

“(4) depth-of-installation standards under subsection (g).”.

#### SEC. \_\_\_\_\_. CONFORMING AMENDMENT.

The analysis for chapter 3 of title 23, United States Code, is amended by adding at the end the following:

“330. Inclusion of broadband conduit installation in certain highway construction projects.”.

**SA 1617.** Ms. KLOBUCHAR (for herself and Mr. ROBERTS) submitted an amendment intended to be proposed by him 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:

In section 32101, add at the end the following:

(d) TRANSPORTATION OF AGRICULTURAL COMMODITIES AND FARM SUPPLIES.—Section 229(a)(1) of the Motor Carrier Safety Improvement Act of 1999 (49 U.S.C. 31136 note) is amended to read as follows:

“(1) TRANSPORTATION OF AGRICULTURAL COMMODITIES AND FARM SUPPLIES.—Regulations prescribed by the Secretary under sections 31136 and 31502 regarding maximum driving and on-duty time for drivers used by motor carriers shall not apply during planting and harvest periods, as determined by each State, to—

“(A) drivers transporting agricultural commodities in the State from the source of the agricultural commodities to a location within a 100 air-mile radius from the source;

“(B) drivers transporting farm supplies for agricultural purposes in the State from a wholesale or retail distribution point of the farm supplies to a farm or other location where the farm supplies are intended to be used within a 100 air-mile radius from the distribution point; or

“(C) drivers transporting farm supplies for agricultural purposes in the State from a wholesale distribution point of the farm supplies to a retail distribution point of the farm supplies within a 100 air-mile radius from the wholesale distribution point.”.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 14, 2012, at 9:30 a.m.

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

##### COMMITTEE ON FINANCE

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on February 14, 2012, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled “The President’s Budget for Fiscal Year 2013.”

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

##### COMMITTEE ON FOREIGN RELATIONS

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on February 14, 2012, at 2:15 p.m.

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

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

Mr. JOHNSON of South Dakota. 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, in order to conduct a hearing entitled “Pain in America: Exploring Challenges to Relief” on February 14, 2012, at 2:30 p.m. in room 430 of the Dirksen Senate Office Building.

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

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. JOHNSON of South Dakota. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate, on February 14, 2012, at 2:30 p.m.

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

#### RESOLUTIONS SUBMITTED TODAY

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration en bloc of the following resolutions which were submitted earlier today: S. Res. 373, S. Res. 374, and S. Res. 375.

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

The Senate proceeded to consider the resolutions en bloc.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate, and any statements be printed in the RECORD.

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

The resolutions were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

##### S. RES. 373

Recognizing February 14, 2012, as the Centennial of the State of Arizona

Whereas, after many changes in government administration, territorial divisions, and additions, including lands acquired through the Treaty of Guadalupe Hidalgo and the Gadsden Purchase, the Territory of Arizona came into existence nearly 150 years ago after serving as a sacred home to native cultures for thousands of years;

Whereas Arizona is home to many of the greatest natural treasures of the United States, including the Sedona Red Rocks, the White Mountains, the Painted Desert, the Petrified Forest, Monument Valley, Saguaro National Park, the 12,000-foot San Francisco Peaks, and the Grand Canyon, 1 of the 7 natural wonders of the world, which explorer John Wesley Powell said could not be “adequately represented in symbols of speech, nor by speech itself”;

Whereas Arizona is also home to man-made wonders, including innovative projects that have allowed much-needed fresh water to flow to Arizona communities for decades, such as the Hoover Dam, the Glen Canyon Dam, the Central Arizona Project, the Salt River Project, and the keystone element of

the Salt River Project, the Theodore Roosevelt Dam;

Whereas Arizona has long been recognized for being rich in natural resources, including the famous “5 C’s”, copper, cattle, cotton, citrus, and climate, that continue to sustain the economies of Arizona and the United States;

