

(c) REPORT ON UNSECURED WEAPONS IN LIBYA.—Not later than 90 days after the date of the enactment of this Act, the President shall submit a report to Congress examining the extent to which advanced weaponry remaining unsecured after the fall of Moammar Qaddafi was used by the individuals responsible for the September 11, 2012, attack on the United States consulate in Benghazi, Libya.

**SEC. \_\_\_\_ USE OF SAVINGS FROM LIMITATIONS ON ASSISTANCE.**

Of the amounts saved as a result of the prohibitions on assistance in the immediately preceding section—

(1) 50 percent shall be made available to the Secretary of Veterans Affairs for purposes of the veterans job corps; and

(2) 50 percent shall be used for deficit reduction.

**SA 2839.** Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2782 submitted by Mr. BURR and intended to be proposed to the bill S. 3457, to require the Secretary of Veterans Affairs to establish a veterans jobs corps, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 10. FEDERAL EMPLOYEES RETIREMENT SYSTEM AGE AND RETIREMENT TREATMENT FOR CERTAIN RETIREES OF THE ARMED FORCES.**

(a) INCREASE IN MAXIMUM AGE LIMIT FOR POSITIONS SUBJECT TO FERS.—

(1) LAW ENFORCEMENT OFFICERS.—Section 3307(e) of title 5, United States Code, is amended—

(A) in paragraph (1), by inserting “or (3)” after “paragraph (2)”; and

(B) by adding at the end the following:

“(3) The maximum age limit for an original appointment to a position as a law enforcement officer (as defined in section 8401(17)) shall be 47 years of age, in the case of an individual who on the effective date of such appointment is eligible to receive retired pay or retainer pay for military service, or pension or compensation from the Department of Veterans Affairs instead of such retired or retainer pay.”.

(2) OTHER POSITIONS.—The maximum age limit for an original appointment to a position as a member of the Capitol Police or Supreme Court Police, nuclear materials courier (as defined under section 8401(33) of such title), or customs and border protection officer (as defined in section 8401(36) of such title) shall be 47 years of age, in the case of an individual who on the effective date of such appointment is eligible to receive retired pay or retainer pay for military service, or pension or compensation from the Department of Veterans Affairs instead of such retired or retainer pay.

(b) ELIGIBILITY FOR ANNUITY.—Section 8412(d) of such title is amended—

(1) in paragraph (1), by striking “or” at the end;

(2) in paragraph (2), by adding “or” at the end; and

(3) by inserting after paragraph (2) the following:

“(3) after becoming 57 years of age and completing 10 years of service as a law enforcement officer, member of the Capitol Police or Supreme Court Police, nuclear materials courier, customs or border protection officer, or any combination of such service totaling 10 years, if such employee—

“(A) is originally appointed to a position as a law enforcement officer, member of the Capitol Police or Supreme Court Police, nuclear materials courier, or customs and bor-

der protection officer on or after the effective date of this paragraph under section 10(e) of the Careers for Veterans Act of 2012; and

“(B) on the date that original appointment met the requirements of section 3307(e)(2) of this title or section 10(a)(2) of the Careers for Veterans Act of 2012.”.

(c) MANDATORY SEPARATION.—Section 8425 of such title is amended—

(1) in subsection (b)(1), in the first sentence, by inserting “, except that a law enforcement officer, nuclear materials courier, or customs and border protection officer eligible for retirement under section 8412(d)(3) shall be separated from the service on the last day of the month in which that employee becomes 57 years of age” before the period;

(2) in subsection (c), in the first sentence, by inserting “, except that a member of the Capitol Police eligible for retirement under section 8412(d)(3) shall be separated from the service on the last day of the month in which that employee becomes 57 years of age” before the period; and

(3) in subsection (d), in the first sentence, by inserting “, except that a member of the Supreme Court Police eligible for retirement under section 8412(d)(3) shall be separated from the service on the last day of the month in which that employee becomes 57 years of age” before the period.

(d) COMPUTATION OF BASIC ANNUITY.—Section 8415(e) of such title is amended—

(1) in paragraph (1), by striking “total service as” and inserting “civilian service as a law enforcement officer, member of the Capitol Police or Supreme Court Police, nuclear materials courier, customs and border protection officer, or air traffic controller that, in the aggregate,”; and

(2) in paragraph (2), by striking “so much of such individual’s total service as exceeds 20 years” and inserting “the remainder of such individual’s total service”.

(e) EFFECTIVE DATE.—This section (including the amendments made by this section) shall take effect 60 days after the date of enactment of this Act and shall apply to appointments made on or after that effective date.

