

**SA 1568.** Mrs. HUTCHISON submitted an amendment intended to be proposed by her 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 subtitle E of title I, add the following:

**SEC. 15. FREEDOM FROM TOLLS.**

(a) IN GENERAL.—Section 129 of title 23, United States Code, is amended by adding at the end the following:

“(d) EXCEPTION FOR EXISTING HIGHWAY SEGMENTS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), none of the funds made available to carry out this title shall be used to approve or otherwise authorize the imposition of any toll on any segment of highway located on the Federal-aid system—

“(A) the construction of which has been completed as of the date of enactment of this subsection;

“(B) that, as of the date of enactment of this subsection, is not tolled;

“(C) that was constructed with Federal assistance provided under this title; and

“(D) that is in actual operation as of the date of enactment of this subsection.

“(2) EXCEPTIONS.—

“(A) NUMBER OF TOLL LANES.—Paragraph (1) shall not apply to any segment of highway on the Federal-aid system described in that paragraph that, as of the date on which a toll is imposed on the segment, will have the same number of nontoll lanes as were in existence prior to that date.

“(B) HIGH-OCCUPANCY VEHICLE LANES.—A high-occupancy vehicle lane that is converted to a toll lane shall not be subject to this subsection, and shall not be considered to be a nontoll lane for purposes of determining whether a highway will have fewer nontoll lanes than prior to the date of imposition of the toll, if—

“(i) high-occupancy vehicles occupied by the number of passengers specified by the entity operating the toll lane may use the toll lane without paying a toll, unless otherwise specified by the appropriate county, town, municipal or other local government entity, or public toll road or transit authority; or

“(ii) each high-occupancy vehicle lane that was converted to a toll lane was constructed as a temporary lane to be replaced by a toll lane under a plan approved by the appropriate county, town, municipal or other local government entity, or public toll road or transit authority.”

(b) INTERSTATE SYSTEM RECONSTRUCTION AND REHABILITATION PILOT PROGRAM.—Section 1216(b)(2) of the Transportation Equity Act for the 21st Century (23 U.S.C. 129 note; 112 Stat. 212) is amended by striking “3 facilities” and inserting “2 facilities”.

**PROVIDING THE QUILEUTE INDIAN TRIBE TSUNAMI AND FLOOD PROTECTION**

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1162, which is at the desk.

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

The legislative clerk read as follows:

A bill (H.R. 1162) to provide the Quileute Indian Tribe Tsunami and Flood Protection, and for other purposes.

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

Ms. CANTWELL. Mr. President, I ask unanimous consent that the bill be

read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 1162) was ordered to a third reading, was read the third time, and passed.

Ms. CANTWELL. Mr. President, for decades the Quileute Tribe in the Pacific Northwest has waited for a chance to move out of the tsunami zone they are in and to safety.

Every day 80 students go to a school in a schoolhouse that is just 1 foot above sea level, and every day they look directly out the window at the roaring waves of the powerful ocean and wonder when they can move to safer, higher ground.

When the tragic tsunami hit Japan last March and when a recent earthquake in just the last few weeks hit off Vancouver Island, it sent another urgent message, a wake-up call to hurry to get this legislation passed through Congress. The Department of the Interior, which endorsed this legislation, said the tsunami “clearly demonstrates the risk for the tribe and its citizens, and the need to move housing and infrastructure inland.”

Now, with the 1-year anniversary of this tragedy less than 1 month away, we have finally done our job. With the passage of this bill tonight, the Quileute Tribe can finally begin to move out of the flood zone. I thank Congressman NORM DICKS for his help in making this a reality.

The Quileute Tribe has been struggling with the natural perils of this land since their reservation was created in 1889. The river that runs through the reservation has been moving constantly over the last century, causing more erosion and flooding problems. The one road that connects the lower village to the higher ground is often flooded, making it even more challenging to deal with this particular area in case of a tsunami.

The Quileute struggle to move out of the flood zone has gone on for many years, but tonight, with the passage of this legislation, the Quileute Tribe can now move to higher grounds and a safer means to provide for their members. This is an important victory to give the Quileute Tribe and those on the reservation peace of mind.

