

U.S.C. 4321 et seq.), regardless of the funding source of such contracts, if at least 1 contract for the project is funded with amounts made available to carry out this title.”.

(2) AMTRAK.—Section 24305(f) of title 49, United States Code, is amended by adding at the end the following:

“(5) The requirements under this subsection shall apply to all contracts for a project carried out within the scope of the applicable finding, determination, or decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), regardless of the funding source of such contracts, if at least 1 contract for the project is funded with amounts made available to carry out this chapter.”.

(3) APPLICATION TO INTERCITY PASSENGER RAIL SERVICE CORRIDORS.—Section 24405(a) of title 49, United States Code, is amended—

(A) by striking paragraph (4);
(B) by redesignating paragraphs (5) through (11) as paragraphs (4) through (10), respectively; and

(C) by adding at the end the following:
“(11) The requirements under this subsection shall apply to all contracts eligible for Federal funding for a project carried out within the scope of the applicable finding, determination, or decision under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), regardless of the funding source of such contracts, if at least 1 contract for the project is funded with amounts made available to carry out this title.”.

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, 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 87, between lines 15 and 16, insert the following:

“(29) Capital costs for passenger rail projects eligible for assistance under title 49, including vehicles and facilities.

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, 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 end of division B of the amendment, add the following:

SEC. ____ . INCREASING THE PRIORITY OF BUSES AND IMPROVING FLEXIBILITY FOR PUBLIC TRANSPORTATION FUNDING.

(a) APPLICABILITY.—Section 5337(e) of title 49, United States Code, as amended by this Act, shall apply only with respect to fiscal year 2012.

(b) FUNDING.—Notwithstanding section 5338 of title 49, United States Code, as amended by this Act—

(1) of amounts made available under subsection (a)(1) of such section 5338 for fiscal year 2013—

(A) \$5,039,661,500 shall be allocated in accordance with section 5336 of such title 49 to provide financial assistance for urbanized areas under section 5307;

(B) \$720,190,000 shall be available to provide financial assistance for other than urbanized areas under section 5311 of such title 49, of which not less than \$30,000,000 shall be avail-

able to carry out section 5311(c)(1) and \$20,000,000 shall be available to carry out section 5311(c)(2); and

(C) \$1,574,763,500 shall be available to carry out subsection (c) of section 5337 of such title 49;

(2) no amounts made available under subsection (a)(1) of such section 5338 for fiscal year 2013 may be used to carry out section 5337(e) of title 49, United States Code, as amended by this Act;

(3) there are authorized to be appropriated to carry out section 5309 of such title 49, \$1,655,000,000 for fiscal year 2013;

(4) there are authorized to be appropriated to carry out section 5307 of such title 49, \$203,500,000 for fiscal year 2013, which shall be allocated in accordance with section 5336 of such title 49; and

(5) there are authorized to be appropriated to carry out section 5311 of such title 49, \$96,500,000 for fiscal year 2013, which shall be apportioned in accordance with section 5311(c).

(c) HIGH INTENSITY FIXED GUIDEWAY STATE OF GOOD REPAIR.—Notwithstanding section 5337(c)(1) of title 49, United States Code, as amended by this Act, for fiscal year 2013, \$1,574,763,500 shall be apportioned to recipients in accordance with section 5337(c) of title 49, United States Code.

SA 1769. Mr. DEMINT 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. ____ . REGULATIONS REGARDING POOLS.

(a) DEFINITIONS.—

(1) COVERED REGULATION.—The term “covered regulation” means—

(A) the portions of part 35 of title 28, Code of Federal Regulations, that were added under the final rule issued by the Attorney General entitled “Nondiscrimination on the Basis of Disability in State and Local Government Services”, 75 Fed. Reg. 56164 (September 15, 2010); and

(B) the portions of part 36 of title 28, Code of Federal Regulations, that were added under the final rule issued by the Attorney General entitled “Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities”, 75 Fed. Reg. 56236 (September 15, 2010).

(2) POOL.—The term “pool” means a swimming pool, wading pool, sauna, steam room, spa, wave pool, lazy river, sand bottom pool, or other water amusement, within the meaning of part 36 of title 28, Code of Federal Regulations.

(3) PUBLIC ACCOMMODATION.—The term “public accommodation” has the meaning given the term in section 301 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12181).

(4) PUBLIC ENTITY.—The term “public entity” has the meaning given the term in section 201 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131).

(b) DELAYED EFFECTIVE DATE.—Neither the Attorney General nor any official of the Federal Government shall have authority, under title II or III of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.) or any other provision of Federal law, to administer or enforce a covered regulation, with respect to a pool at a public accommodation, or a pool provided by a public entity and covered by such title II, earlier than 1 year after the date of enactment of this Act.

SA 1770. Mr. SCHUMER (for himself and Mrs. GILLIBRAND) 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:

In section 5340(d)(5) of title 49, United States Code, as amended by section 20030, strike the second and third sentences and insert the following: “Amounts apportioned to each urbanized area shall be added to amounts apportioned to that urbanized area under section 5336 and shall be made available for grants under section 5307.”.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, March 1, 2012, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 1, 2012, at 10 a.m., to conduct a committee hearing entitled “The Semiannual Monetary Policy Report to Congress.”

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

COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 1, 2012, at 10 a.m. in room 253 of the Russell Senate Office Building.

The Committee will hold a hearing entitled, “Oversight of the Cruise Ship Industry: Are Current Regulations Sufficient to Protect Passengers and the Environment?”