Whereas Arizona is a mosaic of cultures, cuisines, and traditions, drawing continuing influence from 21 proud American Indian tribes and the early prospectors, ranchers, cowboys, adventurers, and missionaries, as well as a dynamic Latino community;

Whereas all of these Arizonans were, and remain, bound by a strong sense of independence and a willingness to persevere against the odds, and are again picking themselves up in the wake of devastating wildfires and economic challenges;

Whereas this unique Arizona spirit has nurtured leaders in the arts, justice, conservation, and science, as well as some of the greatest statesmen in the 20th century United States, including Senators Ernest McFarland, Carl Hayden, and Barry Goldwater, Representative Morris Udall, and Supreme Court Justices William Rehnquist and Sandra Day O’Connor;

Whereas the many military installations in Arizona have provided valuable contributions to the defense of the United States and will continue to do so for years to come;

Whereas, after nearly half a century as a territory of the United States, Arizona became the 48th State of the United States, and the last contiguous State, on February 14, 1912;

Whereas the people of the United States now have the opportunity to celebrate the natural splendor, innovative spirit, and cultural diversity that have made Arizona so special for the past 100 years and will continue to make Arizona special for centuries to come: Now, therefore, be it

*Resolved*, That the Senate recognizes February 14, 2012 as the centennial of the State of Arizona.

##### S. RES. 374

Supporting the mission and goals of 2012 National Crime Victims’ Rights Week to increase public awareness of the rights, needs, and concerns of victims and survivors of crime in the United States

Whereas each year, approximately 19,000,000 individuals in the United States are victims of crime, including more than 4,000,000 victims of violent crime;

Whereas a just society acknowledges the impact of crime on individuals, families, and communities by ensuring that rights, resources, and services are available to help rebuild lives;

Whereas although the United States has steadily expanded rights, protections, and services for victims of crime, too many victims are still not able to realize the hope and promise of these gains;

Whereas despite impressive accomplishments during the past 40 years in the rights of and services available to crime victims, there remain many challenges to ensure that all victims—

(1) are treated with fairness, dignity, and respect;

(2) are offered support and services regardless of whether the victims report crimes committed against them; and

(3) are recognized as key participants within systems of justice in the United States when the victims do report crimes;

Whereas observing the rights of victims and treating victims with fairness, dignity, and respect serve the public interest by—

(1) engaging victims in the justice system;

(2) inspiring respect for public authorities; and

(3) promoting confidence in public safety;

Whereas the people of the United States recognize that we make our homes, neighborhoods, and communities safer and stronger by serving victims of crime and ensuring justice for all;

Whereas in each of the last 30 years, communities throughout the United States have joined Congress and the Department of Justice in observing National Crime Victims' Rights Week to celebrate a vision of a comprehensive and just response to all victims of crime;

Whereas, the theme of 2012 National Crime Victims' Rights Week, celebrated on April 22, 2012, through April 28, 2012, is "Extending the Vision: Reaching Every Victim," which highlights the importance of ensuring that services are available for all victims of crime; and

Whereas the people of the United States appreciate the continued importance of promoting victims' rights and honoring crime victims and those who advocate on their behalf: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the mission and goals of 2012 National Crime Victims' Rights Week to increase public awareness of—

(A) the impact on victims and survivors of crime; and

(B) the constitutional and statutory rights and needs of those victims and survivors; and

(2) recognizes that fairness, dignity, and respect comprise the very foundation of how victims and survivors of crime should be treated.