I thank Senator BARRASSO and Senator AKAKA for helping this legislation move out of the Indian Affairs Committee and Senator BINGAMAN and Senator MURKOWSKI for helping it move out of the ENR Committee. To the tribal chairs—Bonita Cleveland and now Tony Foster—thank you for coming to Washington, DC, and explaining how important this legislation is. I also thank the National Park Service and the National Park Service Director. Thank you for your help in getting this legislation passed. I also thank Senator MURRAY for her cosponsorship of this important legislation.

It is important in times such as these that Congress does act, that we break gridlock and move forward. For the Quileute Tribe—a tribe that gained much national notoriety in a recent movie series—what is really important is not that notoriety but the fact that today people have come together to help them move to safer grounds.

**ORDERS FOR TUESDAY,  
FEBRUARY 14, 2012**

Ms. CANTWELL. Mr. President, I ask unanimous consent that the Senate adjourn until 10 a.m. on Tuesday, February 14, 2012; 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 be in 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, with the majority controlling the first half and the Republicans controlling the final half; that following morning business, the Senate proceed to executive session and resume consideration of the Jordan nomination postcloture; further, that the Senate recess from 12:30 p.m. to 2:15 p.m. to allow for the weekly caucus meetings; and finally, that all time during adjournment, morning business, and recess count postcloture.

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

**PROGRAM**

Ms. CANTWELL. Mr. President, for the information of Members, tomorrow we expect to confirm the Jordan nomination and also resume consideration of the infrastructure bill. Senators will be notified when any votes are scheduled.

**ADJOURNMENT UNTIL 10 A.M.  
TOMORROW**

Ms. CANTWELL. 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 7:15 p.m., adjourned until Tuesday, February 14, 2012, at 10 a.m.

**NOMINATIONS**

Executive nominations received by the Senate:

**DEPARTMENT OF DEFENSE**

KATHARINA G. MCFARLAND, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE. (NEW POSITION)

**FEDERAL MARITIME COMMISSION**

RICHARD A. LIDINSKY, JR., OF MARYLAND, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE TERM EXPIRING JUNE 30, 2017. (REAPPOINTMENT)

WILLIAM P. DOYLE, OF PENNSYLVANIA, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE TERM EXPIRING JUNE 30, 2013. VICE JOSEPH E. BRENNAN, TERM EXPIRED.

## DEPARTMENT OF STATE

KENNETH MERTEN, 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 CROATIA.

## NATIONAL LABOR RELATIONS BOARD

SHARON BLOCK, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING DECEMBER 16, 2014, VICE CRAIG BECKER, TO WHICH POSITION SHE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

TERENCE FRANCIS FLYNN, OF MARYLAND, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING AUGUST 27, 2015, VICE PETER SCHAUMBER, TERM EXPIRED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

RICHARD F. GRIFFIN, JR., OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE NATIONAL LABOR RELATIONS BOARD FOR THE TERM OF FIVE YEARS EXPIRING AUGUST 27, 2016, VICE WILMA B. LIEBMAN, TERM EXPIRED, TO WHICH POSITION HE WAS APPOINTED DURING THE LAST RECESS OF THE SENATE.

## FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

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

ROBERT E. DRAPCHO, OF PENNSYLVANIA  
ELLEN M. ZEHR, OF FLORIDA

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

PATRICK K. DISKIN, OF FLORIDA  
ELISE M. JENSEN, OF WEST VIRGINIA

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

STEPHANIE M. ACOSTA-MIKULASEK, OF CALIFORNIA  
MARIA ELENA BARRON, OF TEXAS  
KIMBERLEE ANN BELL, OF MINNESOTA  
ALISA MAUTNER CAMERON, OF MARYLAND  
ROBERT WILLIAM CLARK, OF NEW JERSEY  
KURT ALEXANDER GAINER, OF THE DISTRICT OF COLUMBIA

SUSAN K. KUTOR, OF VIRGINIA  
LINDA BURLINGAME MCELROY, OF FLORIDA  
GREGORY P. OLSON, OF ILLINOIS  
ROBERT P. SCHMIDT, JR., OF TEXAS

