

(b) RESCISSION.—Any obligation authority made available until used to a State as a result of receipt of contract authority for the items described in subsection (a) that remains available to the State as of the date of enactment of this Act is permanently rescinded.

#### NOTICES OF HEARINGS

##### PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs has scheduled a hearing entitled, "Taxation of Mutual Fund Commodity Investments." The Subcommittee hearing will examine the issuance of over 70 private letter rulings by the Internal Revenue Service allowing mutual funds to make unlimited indirect investments in commodities through controlled foreign subsidiaries or commodity-linked notes, despite longstanding statutory restrictions on mutual fund investments in commodities. Hearing witnesses will include senior officials from the Department of the Treasury and the Internal Revenue Service.

The Subcommittee hearing has been scheduled for Thursday, January 26, 2012, at 10:00 a.m., in room 342 of the Dirksen Senate Office Building. For further information, please contact Elise Bean of the Permanent Subcommittee on Investigations at (202) 224-9505.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, January 31, 2012, at 10:00 a.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the U.S. and global energy outlook for 2012.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to Allison\_Seyferth@energy.senate.gov.

For further information, please contact Tara Billingsley at (202) 224-4756 or Allison Seyferth at (202) 224-4905.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, February 2,

2012, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the final report of the Blue Ribbon Commission on America's Nuclear Future.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to Allison\_Seyferth@energy.senate.gov.

For further information, please contact Sam Fowler at (202) 224-7571 or Allison Seyferth at (202) 224-4905.

#### NOTICE: REGISTRATION OF MASS MAILINGS

The filing date for the 2011 fourth quarter Mass Mailing report is Wednesday, January 25, 2012. If your office did no mass mailings during this period, please submit a form that states "none."

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510-7116.

The Senate Office of Public Records will be open from 9 a.m. to 6 p.m. on the filing date to accept these filings. For further information, please contact the Senate Office of Public Records at (202) 224-0322.

#### THE SOAR TECHNICAL CORRECTIONS ACT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Health, Education, Labor, and Pensions Committee be discharged from further consideration of H.R. 3237 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title. The legislative clerk read as follows:

A bill (H.R. 3237) to amend the SOAR Act by clarifying the scope of coverage of the Act.

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

Mr. DURBIN. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The bill (H.R. 3237) was ordered to a third reading, was read the third time, and passed.

#### ST. CROIX RIVER CROSSING PROJECT AUTHORIZATION ACT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate

proceed to the consideration of Calendar No. 264, S. 1134.

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

The legislative clerk read as follows:

A bill (S. 1134) to authorize the St. Croix River Crossing Project with appropriate mitigation measures to promote river values.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Energy and Natural Resources, with an amendment; as follows:

S. 1134

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "St. Croix River Crossing Project Authorization Act".

##### SEC. 2. AUTHORIZATION OF PROJECT WITH MITIGATION MEASURES.

Notwithstanding section 7(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1278(a)), the head of any Federal agency or department may authorize and assist in the construction of a new extradosed bridge crossing the St. Croix River approximately 6 miles north of the I-94 crossing if the mitigation items described in paragraph 9 of the 2006 St. Croix River Crossing Project Memorandum of Understanding for Implementation of Riverway Mitigation Items, signed by the Federal Highway Administration on March 28, 2006, and by the National Park Service on March 27, 2006 (including any subsequent amendments to the Memorandum of Understanding), are included as enforceable conditions.

##### SEC. 3. OFFSET.

*To provide an offset for the funds made available to carry out this Act, there is rescinded from the Department of the Interior franchise fund authorized under section 113 of division A of title I of Public Law 104-208 (31 U.S.C. 501 note; 110 Stat. 3009-181) \$8,000,000.*

##### SEC. 4. BUDGETARY EFFECTS.

*The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.*

Mr. DURBIN. Mr. President, I ask unanimous consent that the committee-reported amendment be agreed to and be considered original text for the purposes of further amendment; that the Klobuchar-Johnson of Wisconsin-Franken amendment, which is at the desk, be agreed to, the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The committee-reported amendment was agreed to.

The amendment (No. 1468) was agreed to, as follows:

(Purpose: To modify the offset)

Strike section 3 and insert the following:

##### SEC. 3. OFFSET.

(a) IN GENERAL.—Notwithstanding any other provision of law, amounts made available for items 676, 813, 3186, 4358, and 5132 in

the table contained in section 1702 of the SAFETEA-LU (119 Stat. 1288, 1380, 1423) shall be subject to the limitation on obligations for Federal-aid highways and highway safety construction programs distributed under section 102(a)(6) of title I of division C of Public Law 112-55 (23 U.S.C. 104 note; 125 Stat. 652).

(b) RESCISSION.—Any obligation authority made available until used to a State as a result of receipt of contract authority for the items described in subsection (a) that remains available to the State as of the date of enactment of this Act is permanently rescinded.

The bill (S. 1134), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1134

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “St. Croix River Crossing Project Authorization Act”.

#### SEC. 2. AUTHORIZATION OF PROJECT WITH MITIGATION MEASURES.

Notwithstanding section 7(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1278(a)), the head of any Federal agency or department may authorize and assist in the construction of a new extradosed bridge crossing the St. Croix River approximately 6 miles north of the I-94 crossing if the mitigation items described in paragraph 9 of the 2006 St. Croix River Crossing Project Memorandum of Understanding for Implementation of Riverway Mitigation Items, signed by the Federal Highway Administration on March 28, 2006, and by the National Park Service on March 27, 2006 (including any subsequent amendments to the Memorandum of Understanding), are included as enforceable conditions.

