

take effect on the earlier of June 1, 2012, or the date of the enactment of this Act.

**SA 2106.** Mr. ISAKSON (for himself and Mr. COONS) submitted an amendment intended to be proposed by him to the bill H.R. 2072, to reauthorize the Export-Import Bank of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 26. EXTENSION OF THIRD-COUNTRY FABRIC RULE UNDER THE AFRICAN GROWTH AND OPPORTUNITY ACT; ELIGIBILITY OF SOUTH SUDAN FOR DESIGNATION FOR PREFERENTIAL TREATMENT.**

(a) **EXTENSION OF AGOA THIRD-COUNTRY FABRIC RULE.**—Section 112(c)(1) of the African Growth Opportunity Act (19 U.S.C. 3721(c)(1)) is amended by striking “September 30, 2012” each place it appears in the text and in the heading and inserting “September 30, 2015”.

(b) **DESIGNATION OF SOUTH SUDAN.**—Section 107 of the African Growth Opportunity Act (19 U.S.C. 3706) is amended by inserting “Republic of South Sudan (South Sudan).” after “Republic of South Africa (South Africa).”.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON FINANCE**

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 15, 2012, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Tax Reform: What It Could Mean for Tribes and Territories.”

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

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

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled “The High Cost of High Prices for HIV/AIDS Drugs and the Prize Fund Alternative” on May 15, 2012, at 10 a.m., in room SD-430 of the Dirksen Senate Office Building.

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

**SELECT COMMITTEE ON INTELLIGENCE**

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 15, 2012, at 2:30 p.m.

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

**SPECIAL COMMITTEE ON AGING**

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on May 15, 2012, at 2:15 p.m. in room SD-562 of the Dirksen Senate Office Building to conduct a hearing entitled: “Missed by the Recovery: Solving the Long-Term Unemployment Crisis for Older Workers.”

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

**PRIVILEGES OF THE FLOOR**

Mr. JOHANNIS. Mr. President, I ask unanimous consent that Maureen McLaughlin, a detailee to the Senate Finance Committee, be granted the privileges of the floor for the duration of the consideration of H.R. 2072.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

**NATIONAL PUBLIC WORKS WEEK**

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 460.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 460) designating the week of May 20 through May 26, 2012, as National Public Works Week.

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 that any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 460) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

**S. RES. 460**

Whereas public works infrastructure, facilities, and services are of vital importance to the health, safety, and well-being of the people of the United States;

Whereas the public works infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, including engineers and administrators, who represent State and local governments throughout the United States;

Whereas public works professionals design, build, operate, and maintain the transportation systems, water infrastructure, sewage and refuse disposal systems, public buildings, and other structures and facilities that are vital to the people and communities of the United States; and

Whereas understanding the role that public infrastructure plays in protecting the environment, improving public health and safety, contributing to economic vitality, and enhancing the quality of life of every community of the United States is in the interest of the people of the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week of May 20 through May 26, 2012, as “National Public Works Week”;

(2) recognizes and celebrates the important contributions that public works professionals make every day to improve—

(A) the public infrastructure of the United States; and

(B) the communities that public works professionals serve; and

(3) urges individuals and communities throughout the United States to join with representatives of the Federal Government and the American Public Works Association in activities and ceremonies that are designed—

(A) to pay tribute to the public works professionals of the United States; and

(B) to recognize the substantial contributions that public works professionals make to the United States.

Mr. REID. Before we leave this, Mr. President, I might say that Senator BOXER and Senator INHOFE, the chair and the ranking member of that most important committee—the Environment and Public Works Committee—are doing their utmost on a bipartisan basis to complete the conference with the House to get the highway bill passed, which means 2.8 million jobs. As this legislation concerns National Public Works Week, it would certainly be a big celebration if we could get that bill done. I appreciate very much Senators BOXER and INHOFE working so closely together on that committee.

**RECOGNIZING TEACHERS OF THE UNITED STATES**

Mr. REID. Mr. President, I ask unanimous consent that we proceed to the immediate consideration of S. Res. 461.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 461) recognizing the teachers of the United States for their contributions to the development and progress of our Nation.

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 that any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 461) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

**S. RES. 461**

Whereas education is the foundation of the current and future strength of the United States;

Whereas teachers and other education staff have earned and deserve the respect of students and communities for selfless dedication to our Nation's children;

Whereas the purpose of “National Teacher Appreciation Week”, is to raise public awareness of the important contributions of teachers and to promote greater respect and understanding for the teaching profession;

Whereas the teachers of the United States play an important role in preparing children to be positive and contributing members of society; and

Whereas students, schools, communities, and a number of organizations host teacher appreciation events in recognition of “National Teacher Appreciation Week”: Now, therefore, be it

*Resolved*, That the Senate—

(1) thanks teachers for their service;

(2) promotes the profession of teaching; and

(3) recognizes students, parents, school administrators, and public officials who participate in teacher appreciation events during "National Teacher Appreciation Week".

