

“(E) identify and address the potential depletion and ensure appropriate replenishment of medical countermeasures, including those currently in the stockpile;” and

(2) in subsection (f)(1), by striking “\$640,000,000 for fiscal year 2002, and such sums as may be necessary for each of fiscal years 2003 through 2006” and inserting “\$522,486,000 for each of fiscal years 2012 through 2016”.

(b) **REPORT ON POTASSIUM IODIDE.**—Not later than 270 days after the date of enactment of this Act, the Secretary of Health and Human Services shall submit to the appropriate Committees of Congress a report regarding the stockpiling of potassium iodide. Such report shall include—

(1) an assessment of the availability of potassium iodide at Federal, State, and local levels; and

(2) a description of the extent to which such activities and policies provide public health protection in the event of a nuclear incident, whether unintentional or deliberate, including an act of terrorism.

#### **SEC. 404. NATIONAL BIODEFENSE SCIENCE BOARD.**

Section 319M(a) of the Public Health Service Act (42 U.S.C. 247d-f(a)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (D)—

(i) in the matter preceding clause (i), by striking “five” and inserting “six”;

(ii) in clause (i), by striking “and” at the end;

(iii) in clause (ii), by striking the period and inserting a semicolon; and

(iv) by adding at the end the following:

“(iii) one such member shall be an individual with pediatric subject matter expertise; and

“(iv) one such member shall be a State, tribal, territorial, or local public health official.”; and

(B) by adding at the end the following flush sentence:

“Nothing in this paragraph shall preclude a member of the Board from satisfying two or more of the requirements described in subparagraph (D).”;

(2) in paragraph (5)—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(D) provide any recommendation, finding, or report provided to the Secretary under this paragraph to the appropriate committees of Congress.”; and

(3) in paragraph (8), by adding at the end the following: “Such chairperson shall serve as the deciding vote in the event that a deciding vote is necessary with respect to voting by members of the Board.”.

#### **HONORING THE LIFE AND LEGACY OF THE HONORABLE DONALD M. PAYNE**

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 390.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 390) honoring the life and legacy of the Honorable Donald M. Payne.

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

Mr. REID. 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 resolution be printed in the RECORD.

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

The resolution (S. Res. 390) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### **S. RES. 390**

Whereas the Honorable Donald M. Payne was born in Newark, New Jersey on July 16, 1934, graduated from Barringer High School in Newark and Seton Hall University in South Orange, New Jersey, and pursued graduate studies at Springfield College in Massachusetts;

Whereas the Honorable Donald M. Payne was an educator in the Newark and Passaic, New Jersey public schools and was an executive at Prudential Financial and at Urban Data Systems Inc;

Whereas the Honorable Donald M. Payne became the first African American national president of the YMCA in 1970 and served as Chairman of the World Refugee and Rehabilitation Committee of the YMCA from 1973 to 1981;

Whereas the Honorable Donald M. Payne served 3 terms on the Essex County Board of Chosen Freeholders and 3 terms on the Newark Municipal Council;

Whereas, in 1988, the Honorable Donald M. Payne became the first African American elected to the United States House of Representatives from the State of New Jersey;

Whereas the people of New Jersey overwhelmingly reelected the Honorable Donald M. Payne 11 times, most recently in 2010, when the Honorable Donald M. Payne was elected to represent the Tenth Congressional District of New Jersey for a 12th term;

Whereas the Honorable Donald M. Payne was a tireless advocate for his constituents, bringing significant economic development to Essex, Hudson, and Union Counties in New Jersey;

Whereas, as a senior member of the Committee on Education and the Workforce of the House of Representatives, the Honorable Donald M. Payne was a leading advocate for public schools, college affordability, and workplace protections;

Whereas, as a senior member of the Committee on Foreign Affairs of the House of Representatives, the Chairman and Ranking Member of the Subcommittee on Africa, Global Health, and Human Rights, and a member of the Subcommittee on the Western Hemisphere, the Honorable Donald M. Payne led efforts to restore democracy and human rights around the world, including in Northern Ireland and Sudan;

Whereas the Honorable Donald M. Payne was a leader in the field of global health, co-founding the Malaria Caucus, and helping to secure passage of a bill authorizing \$50,000,000 for the prevention and treatment of HIV/AIDS, tuberculosis, and malaria;

Whereas the Honorable Donald M. Payne served as Chairman of the Congressional Black Caucus Foundation and previously as Chairman of the Congressional Black Caucus;

Whereas, in March 2012, the United States Agency for International Development launched the Donald M. Payne Fellowship Program to attract outstanding young people to careers in international development;

Whereas the Honorable Donald M. Payne served on the boards of directors of the National Endowment for Democracy, TransAfrica, the Discovery Channel Global Edu-

cation Partnership, the Congressional Award Foundation, the Boys and Girls Clubs of Newark, the Newark Day Center, and the Newark YMCA;

Whereas the Honorable Donald M. Payne was the recipient of numerous honors and awards, including honorary doctorates from multiple universities;

Whereas the Honorable Donald M. Payne passed away on March 6, 2012, and is survived by 3 children, 4 grandchildren, and 1 great-grandchild; and

Whereas the Honorable Donald M. Payne's long history of service will have an enduring impact on people in New Jersey, across the United States, and around the world: Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses profound sorrow at the death of the Honorable Donald M. Payne, United States Representative for the Tenth Congressional District of New Jersey;

(2) conveys the condolences of the Senate to the family of the Honorable Donald M. Payne; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the House of Representatives and the family of the Honorable Donald M. Payne.

#### **DISCHARGE AND REFERRAL**

Mr. REID. Mr. President, I ask unanimous consent that the Finance Committee be discharged from further consideration of S. 2152, the Syria Democracy Transition Act of 2012, and the bill be referred to the Committee on Foreign Relations.

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

#### **MEASURE READ THE FIRST TIME—S. 2173**

Mr. REID. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The assistant legislative clerk read as follows:

A bill (S. 2173) to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

Mr. REID. I ask for a second reading in order to place the bill on the calendar under rule XIV but object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive a second reading on the next legislative day.

#### **AUTHORITY TO SIGN DULY ENROLLED BILLS OR JOINT RESOLUTIONS**

Mr. REID. Mr. President, I ask unanimous consent that on Wednesday, March 7, the majority leader be authorized to sign duly enrolled bills or joint resolutions.

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

#### **ORDERS FOR THURSDAY, MARCH 8, 2012**

Mr. REID. Mr. President, I ask unanimous consent that when the Senate

completes its business today, it adjourn until Thursday, March 8, 2012, at 9:30 a.m.; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, and the majority will control

the first half and the Republicans the final half; that following morning business, the Senate will resume consideration of S. 1813, the surface transportation bill.

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

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#### PROGRAM

Mr. REID. Mr. President, so everyone understands, we have reached agreement to complete action on the surface transportation bill. Under the order we just entered, we can finish this tomorrow. It is a huge job. We have 30

amendments we have to dispose of, so there is no question that Senators should expect a number of votes tomorrow.

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ADJOURNMENT UNTIL 9:30 A.M.  
TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask that it adjourn under the previous order.

There being no objection, the Senate, at 10:28 p.m., adjourned until Thursday, March 8, 2012, at 9:30 a.m.