**NOTICE OF HEARING**

**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, “Offshore Profit Shifting and the U.S. Tax Code.” The Subcommittee will examine the shifting of profits offshore by U.S. multinational corporations and how such activities are affected by the Internal Revenue Code and related regulations. Witnesses will include representatives from the Internal Revenue Service, the Financial Accounting Standards Board, multinational corporations, and an accounting firm. A final witness list will be available Tuesday, September 18, 2012.

The Subcommittee hearing has been scheduled for Thursday, September 20, 2012, at 2 p.m., in Room G-50 of the Dirksen Senate Office Building. For further information, please contact Elise Bean of the Permanent Subcommittee on Investigations at (202) 224-9505.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON FOREIGN RELATIONS**

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 13, 2012, at 10:30 a.m.

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

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

Mr. UDALL of Colorado. 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 “Improving College Affordability: A View From the States” on September 13, 2012, at 10:30 a.m. in room 430 of the Dirksen Senate Office Building.

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

**COMMITTEE ON INDIAN AFFAIRS**

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on September 13, 2012, in room SD-628 of the Dirksen Senate Office Building, at 2:15 p.m.

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

**COMMITTEE ON THE JUDICIARY**

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on September 13, 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.

**PERMANENT SUBCOMMITTEE ON INVESTIGATIONS**

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on September 13, 2012, at 9:30 a.m., to conduct a hearing entitled, “Social Security Disability Programs: Improving the Quality of Benefit Award Decisions.”

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

**SELECT COMMITTEE ON INTELLIGENCE**

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 13, 2012, at 2:30 p.m.

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

**SUBCOMMITTEE ON SECURITIES, INSURANCE, AND INVESTMENT**

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Securities, Insurance, and Investment be

authorized to meet during the session of the Senate on September 13, 2012, at 10 a.m., to conduct a hearing entitled "Holding the CFPB Accountable: Review of Semi-Annual Report to Congress."

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

### PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Michael Mederos and Alexis Florczak of my staff be granted floor privileges for the duration of today's proceedings.

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

Mr. TESTER. Mr. President, I ask unanimous consent that Nick Artuso, an intern in the office of Senator BLUMENTHAL, be granted the privilege of the floor for the duration of this afternoon's session.

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

### THE PESTICIDE REGISTRATION IMPROVEMENT EXTENSION ACT OF 2012

Mr. DURBIN. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. 3552, introduced earlier today.

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

The bill clerk read as follows:

A bill (S. 3552) to reauthorize the Federal Insecticide, Fungicide, and Rodenticide Act.

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

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

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

The bill (S. 3552) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3552

*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 "Pesticide Registration Improvement Extension Act of 2012".

#### SEC. 2. PESTICIDE REGISTRATION IMPROVEMENT.

##### (a) MAINTENANCE FEES.—

(1) FEES.—Section 4(i) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(i)) is amended—

(A) in paragraph (5)—

(i) in subparagraph (C), by striking "aggregate amount of" and all that follows through the end of the subparagraph and inserting "aggregate amount of \$27,800,000 for each of fiscal years 2013 through 2017.";

(ii) in subparagraph (D)—

(I) in clause (i), by striking "shall be" and all that follows through the semicolon and inserting "shall be \$115,500 for each of fiscal years 2013 through 2017."; and

(II) in clause (ii), by striking "shall be" and all that follows through the period and inserting "shall be \$184,800 for each of fiscal years 2013 through 2017.";

(iii) in subparagraph (E)(i)—

(I) in subclause (I), by striking "shall be" and all that follows through the semicolon and inserting "shall be \$70,600 for each of fiscal years 2013 through 2017."; and

(II) in subclause (II), by striking "shall be" and all that follows through the period and inserting "shall be \$122,100 for each of fiscal years 2013 through 2017.";

(iv) in subparagraph (F)—

(I) by striking "paragraph (3)" and inserting "this paragraph"; and

(II) by striking "Humans" and inserting "Human";

(v) by redesignating subparagraphs (F) through (H) as subparagraphs (G) through (I), respectively;

(vi) by inserting after subparagraph (E) the following:

"(F) FEE REDUCTION FOR CERTAIN SMALL BUSINESSES.—

"(i) DEFINITION.—In this subparagraph, the term 'qualified small business entity' means a corporation, partnership, or unincorporated business that—

"(I) has 500 or fewer employees;

"(II) during the 3-year period prior to the most recent maintenance fee billing cycle, had an average annual global gross revenue from all sources that did not exceed \$10,000,000; and

"(III) holds not more than 5 pesticide registrations under this paragraph.

"(ii) WAIVER.—Except as provided in clause (iii), the Administrator shall waive 25 percent of the fee under this paragraph applicable to the first registration of any qualified small business entity under this paragraph.

