

States, answered the call to service, defending their communities and their country from aggression by Great Britain;

Whereas United States forces seized the city of Mobile from Spanish control in 1813, built Fort Bowyer to protect the city, and in 1814 successfully repelled a vastly larger British force from the city, resulting in Mobile becoming one of the few permanent land concessions gained by the United States during the War of 1812;

Whereas Great Britain unleashed grievous attacks on the capital of the United States, Washington, D.C., burning to the ground the United States Capitol Building, the White House, and much of the rest of the city;

Whereas, after 2½ years of conflict, the British Royal Navy sailed up the Chesapeake Bay in an attempt to capture Baltimore, Maryland;

Whereas United States forces at Fort McHenry, stationed in the outer harbor of Baltimore, Maryland under the command of Brevet Lieutenant Colonel George Armistead, withstood nearly 25 hours of bombardment by the British forces and refused to yield, thereby forcing the British to give up the invasion and withdraw;

Whereas Francis Scott Key, a United States lawyer who was being held by the British on board a United States flag-of-truce vessel in the harbor, saw “by the dawn’s early light”, as Key would later write, an American flag still flying over Fort McHenry after the horrific attack;

Whereas Francis Scott Key immortalized the event in a poem entitled “Defense of Fort McHenry”, which was later set to music and called “The Star-Spangled Banner”;

Whereas “The Star-Spangled Banner” became the national anthem of the United States on March 3, 1931, when President Herbert Hoover signed Public Law 71-823;

Whereas General Andrew Jackson, who would later become the seventh President of the United States, won the Battle of Horseshoe Bend and then triumphed in the decisive Battle of New Orleans, which, although fought after the signing of the Treaty of Ghent, was a great source of pride to the young United States and provided momentum for growth and prosperity in the years that would follow;

Whereas, since 1916, the people of the United States have entrusted the National Park Service with the care of national parks and sites of historical significance to the country, including Fort McHenry and more than 30 other sites and National Heritage Areas that tell the story of the War of 1812;

Whereas the diverse historic sites relating to the War of 1812 include homes, battlefields, and landscapes that highlight the contributions made by a wide range of people in the United States during the war;

Whereas one such historic site is the Fort McHenry National Monument and Historic Shrine, the birthplace of “The Star Spangled Banner”, where the symbols of both the flag and the national anthem of the United States come together;

Whereas the people of the United States are grateful for the rights defended through hard fighting during the War of 1812 by the United States Army, Navy, Marine Corps, and Revenue Marine Service, and State militias, including the protection of United States citizens at home and abroad, unrestricted trade, free and open ports, and the protection of the territorial integrity of the United States against aggression; and

Whereas, during the bicentennial years of the War of 1812 and “The Star Spangled Banner”, it is fitting that the bravery and steadfast determination of the United States land and maritime forces be celebrated by the grateful people of the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors the memory of all the people of the United States who came together during the War of 1812, particularly the fallen heroes who gave their lives during the “Second War of Independence”;

(2) commands the men and women of the United States Army, Navy, Marine Corps, Air Force, and Coast Guard, and the State National Guards, who preserve the ideals of freedom, democracy, and the pursuit of happiness that were guaranteed by the victories of the War of 1812;

(3) congratulates the Armed Forces of the United States, the National Parks Service, the Maryland War of 1812 Bicentennial Commission, and all other organizations and individuals who are involved in preserving and promoting the history of this great country, and supports their commemoration of the War of 1812 and “The Star Spangled Banner”; and

(4) calls on all people of the United States to join in the commemoration of the bicentennial of the War of 1812 and “The Star Spangled Banner” in events throughout the United States, to celebrate that at the end of the war, as Francis Scott Key wrote, “our flag was still there”.

#### SENATE CONCURRENT RESOLUTION 35—TO ESTABLISH THE JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES FOR THE INAUGURATION OF THE PRESIDENT-ELECT AND VICE PRESIDENT-ELECT OF THE UNITED STATES ON JANUARY 21, 2013

Mr. SCHUMER (for himself and Mr. ALEXANDER) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 35

*Resolved by the Senate (the House of Representatives concurring),*

#### SECTION 1. ESTABLISHMENT OF JOINT COMMITTEE.

There is established a Joint Congressional Committee on Inaugural Ceremonies (in this resolution referred to as the “joint committee”) consisting of 3 Senators and 3 Members of the House of Representatives, to be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively. The joint committee is authorized to make the necessary arrangements for the inauguration of the President-elect and Vice President-elect of the United States on January 21, 2013.