## PUBLIC HEALTH SERVICE

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

*To be surgeon*

PETER S. AIREL  
LEANNE M. FOX  
EDITH R. LEDERMAN  
SUZETTE W. PENG  
TIFFANY M. SNYDER  
DANIEL S. VANDERENDE

*To be senior assistant surgeon*

ANDREW H. BAKER  
ELI T. LOTSU

*To be dental officer*

CAROL J. WONG

*To be senior assistant dental officer*

ANN N. TRUONG

*To be assistant dental officer*

MELISSA L. AYLWORTH

*To be assistant nurse officer*

BRUTRINIA S. ARELLANO  
JASON J. BROWN  
PATRICIA K. CARLOCK  
KRISTEN M. COLE  
JAMES A. DAUGHERTY  
ELLEN I. DIEUJUSTE  
SYMPHOSIA A. FORBIN  
MARCUS S. FOSTER  
REBECCA GARCIA  
CYNDA G. HALL  
DUSTIN K. HAMPTON  
ANASTASIA A. HANSEN  
TEMIKA N. HARDY-LOVELOCK  
CARITA K. HOLMAN  
ICK H. KIM  
PATRICE M. LEFLORE  
STEPHANIE K. MARION  
MYRTLE MASSICOTT  
RANDA K. MERIZIAN  
RANDOSHIA M. MILLER

GUSTAVO N. MIRANDA  
NICOLE A. MITCHELL  
VERA C. MOSES  
NATHAN A. MOYER  
DAMIAN P. PARNELL  
BRYAN SMITH  
JUULA STUTTS  
LINDA A. TONDREAU  
WAYNE A. WEISSINGER  
PAUL A. WONG  
KATRIN E. WOOD

*To be junior assistant nurse officer*

JESSICA M. ALLEN  
NICHOLAS R. BAHNER  
TREVOR A. BAIRD  
JASON E. BAUER  
SHANNON D. BRAUNE  
KENDALL G. BROWN  
STACEY L. BRUINGTON  
KASSIDY L. BURCHETT  
ANDREW J. COLBURN  
AIDA CORONADO-GARCIA  
MARLENE CORRALES  
JOHN P. EHRHART II  
SHARICE N. ELZEY  
LINDSAY J. GREGORY  
JEREMY V. HYDE  
EVERARD A. IRISH  
MARTHANIA JEAN-BAPTISTE  
BILLYE R. JIMERSON  
LYNN C. JOHNSON  
JEREMY J. LIESVELD  
YVETTE E. MACKLIN  
BRYCE A. MAY  
MATTHEW A. MEYERS  
ALEXANDER N. NJUNGE  
JOYCE E. OGBU  
OKENZIE N. OKOLI  
IGNATIUS E. OTTEH  
VANESSA S. PARRISH  
LESLIE J. POWDRIER  
PILAR M. PRINCE  
GINA L. RYAN  
JOSUE S. SANCHEZ  
CELESTE M. SEGER  
CHRISTOPHER D. SNYDER  
INI B. UPKE  
CANDICE R. WELLS

*To be assistant engineer*

KENNETH CHEN  
PETER LITTLEHAT, JR.  
LINDSAY O. QUARRIE

*To be junior assistant engineer*

RAFAEL GONZALEZ

*To be assistant scientist*

SHANE T. EYNON  
NELSON H. GUADALUPE  
MADELINE I. MAYSONET-GONZALEZ  
LEAH R. MILLER  
SARA A. VILLARREAL

*To be assistant environmental health officer*

CHRISTOPHER D. DANKMEYER  
KAI E. ELGETHUN  
MICHELLE E. KENNEY

*To be junior assistant environmental health officer*

ELIZABETH A. SMITH

*To be assistant veterinary officer*

YANDACE K. BROWN

*To be assistant pharmacist*

ADEWALE A. ADELEYE  
TODD D. ANGLE  
NABEEL BABAA  
JONATHAN R. BORESS  
MITCHELL W. BOWEN  
KEVIN L. CUMMINGS  
CHAKA N. CUNNINGHAM  
JORDAN C. DAVIS  
MELANEE M. DAVIS  
LINDSAY E. DAVIDSON  
TYLER C. DREESE  
KENDRA N. ELLIS  
GUSTAVE A. GABRIELSON  
CARLISHA S. GENTLES  
ANDREWS A. GENTLES  
MONICA M. HADDICAN  
SUSAN E. HAGY  
SHANE E. HENRY  
CINDY C. HONG  
LINDSAY R. KRAHMER  
BENJAMIN N. LE  
GINA L. LUGINBILL  
JUSTIN A. MATHEW  
REGINA L. MILLER  
JOHN P. MISTLER  
VANESSA R. MULLER  
TRAMI T. NGUYEN  
UCHECHUKWU A. NWOBODO  
BUM-JUN OH  
LONG T. PHAM  
FORGE X. PHAM  
KELLY H. PHAM  
JOSEPH S. SMITH

