the heading "CORPS OF ENGINEERS—CIVIL, DEPARTMENT OF THE ARMY"), add the following:

SEC. 1 _____. In addition to any other funds made available under this Act, the Chief of Engineers shall use \$1,250,000 to carry out activities under the heading "GENERAL INVESTIGATIONS" under the heading "CORPS OF ENGINEERS—CIVIL" to be derived by transfer from the funds made available by this Act under the heading "GENERAL EXPENSES" under the heading "CORPS OF ENGINEERS—CIVIL", so that the total amount made available under the heading "GENERAL EXPENSES" is \$183,750,000 and the total amount made available under the heading "GENERAL INVESTIGATIONS" is \$126,250,000.

SA 1059. Mr. COONS (for himself, Mr. CASEY, and Mr. TOOMEY) submitted an amendment intended to be proposed by Mr. REID to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 3, line 17, after "Public Law 104-303;" insert "of which \$30,000,000 shall be made available to carry out ongoing work relating to navigation, \$13,000,000 shall be made available to carry out ongoing work relating to environmental restoration or compliance projects, \$35,000,000 shall be made available to carry out ongoing work relating to environmental infrastructure projects, and \$3,000,000 shall be made available to carry out the Aquatic Plant Control Program;".

SA 1060. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 957 proposed by Mr. REID to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

On page 242, line 15, insert "": *Provided further*, That none of the funds made available under this heading or under any other provision of law, may be used to promote or support the operations of Radio Marti or TV Marti" before the period at the end.

On page 242, line 21, strike "including to Cuba,".

SA 1061. Mrs. MURRAY submitted an amendment intended to be proposed by her to the bill H.R. 2354, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VII of division C, add the following:

SEC. 7088. None of the funds appropriated or otherwise made available by this division may be obligated or expended to implement new programs or expand existing programs of the International Pacific Halibut Commission until the Secretary of State determines that the Commission has sufficient funds available to cover the overhead costs of the Commission.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENT AFFAIRS

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on November 16, 2011, at 9 a.m. to conduct a hearing entitled "Weeding Out Bad Contractors: Does the Government Have the Right Tools?"

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

COMMITTEE ON THE JUDICIARY

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on November 16, 2011, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations."

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

SUBCOMMITTEE ON SECURITIES, INSURANCE, AND INVESTMENT

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs' Subcommittee on Securities, Insurance, and Investment be authorized to meet during the session of the Senate on November 16, 2011, at 9:30 a.m., to conduct a hearing entitled "Management and Structural Reforms at the SEC: A Progress Report."

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

SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND THE COAST GUARD

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the Subcommittee on Oceans, Atmosphere, Fisheries, and the Coast Guard of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on November 16, 2011, at 10:30 a.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, "Weathering Change: Need for Continued Innovation in Forecasting and Prediction."

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

PRIVILEGES OF THE FLOOR

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that Val Molaison, a fellow in Senator TESTER's office, be granted floor privileges for the duration of today's session.

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

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that Adam Christensen, a congressional science fellow assigned to my office, be granted floor privileges during consideration of this bill.

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

Ms. LANDRIEU. Mr. President, I ask unanimous consent that Miles Chiotti, an intern from Senator GRASSLEY's office, have floor privileges for the remainder of the day.

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

COMMEMORATING THE 50TH ANNIVERSARY OF THE COMBINED FEDERAL CAMPAIGN

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 229, S. Res. 296.

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

The legislative clerk read as follows:

A resolution (S. Res. 296) commemorating the 50th anniversary of the Combined Federal Campaign.

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

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

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

The resolution (S. Res. 296) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 296

Whereas the Combined Federal Campaign was established pursuant to Executive Order 10927 (26 Fed. Reg. 2383) signed by President John F. Kennedy on March 18, 1961;

Whereas the Combined Federal Campaign is the only authorized charitable fundraising campaign for Federal employees, employees of the United States Postal Service, and members of the armed forces;

Whereas the Combined Federal Campaign operates in more than 119 localities throughout the United States, Puerto Rico, the United States Virgin Islands, and overseas military installations;

Whereas more than 20,000 nonprofit charitable organizations participate annually in the Combined Federal Campaign;

Whereas the men and women of the Federal Government, the United States Postal Service, and the Armed Forces have contributed approximately \$7,000,000,000 to local, national, and international charities over the past 50 years, making the Combined Federal Campaign the largest and most successful workplace charitable drive in the world; and

Whereas commemorating the 50th anniversary of the Combined Federal Campaign will thank public servants whose generous contributions over the years have helped to feed hungry children, cure disease, comfort the sick and dying, protect the environment and natural resources of the United States, and offered hope to people and communities

across the United States and worldwide: Now, therefore, be it

Resolved, That the Senate:

(1) commemorates the 50th anniversary of the Combined Federal Campaign;

(2) commends public servants of the United States for their unyielding dedication, generosity, and spirit of charitable giving;

(3) calls upon the new generation of Federal employees, employees of the United States Postal Service, and members of the Armed Forces to participate annually in the Combined Federal Campaign;

(4) encourages all Federal employees, employees of the United States Postal Service, and members of the Armed Forces to continue their philanthropic efforts for the betterment of the less fortunate; and

(5) urges the people of the United States to observe the 50th anniversary of the Combined Federal Campaign with appropriate ceremonies and activities.

EXPRESSING SUPPORT FOR IMPROVEMENT REGARDING RECYCLED MATERIALS IN THE UNITED STATES

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the Environment and Public Works Committee be discharged from further consideration of S. Res. 251 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 251) expressing support for improvement in the collection, processing, and consumption of recycled materials throughout the United States.

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

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table with no intervening action or debate, and that any statements related to the measure be printed in the RECORD.

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

The resolution (S. Res. 251) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 251

Whereas maximizing the recycling economy in the United States will create and sustain additional well-paying jobs in the United States, further stimulate the economy of the United States, save energy, and conserve valuable natural resources;

Whereas recycling is an important action that people in the United States can take to be environmental stewards;

Whereas municipal recycling rates in the United States steadily increased from 6.6 percent in 1970 to 28.6 percent in 2000, but since 2000, the rate of increase has slowed considerably;

Whereas a decline in manufacturing in the United States has reduced both the supply of and demand for recycled materials;

Whereas recycling allows the United States to recover the critical materials necessary to sustain the recycling economy and protect national security interests in the United States;