#### SEC. 2. SUPPORT OF THE JOINT COMMITTEE.

The joint committee—

(1) is authorized to utilize appropriate equipment and the services of appropriate personnel of departments and agencies of the Federal Government, under arrangements between the joint committee and the heads of those departments and agencies, in connection with the inaugural proceedings and ceremonies; and

(2) may accept gifts and donations of goods and services to carry out its responsibilities.

#### SENATE CONCURRENT RESOLUTION 36—TO AUTHORIZE THE USE OF THE ROTUNDA AND EMANCIPATION HALL OF THE CAPITOL BY THE JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES IN CONNECTION WITH THE PROCEEDINGS AND CEREMONIES CONDUCTED FOR THE INAUGURATION OF THE PRESIDENT-ELECT AND THE VICE PRESIDENT-ELECT OF THE UNITED STATES

Mr. SCHUMER (for himself and Mr. ALEXANDER) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 36

*Resolved by the Senate (the House of Representatives concurring),*

#### SECTION 1. USE OF THE ROTUNDA AND EMANCIPATION HALL OF THE CAPITOL.

The rotunda and Emancipation Hall of the United States Capitol are authorized to be used on January 21, 2013, by the Joint Congressional Committee on Inaugural Ceremonies in connection with the proceedings and ceremonies conducted for the inauguration of the President-elect and the Vice President-elect of the United States.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1757. Mr. UDALL, of New Mexico (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table.

SA 1758. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1759. Mr. BINGAMAN (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1760. Mr. BROWN, of Ohio submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1761. Mr. REID proposed an amendment to the bill S. 1813, supra.

SA 1762. Mr. REID proposed an amendment to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, supra.

SA 1763. Mr. REID proposed an amendment to the bill S. 1813, supra.

SA 1764. Mr. REID proposed an amendment to amendment SA 1763 proposed by Mr. REID to the bill S. 1813, supra.

SA 1765. Mr. REID proposed an amendment to amendment SA 1764 proposed by Mr. REID to the amendment SA 1763 proposed by Mr. REID to the bill S. 1813, supra.

SA 1766. Mr. BROWN, of Ohio (for himself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1767. Mr. LAUTENBERG (for himself, Mr. DURBIN, Mrs. GILLIBRAND, and Mr. SANDERS) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1768. Mr. HARKIN (for himself, Mr. MORAN, Mr. LEVIN, Ms. STABENOW, and Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 1761 proposed by Mr. REID to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1769. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

SA 1770. Mr. SCHUMER (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed by him to the bill S. 1813, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 1757.** Mr. UDALL of New Mexico (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 210, strike line 10 and all that follows through page 218, line 20, and insert the following:

“(A) BASIS.—After making the set asides authorized under subsections (a)(6), (c), (d), and (e) on October 1 of each fiscal year, the Secretary shall distribute the remainder authorized to be appropriated for the tribal transportation program under this section among Indian tribes as described in subparagraph (B).

“(B) TRIBAL SHARES.—

“(i) IN GENERAL.—Subject to clause (ii), tribal shares under this program shall be determined in the same manner as determined under section 202, as in effect on the day before the date of enactment of the MAP-21, except that inventory included under subsection (d)(2)(G)(ii) of that section 202 after the date of enactment of the MAP-21 shall not be used to determine the relative transportation needs of an Indian tribe under any disbursement formula developed in accordance with this subparagraph.

“(ii) COMMITTEE ON FORMULA GRANTS.—

“(I) IN GENERAL.—The Secretary and the Secretary of the Interior shall jointly establish a committee on formula grants under the tribal transportation program, which shall be composed of—

“(aa) 1 representative from each Region of the Bureau of Indian Affairs, who shall be appointed by the Secretary based on the recommendation of the Indian tribes in each such Region; and

“(bb) employees of the Department of Transportation and the Department of the Interior having expertise in tribal transportation.

“(II) DUTIES OF THE COMMITTEE.—During the 18-month period after the date of enactment of the MAP-21, the committee shall develop a formula for the distribution of amounts under this section.

“(III) IMPLEMENTATION.—The Secretary shall implement the distribution formula developed under subclause (II) in the first fiscal year after the date on which the formula is developed.

“(IV) REPORT.—Not later than 2 years after the date of enactment of the MAP-21, the Secretary of the Interior, in consultation with the committee, shall submit to Congress a report that describes the implementation of and transition to the distribution formula developed by the committee.

“(iii) APPLICABILITY.—If the committee established under clause (ii) fails to develop a proposed distribution formula, the distribution formula under section 202, as in effect on the day before the date of enactment of the MAP-21 and modified by clause (i), shall remain in effect.

**SA 1758.** Mr. DURBIN submitted an amendment intended to be proposed by

him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ . PASSENGER RAIL AIR QUALITY STUDY.