BRIAN C. TIEU  
RUBY TIWARI  
ALLEN R. TRAN  
JAYSON L. TRIPP  
JEFFREY VANG  
JASON K. VANKIRK  
PHUONG-ANH T. VU  
JASON R. WAGNER  
CORINNE M. WOODS  
PENG ZHOU

*To be assistant therapist*

RUSSELL J. CASE  
WILLIAM A. CHURCH  
ANDREW M. HAYES  
AMANDA C. McDONALD  
JEFFREY G. MIDDLETON

*To be assistant health services officer*

CARA ALEXANDER  
HENRY J. ALLEN  
AYANA R. ANDERSON  
MELKA F. ARGAW  
SHENENA A. ARMSTRONG  
TYSON J. BAIZE  
KIMBERLY U. BLACKSHEAR  
MONIQUE M. BRANCH  
ONIEKA T. CARPENTER  
JEFFREY M. COX  
EMILY T. CRAREY  
JESSICA L. DAMON  
TERRI C. DAVIS  
GINELLE O. EDMONDSON  
ALYSON B. EISENHARDT  
JASON W. ENGEL  
LAURA M. ERHART  
AISHA S. FARIA  
JUANA F. FIGUEROA  
MIA L. FOLEY  
ISRAEL GARCIA  
MICHAEL H. HANSEN  
PAUL D. HOFFMAN  
KEEMIA S. HURST  
MARGARET A. KEMP  
BRIAN L. LEES  
TRAVIS J. MANN  
LETICIA M. MANNING  
MICHELLE A. MATTHEY  
CHRISTOPHER J. MEYER  
ETHNY OBAS  
DUSTIN J. OXFORD  
VICTORIA L. PARSONS  
SERAPHINE A. PITT BARNES  
PHILLIP K. POPE  
KRISTIN M. RACZ  
DIYO R. RAI  
MARQUITA D. ROBINSON  
ALYSON S. ROSE—WOOD  
JEFFERY R. SHOWALTER  
SARAH E. SWIFT  
DEVIN N. THOMAS

*To be junior assistant health services officer*

KELLY ABRAHAM  
MATTHEW R. BEYMER  
CHAWNTEL M. CARTEE  
JANA L. CAYLOR  
LOUIS B. CORBIN  
KIMISHA L. GRIFFIN  
RICHARD W. KREUTZ  
SHAWN M. NICKLE  
CARLOYN L. NOYES  
RAYMOND A. PUERINI  
JEZAZIDA RIVERA  
YOLANDA L. RYMAL  
LETISHA S. SECRET  
JEROME R. SIMPSON II  
DONNAMARIE A. SPENCER  
JASON E. STEVENS  
KATIE R. WATSON  
TRACEE R. WATTS  
SHAMBREKIA N. WISE

NATIONAL OCEANIC AND ATMOSPHERIC  
ADMINISTRATION

SUBJECT TO QUALIFICATIONS PROVIDED BY LAW, THE FOLLOWING FOR PERMANENT APPOINTMENT TO THE GRADE INDICATED IN THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION:

*To be ensign*

LUCAS D. JOHNSON  
KEVIN G. DOREMUS  
MICHAEL N. HIRSCH  
JOSHUA D. WITMER  
JARED R. HALONEN  
DANIEL P. LANGIS  
ANDREW R. CLOS  
JOHN R. KIDD  
ARAS J. ZYGAS  
REFAEL W. KLEIN  
DAVID B. KEITH  
WHITLEY J. GILBERT  
KELSEY E. JEFFERS  
KASEY M. SIMS  
JUNIE H. CASSONE  
RICARDO RODRIGUEZ PEREZ  
AARON D. COLOHAN  
VERONICA J. BRIENO RANKIN  
CHELSEA D. FRATE  
THERESA A. MADSEN