#### SEC. 3. OFFSET.

(a) IN GENERAL.—Notwithstanding any other provision of law, amounts made available for items 676, 813, 3186, 4358, and 5132 in the table contained in section 1702 of the SAFETEA-LU (119 Stat. 1288, 1380, 1423) shall be subject to the limitation on obligations for Federal-aid highways and highway safety construction programs distributed under section 120(a)(6) of title I of division C of Public Law 112-55 (23 U.S.C. 104 note; 125 Stat. 652).

(b) RESCISSION.—Any obligation authority made available until used to a State as a result of receipt of contract authority for the items described in subsection (a) that remains available to the State as of the date of enactment of this Act is permanently rescinded.

#### SEC. 4. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

#### PROVIDING FOR A JOINT SESSION OF CONGRESS TO RECEIVE A MESSAGE FROM THE PRESIDENT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 96, which was received from the House and is at the desk; that the concurrent resolution be agreed to and the

motion to reconsider be laid upon the table, with no intervening action or debate.

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

The concurrent resolution (H. Con. Res. 96) was agreed to.

#### APPOINTMENTS

The PRESIDING OFFICER. The Chair announces the following appointments made pursuant to the unanimous consent agreement of December 17, 2011, by the President pro tempore and the majority leader during the adjournment of the Senate:

Pursuant to the provisions of Public Law 106-398, as amended by Public Law 108-7, upon the recommendation of the majority leader, and in consultation with the Chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, the Chair on behalf of the President pro tempore, announces the reappointment and appointment of the following individuals to the United States-China Economic Security Review Commission: William A. Reinsch, of Maryland, for a term beginning January 1, 2012 and expiring December 31, 2013 (reappointment), and Carte P. Goodwin, of West Virginia, for a term beginning January 1, 2012 and expiring December 31, 2013, vice Patrick A. Mulloy of Virginia.

#### ORDERS FOR TUESDAY, JANUARY 24, 2012

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, January 24, 2012; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate be in a period of morning business until 4 p.m. 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, with the first 30 minutes controlled by the majority leader or his designee and the second 30 minutes controlled by the Republican leader or his designee; and that at 12:30 p.m. the Senate be in recess until 2:15 p.m. to allow for the weekly caucus meetings.

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

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. DURBIN. 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 6:56 p.m., adjourned until Tuesday, January 24, 2012, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### THE JUDICIARY

ROBERT E. BACHARACH, OF OKLAHOMA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT, VICE ROBERT HARLAN HENRY, RESIGNED.

WILLIAM J. KAYATTA, JR., OF MAINE, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIRST CIRCUIT, VICE KERMIT LIPEZ, RETIRED.

MICHAEL A. SHIPP, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY, VICE MARY LITTLE PARELL, RETIRED.

##### 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 general

LT. GEN. HERBERT J. CARLISLE

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

MAJ. GEN. CRAIG A. FRANKLIN

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. STEPHEN P. MUELLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

##### To be major general

BRIG. GEN. MARK A. EDIGER

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

##### To be brigadier general

COL. ROBERT T. BROOKS, JR.

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY 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

MAJ. GEN. DANIEL B. ALLYN

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

##### To be major general

BRIGADIER GENERAL ROBERT P. ASHLEY, JR.

BRIGADIER GENERAL JEFFREY L. BAILEY

BRIGADIER GENERAL JEFFREY N. COLT

BRIGADIER GENERAL KENNETH R. DAHL

BRIGADIER GENERAL GORDON B. DAVIS, JR.

BRIGADIER GENERAL JOSEPH P. DISALVO

BRIGADIER GENERAL ROBERT M. DYESS, JR.

BRIGADIER GENERAL KAREN E. DYSON

BRIGADIER GENERAL PAUL E. FUNK II

BRIGADIER GENERAL HAROLD J. GREENE

BRIGADIER GENERAL WILLIAM C. HIX

BRIGADIER GENERAL STEPHEN R. LYONS

BRIGADIER GENERAL HERBERT R. MCMASTER, JR.

BRIGADIER GENERAL JOHN M. MURRAY

BRIGADIER GENERAL RICHARD P. MUSTON

BRIGADIER GENERAL MICHAEL K. NAGATA

BRIGADIER GENERAL BRYAN R. OWENS

BRIGADIER GENERAL JAMES F. PASQUARETTE

BRIGADIER GENERAL LAWREN V. PATTERSON

BRIGADIER GENERAL AUNDRE F. PIGGEE

BRIGADIER GENERAL ROSS E. RIDGE

BRIGADIER GENERAL JOHN G. ROSSI

BRIGADIER GENERAL THOMAS C. SEAMANDS

BRIGADIER GENERAL MICHAEL H. SHIELDS

BRIGADIER GENERAL LESLIE C. SMITH

BRIGADIER GENERAL JOHN UBERTI

BRIGADIER GENERAL BRYAN G. WATSON

BRIGADIER GENERAL DARRELL K. WILLIAMS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be major general

BRIG. GEN. LESLIE A. PURSER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

##### To be brigadier general

COL. KRISTIN K. FRENCH

COL. WALTER E. PIATT