# MEASURE READ THE 1ST TIME— S. 3187

Mr. REID. Mr. President, I understand that S. 3187 was introduced earlier today by Senators HARKIN and ENZI, and I ask for its first reading.

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

The assistant legislative clerk read as follows:

A bill (S. 3187) to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes.

Mr. REID. I now ask for its second reading but object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

Mr. REID. Mr. President, this is a very important piece of legislation done in the right way. Senators HARKIN and ENZI have done something in the way we always used to do things: They moved a bill out of committee to the Senate floor, truly a bipartisan bill, so important to our country, the FDA bill—Food and Drug Administration.

Senator ENZI has always been very focused on when we bring something to the floor, it must have the committee mark on it—and this bill does.

The reason I move to the bill today the way I have is to line this up for filing cloture on Thursday. I hope we don't have to file cloture, we move to proceed to it. Why don't we get on the bill? If we can get on the bill, we can start on it Monday, we can start offering amendments, and get this moving along.

I have talked to Senator ENZI, I have talked to Senator HARKIN. We had good luck on the highway bill. We had good luck also on the postal bill with relevant amendments. This is a very important piece of legislation. I hope we can move to this without having to file cloture. If I have to file cloture, I will have to file cloture, but I sure hope not. I admire the cooperation and the working together of Senators HARKIN and ENZI.

# ORDERS FOR WEDNESDAY, MAY 16, 2012

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 on Wednesday, May 16; 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 use later in the day.

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

## PROGRAM

Mr. REID. Mr. President, following any leader remarks tomorrow morning, the Senate will begin debate on several motions to proceed to resolutions introduced by Republican Senators. This is an agreed-upon method of proceeding on these resolutions.

## ORDER OF PROCEDURE

It is my intention to equally divide the first hour, with the majority controlling the first 30 minutes and the Republicans controlling the second 30 minutes. I ask unanimous consent that be the case.

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

Mr. REID. So there is 6 hours of debate time allowed under the consent agreement that was approved earlier today. I certainly hope we can get this done expeditiously. Senator CONRAD will be leading efforts on our side opposed to this; and once we get this out of the way, we should move forward.

Tomorrow morning, after we understand the morning hour will be deemed expired and the time for the two leaders be reserved for their use later in the day, I ask unanimous consent that I be recognized at that time.

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

## ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

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

There being no objection, the Senate, at 6:36 p.m., adjourned until Wednesday, May 16, 2012, at 9:30 a.m.

## NOMINATIONS

Executive nominations received by the Senate:

### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

### To be lieutenant general

LT. GEN. MICHAEL R. MOELLER

### DEPARTMENT OF STATE

THOMAS HART ARMSTRUSTER, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE MARSHALL ISLANDS.

DAVID BRUCE WHARTON, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ZIMBABWE.

### FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA,

ALBOINO LUNGOBARDI DEULUS, OF VIRGINIA  
MARY LOUISE JOHNSON-PIZARRO, OF VIRGINIA  
MARTINA CHRISTINA POLT, OF TENNESSEE

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA,

RUSSELL M. COMEAU, OF THE DISTRICT OF COLUMBIA

VICTOR LERUN MARSH II, OF MICHIGAN  
JENNIFER M. NOISSETTE, OF FLORIDA  
MICHAEL OWEN WARREN, OF UTAH

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA,

BOOYEON LEE ALLEN, OF CALIFORNIA  
CLAY C. ALLEN, OF IDAHO  
LA JUNE L. BARNES, OF NEW YORK  
ZANE LEE BARNES, OF CALIFORNIA  
NICHOLAS G. BARNETT, OF NEW YORK  
BRIAN P. BAUER, OF ILLINOIS  
ROBBIE LANEICE BROOKER, OF TEXAS  
PETER H. BROWN, OF NEW YORK  
JOSHUA MORGAN BUXTON, OF CALIFORNIA  
DANIEL JAMES CARL, OF FLORIDA  
ALBERT RAY CEA HENRIQUEZ, OF TEXAS  
BROOKE HEILNER DEAN, OF WASHINGTON  
ANTHONY JAMES DIAZ, OF KENTUCKY  
EDMUND FLEETWOOD DUNSTAN III, OF MARYLAND  
MARISA A. FERGUSON, OF VIRGINIA  
DAVID KIP FRANCIS, OF TEXAS  
NOAH J. GEESAMAN, OF FLORIDA  
PALOMA H. GONZALEZ, OF CALIFORNIA  
JACOB DANIEL GRANNELL, OF THE DISTRICT OF COLUMBIA