"(iii) LIMITATION.—The Administrator shall not grant a waiver under clause (ii) to a qualified small business entity if the Administrator determines that the entity has been formed or manipulated primarily for the purpose of qualifying for the waiver."; and

(vii) in subparagraph (I) (as redesignated by clause (v)), by striking "2012" and inserting "2017";

(B) in paragraph (6)—

(i) by striking "2014" and inserting "2019"; and

(ii) by striking "paragraphs (1) through (5)" and inserting "paragraph (1)";

(C) by striking paragraphs (1), (2), (3), (4), and (7); and

(D) by redesignating paragraphs (5) and (6) as paragraphs (1) and (2), respectively.

(2) CONFORMING AMENDMENTS.—

(A) Section 4 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1) is amended—

(i) in subsection (d)(5)(B)(ii)(III), by striking "subsection (i)(1)" and inserting "this section";

(ii) in subsection (j), by striking "subsection (i)(5)" and inserting "subsection (i)(1)"; and

(iii) in subsection (k)(5)—

(I) in the first sentence, by striking "subsection (i)(5)(C)(ii)" and inserting "subsection (i)(1)(C)(ii)"; and

(II) in the third and sixth sentences, by striking "subsection (i)(5)(C)" each place it appears and inserting "subsection (i)(1)(C)".

(B) Section 33(b)(7)(F) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-8(b)(7)(F)) is amended—

(i) by striking "section 4(i)(5)(E)(ii)" each place it appears in clauses (i), (ii)(I), and (iv)(I) and inserting "section 4(i)(1)(E)(ii)";

(ii) by striking "section 4(i)(5)(E)(ii)(I)(bb)" each place it appears in clauses (ii)(II) and (iv)(II) and inserting "section 4(i)(1)(E)(ii)(I)(bb)"; and

(iii) in clause (iv)(II)—

(I) by striking "applicable." and inserting "applicable"; and

(II) by striking "revenues" and inserting "revenue".

(3) EXTENSION OF PROHIBITION ON TOLERANCE FEES.—Section 408(m)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(m)(3)) is amended by striking "September 30, 2012" and inserting "September 30, 2017".

(4) REREGISTRATION AND EXPEDITED PROCESSING FUND.—

(A) SOURCE AND USE.—Section 4(k)(2)(A) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(k)(2)(A)) is amended—

(i) by inserting "to enhance the information systems capabilities to improve the tracking of pesticide registration decisions," after "paragraph (3)" each place it appears; and

(ii) in clause (i)—

(I) by inserting "offset" before "the costs of reregistration"; and

(II) by striking "in the same portion as appropriated funds".

(B) EXPEDITED PROCESSING OF SIMILAR APPLICATIONS.—Section 4(k)(3)(A) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(k)(3)(A)) is amended—

(i) in the matter preceding clause (i), by striking "2008 through 2012, between 1/8 and 1/4" and inserting "2013 through 2017, between 1/8 and 1/4";

(ii) in clause (i), by striking "new"; and

(iii) in clause (ii), by striking "any application" and all that follows through "that—" and inserting "any application that—".

(C) ENHANCEMENTS OF INFORMATION TECHNOLOGY SYSTEMS FOR IMPROVEMENT IN REVIEW OF PESTICIDE APPLICATIONS.—Section 4(k) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(k)) is amended—

(i) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively;

(ii) by inserting after paragraph (3) the following:

"(4) ENHANCEMENTS OF INFORMATION TECHNOLOGY SYSTEMS FOR IMPROVEMENT IN REVIEW OF PESTICIDE APPLICATIONS.—

"(A) IN GENERAL.—For each of fiscal years 2013 through 2017, the Administrator shall use not more than \$800,000 of the amounts made available to the Administrator in the Reregistration and Expedited Processing Fund for the activities described in subparagraph (B).

"(B) ACTIVITIES.—The Administrator shall use amounts made available from the Reregistration and Expedited Processing Fund to improve the information systems capabilities for the Office of Pesticide Programs to enhance tracking of pesticide registration decisions, which shall include—

"(i) the electronic tracking of—

"(I) registration submissions; and

"(II) the status of conditional registrations;

"(ii) enhancing the database for information regarding endangered species assessments for registration review;

"(iii) implementing the capability to electronically review labels submitted with registration actions; and

"(iv) acquiring and implementing the capability to electronically assess and evaluate confidential statements of formula submitted with registration actions."; and

(iii) in the first sentence of paragraph (6) (as redesignated by clause (i)), by striking "to carry out the goals established under subsection (1)" and inserting "for the purposes described in paragraphs (2), (3), and (4) and to carry out the goals established under subsection (1)".

(b) PESTICIDE REGISTRATION SERVICE FEES.—