(a) IN GENERAL.—The Secretary shall—

(1) conduct a study of the air quality in—

(A) passenger cars of commuter and intercity trains with diesel or diesel-electric locomotives; and

(B) rail stations serviced by diesel or diesel-electric locomotives; and

(2) determine cost-effective ways to reduce diesel emissions and improve air quality in the passenger cars and rail stations described in paragraph (1).

(b) CONSULTATION REQUIREMENT.—In conducting the study under subsection (a)(1), the Secretary shall consult with representatives of—

(1) the Environmental Protection Agency;

(2) the Federal Railroad Administration;

(3) the Federal Transit Administration;

(4) the Occupational Safety and Health Administration;

(5) State Departments of Transportation;

(6) commuter rail transit agencies;

(7) the public transportation industry;

(8) public health groups; and

(9) commuter rail worker organizations.

(c) REPORT.—

(1) SUBMISSION TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit a report containing the results of the study conducted under subsection (a)(1) and the determinations made under subsection (a)(2) to—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(C) the Committee on Transportation and Infrastructure of the House of Representatives.

(2) PUBLIC DISSEMINATION.—The report submitted under paragraph (1) shall be simultaneously made available through a publicly accessible Internet website.

**SA 1759.** Mr. BINGAMAN (for himself and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 45, between lines 3 and 4, insert the following:

“(C) FURTHER ADJUSTMENT FOR PRIVATIZED HIGHWAYS.—

“(i) DEFINITION OF PRIVATIZED HIGHWAY.—In this subparagraph:

“(I) IN GENERAL.—The term ‘privatized highway’ means a highway that was formerly a publically operated toll road that is subject to an agreement giving a private entity—

“(aa) control over the operation of the highway; and

“(bb) ownership over the toll revenues collected from the operation of the highway.

“(II) EXCLUSION.—The term ‘privatized highway’ does not include any highway or toll road that was originally—

“(aa) financed and constructed using private funds; and

“(bb) operated by a private entity.

“(ii) ADJUSTMENT.—After making the adjustments to the apportionment of a State under subparagraphs (A) and (B), the Secretary shall further adjust the amount to be

apportioned to the State by reducing the apportionment by an amount equal to the product obtained by multiplying—

“(I) the amount to be apportioned to the State, as so adjusted under those subparagraphs; and

“(II) the percentage described in clause (iii).

“(iii) PERCENTAGE.—The percentage referred to in clause (ii) is the percentage equal to the sum obtained by adding—

“(I) the product obtained by multiplying—

“(aa)  $\frac{1}{2}$ ; and

“(bb) the proportion that—

“(AA) the total number of lane miles on privatized highway lanes on National Highway System routes in a State; bears to

“(BB) the total number of all lane miles on National Highway System routes in the State; and

“(II) the product obtained by multiplying—

“(aa)  $\frac{1}{2}$ ; and

“(bb) the proportion that—

“(AA) the total number of vehicle miles traveled on privatized highway lanes on National Highway System routes in the State; bears to

“(BB) the total number of vehicle miles traveled on all lanes on National Highway System routes in the State.

“(iv) REAPPORTIONMENT.—An amount withheld from apportionment to a State under clause (ii) shall be reapportioned among all other States based on the proportions calculated under subparagraph (A).

**SA 1760.** Mr. BROWN of Ohio submitted an amendment intended to be proposed by him to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 469, after line 22, add the following:

#### SEC. 15 \_\_\_\_ . UPDATED CORROSION CONTROL AND PREVENTION REPORT.

Not later than 30 months after the date of enactment of this Act, the Secretary shall submit to Congress an updated report on the costs and benefits of the prevention and control of corrosion on transportation infrastructure of the United States.

**SA 1761.** Mr. REID proposed an amendment to the bill S. 1813, to reauthorize Federal-aid highway and highway safety construction programs, and for other purposes; as follows:

Strike all after the first word and insert the following:

#### 1. SHORT TITLE; ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Moving Ahead for Progress in the 21st Century Act” or the “MAP-21”.

(b) DIVISIONS.—This Act is organized into 4 divisions as follows:

(1) Division A—Federal-aid Highways and Highway Safety Construction Programs.

(2) Division B—Public Transportation.

(3) Division C—Transportation Safety and Surface Transportation Policy.

(4) Division D—Finance.

(c) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; organization of Act into divisions; table of contents.

#### DIVISION A—FEDERAL-AID HIGHWAYS AND HIGHWAY SAFETY CONSTRUCTION PROGRAMS

##### TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Programs

Sec. 1101. Authorization of appropriations.

Sec. 1102. Obligation ceiling.