RYAN NICHOLAS GUIRLINGER, OF VIRGINIA  
GARTH HALL, OF CALIFORNIA  
SEAN MICHAEL HANIFEN, OF WASHINGTON  
APRIL MCCONNELL HAYNE, OF FLORIDA  
CHERYL A. HIPPI, OF CALIFORNIA  
ELIZABETH HOWARD, OF FLORIDA  
HEERA KAU KAMBOJ, OF NEW YORK  
ALLA PAVEL KAMINS, OF VIRGINIA  
SONIA JUNG KIM, OF GEORGIA  
STEPHAN G. LANGLEY, OF WASHINGTON  
THOMAS J. LEIBY, OF PENNSYLVANIA  
BRIDGET MARY LINES, OF TEXAS  
JOSEPH S. LIVINGSTON, OF NEW JERSEY  
RYAN JASON LONG, OF WASHINGTON  
JAMES MICHAEL LOWELL, OF TENNESSEE  
MUNIR DAWAN MADYUN, OF GEORGIA  
ANNA ARAMBULO MARTZ, OF TEXAS  
WESLEY SIM MATTHEWS, OF TEXAS  
CHRISTOPHER H. MCHONE, OF TEXAS  
ROLAND DAVID MCKAY, OF MICHIGAN  
MORGAN D. MILES, OF WASHINGTON  
JONATHAN ANDREW MITCHELL, OF PENNSYLVANIA  
DOUG MORROW, OF FLORIDA  
KATHRINE MARLENE MORTENSEN, OF FLORIDA  
ELIZABETH FAWN NEDEFF, OF WASHINGTON  
PHILLIP NELSON DE ASSIS, OF TEXAS  
THU HUYNH NGUYEN, OF WASHINGTON  
NATALYA A. NIKIFOROVA-SMITH, OF FLORIDA  
CAROLINE CASEY NOHR, OF CALIFORNIA  
KIMBERLY GIUSTI OLSON, OF OREGON  
JEFFREY MICHAEL OSWEILER, OF IOWA  
CHRIS F. PIERSON, OF CONNECTICUT  
JOANNA HOPE PRITCHETT, OF NEW YORK  
ABBEY H. RATHWEG-WEITZ, OF VIRGINIA  
ERIN ALEXIS RATTAZZI, OF CALIFORNIA  
SUNIL KUMAR RAVI, OF ARIZONA  
STEPHANIE L. REED, OF TENNESSEE  
CHUNNONG SAEGER, OF MARYLAND  
MARYUM FATIMA SAIFEE, OF TEXAS  
FELIX J. SALAZAR, OF MARYLAND  
PHILIP SCOT SCHWADA, OF VIRGINIA  
DAVID RYAN SEQUEIRA, OF FLORIDA  
ARATI SHROFF, OF TEXAS  
CLAIRE ELIZABETH SMOLIK, OF CALIFORNIA  
NITZA SOLA—ROTTGER, OF THE DISTRICT OF COLUMBIA  
MASAMI TANAKA, OF ILLINOIS  
MEGAN JO TETRICK, OF INDIANA  
TOD M. THEDY, OF FLORIDA  
SYGA THOMAS, OF CALIFORNIA  
KEISHA N. TOMS, OF GEORGIA  
WILLIAM RANDALL TORRANCE, OF TEXAS  
CYNDIE—NGA TRINH, OF TEXAS  
CATHERINE TRUONG, OF NEVADA  
JUSTIN W. TULL, OF VIRGINIA  
THOMAS M. VENNEN, OF ILLINOIS  
RACHEL Y. WASHINGTON, OF TENNESSEE  
BRIANNE ALICIA WATTS, OF ARIZONA  
OTTO H. WESTHASSEL, OF VIRGINIA  
C. LOGAN WHEELER, OF TENNESSEE  
DAVID GARDINER WISNER, OF NEW YORK  
HEATHER NICOLE WRIGHT, OF MARYLAND  
CHANSOINETTE REBECCA YUN, OF CALIFORNIA

THE FOLLOWING—NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED, EFFECTIVE JANUARY 1, 2012: CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

BRADLEY ALAN FREDEN, OF ARIZONA

### PUBLIC HEALTH SERVICE

THE FOLLOWING CANDIDATES FOR PERSONNEL ACTION IN THE REGULAR CORPS OF THE COMMISSIONED CORPS OF THE PUBLIC HEALTH SERVICE SUBJECT TO QUALIFICATIONS THEREFORE AS PROVIDED BY LAW AND REGULATIONS:

### To be surgeon

MARY J. CHOI  
LAURA A. COOLEY  
PATRICIA H. DAVID  
DUKE J. RUKTANONCHAI

### To be senior assistant surgeon

FRANCISCA ABANYIE  
NINA AHMAD  
ANDREW I. GELLER