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

COMMITTEE ON FOREIGN RELATIONS

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on March 1, 2012, at 10 a.m., to hold a hearing entitled, “Syria: The Crisis and Its Implications.”

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

COMMITTEE ON THE JUDICIARY

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on March 1, 2012, 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.

SELECT COMMITTEE ON INTELLIGENCE

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 1, 2012, at 2:30 p.m.

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

ESTABLISHING THE JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL CEREMONIES

AUTHORIZING THE USE OF THE ROTUNDA AND EMANCIPATION HALL

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration en bloc of S. Con. Res. 35 and S. Con. Res. 36.

The PRESIDING OFFICER. The clerk will report the concurrent resolutions by title en bloc.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 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.

A concurrent resolution (S. Con. Res. 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.

There being no objection, the Senate proceeded to consider the concurrent resolutions en bloc.

Mr. REID. Mr. President, I ask unanimous consent that the concurrent resolutions be agreed to en bloc, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate, and any statements related to these matters be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 35) was agreed to, as follows:

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.

The concurrent resolution (S. Con. Res. 36) was agreed to, as follows:

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.

CELEBRATING BLACK HISTORY MONTH

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 387.

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

The legislative clerk read as follows:

A resolution (S. Res. 387) celebrating Black History Month.

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

Mr. REID. 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 any statements related to the matter be printed in the RECORD.

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

The resolution (S. Res. 387) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 387

Whereas in 1776, the United States of America was imagined, as stated in the Declaration of Independence, as a new country dedicated to the proposition that "... all Men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are Life, Liberty, and the Pursuit of Happiness ...";

Whereas the first Africans were brought involuntarily to the shores of America as early as the 17th century;

Whereas African-Americans suffered enslavement and subsequently faced the injustices of lynch mobs, segregation, and denial of the basic and fundamental rights of citizenship;

Whereas inequalities and injustices in our society still exist today;

Whereas in the face of injustices, people of the United States of good will and of all races distinguished themselves with a commitment to the noble ideals on which the United States was founded and courageously fought for the rights and freedom of African-Americans;

Whereas many African-American men and women worked against racism to achieve success and have made significant contributions to the economic, educational, political, artistic, literary, scientific, and technological advancements of the United States;

Whereas the greatness of the United States is reflected in the contributions of African-Americans in all walks of life throughout the history of the United States;

Whereas Lieutenant Colonel Allen Allensworth, Muhammad Ali, Constance Baker Motley, James Baldwin, James Beckwourth, Clara Brown, Ralph Bunche, Shirley Chisholm, Frederick Douglass, W. E. B. Du Bois, Ralph Ellison, Alex Haley, Dorothy Height, Lena Horne, Charles Hamilton Houston, Mahalia Jackson, Martin Luther King, Jr., the Tuskegee Airmen, Thurgood Marshall, Rosa Parks, Bill Pickett, Jackie Robinson, Sojourner Truth, and Harriet Tubman each lived a life of incandescent greatness, while many African-Americans lived, toiled, and died in obscurity, never achieving the recognition they deserved and yet paved the way for future generations to succeed;

Whereas, pioneers such as Maya Angelou, Arthur Ashe, Jr., Carol Moseley Braun, Ronald Brown, Ursula Burns, Kenneth Chenaault, David Dinkins, Alexis Herman, Mae Jemison, Earvin "Magic" Johnson, Sheila Johnson, James Earl Jones, David Paterson, Marian Wright Edelman, Alice Walker, and Oprah Winfrey have all benefitted from their forefathers and have served as great role models and leaders for future generations to come;

Whereas on November 4, 2008, the people of the United States elected an African-American man, Barack Obama, as President of the United States;

Whereas African-Americans continue to serve the United States at the highest levels of government and military;

Whereas on February 22, 2012, President Barack Obama and First Lady Michelle Obama, along with former First Lady Laura Bush, celebrated the groundbreaking of the National Museum of African American History and Culture on the National Mall in Washington, DC;

Whereas the birthdays of Abraham Lincoln and Frederick Douglass inspired the creation of Negro History Week, the precursor to Black History Month;

Whereas Negro History Week represented the culmination of the efforts of Dr. Carter G. Woodson to enhance knowledge of black history through the Journal of Negro History, published by the Association for the Study of African American Life and History, which was founded by Dr. Woodson and Jesse E. Moorland;

Whereas Black History Month, celebrated during the month of February, dates back to 1926 when Dr. Woodson set aside a special period of time in February to recognize the heritage and achievement of black Americans;

Whereas Dr. Woodson, the "Father of Black History", stated, "We have a wonderful history behind us. . . . If you are unable to demonstrate to the world that you have this record, the world will say to you, 'You are not worthy to enjoy the blessings of democracy or anything else.'";

Whereas since the founding, the United States has been an imperfect work in making progress towards noble goals; and

Whereas the history of the United States is the story of a people regularly affirming high ideals, striving to reach those ideals but often failing, and then struggling to come to terms with the disappointment of that failure before committing to trying again: Now, therefore, be it

Resolved, That the Senate—

(1) acknowledges that all of the people of the United States are the recipients of the wealth of history given to us by black culture;

(2) recognizes the importance of Black History Month as an opportunity to reflect on the complex history of the United States, while remaining hopeful and confident about the path that lies ahead;

(3) acknowledges the significance of Black History Month as an important opportunity to recognize the tremendous contributions of