#### S. RES. 375

*Celebrating the bicentennial of the City of Columbus, the capital city of the State of Ohio*

Whereas in 1787, Congress enacted the Northwest Ordinance to settle claims following the American Revolution and begin the westward expansion of our Nation;

Whereas in 1803, Ohio was admitted as the 17th State in the Union, becoming the first territory of the Northwest Ordinance to achieve statehood;

Whereas in 1812, the Ohio General Assembly was offered land along the Scioto River in Central Ohio to serve as the capital of the State, due to its central location;

Whereas on February 14, 1812, the Ohio General Assembly officially designated the new capital city as Columbus, in honor of Christopher Columbus;

Whereas Columbus emerged as a trading and transportation hub through the influence of the Ohio & Erie Canal and the National Highway;

Whereas on March 3, 1834, 31 years after Ohio achieved statehood, Columbus was officially chartered as a city because of its growing population;

Whereas during the Civil War, Columbus was home to Camp Chase, a major base for the Union Army that housed 26,000 troops, Camp Jackson, an assembly center for recruits, and Columbus Barracks, which served as an arsenal;

Whereas Columbus was a major outpost on the Underground Railroad, led by the Kelton family, who assisted fugitive slaves on their road to freedom;

Whereas in 1870, the Ohio General Assembly used to the Morrill Land Grant Act to create the Ohio Agricultural and Mechanical College, which was renamed the Ohio State University in 1878 and is presently one of the Nation's premier public universities and an anchor for economic activity in the City of Columbus;

Whereas Columbus is home to other world-class institutions of higher learning, includ-

ing Capital University, established in 1830, Columbus College of Art and Design, established in 1879, Pontifical College Josephinum, established in 1888, Franklin University, established in 1902, Mount Carmel College of Nursing, established in 1903, Ohio Dominican University, established in 1911, and Columbus State Community College, established in 1963;

Whereas Columbus is home to some of the Nation's earliest schools for Americans living with disabilities, having established the Ohio School for the Deaf in 1829 and the Ohio State School for the Blind in 1837;

Whereas Columbus is of historical importance to the organized labor movement, as one of the Nation's first federations of labor, the American Federation of Labor, was founded in Columbus in 1886;

Whereas the American Veterans of Foreign Service, the earliest organization of veterans of foreign wars, was founded in Columbus in 1899;

Whereas in the late 19th century and the early 20th century, Columbus saw the rise of manufacturing and steel businesses, brewers, and cultural and arts institutions, such as the Southern Theatre;

Whereas leading retail corporations, health care and insurance companies, and financial institutions call Columbus their home, attracted by the city's world-class workforce and cultural outlets;

Whereas Columbus serves as a leader in cutting-edge medical research and hospital systems through the Ohio State Medical Center and the Arthur James Cancer Hospital and Richard J. Solove Research Institute, Nationwide Children's Hospital, Mt. Carmel Hospital, Riverside Community Hospital, and Grant Medical Center;

Whereas Columbus is home to green space and parks that are used as both community gathering locations and to honor pioneers, including Shrum Mound, one of the last remaining conical burial mounds in the United States, which dates back more than 2,000 years;

Whereas Columbus is also home to the Midwest's largest Fourth of July Festival and the famed Ohio State Fair;

Whereas Columbus combines excellence in art and culture with professional sports teams such as the Columbus Clippers, the Columbus Crew, and the Columbus Blue Jackets;

Whereas Columbus is Ohio's most populous city and the 15th largest city in the United States, as well as one of the fastest growing cities in the Eastern United States;

Whereas February 14, 2012, marks the 200th anniversary of the founding of Columbus, Ohio; and

Whereas the citizens of Columbus will commemorate a year-long bicentennial celebration with the theme of "Honor the Past. Celebrate the Present. Envision the Future.": Now, therefore, be it

*Resolved*, That the Senate—

(1) celebrates the bicentennial anniversary of the founding of the City of Columbus, the capital of the State of Ohio; and

(2) honors the important economic, cultural, educational, and artistic contributions that the people of Columbus have made to this Nation over the past 200 years.

Mr. BROWN of Ohio. Mr. President, I would like to speak on one of these resolutions, S. Res. 375, about the Columbus, OH, bicentennial.

Today marks the 200th anniversary of the founding of the city of Columbus, our largest city, one of the great cities of America, the capital of the great State of Ohio. I have lived in different neighborhoods in Columbus over

the last 30 years—from German Village to Berwick to the Hilltop. My grandson and his parents live in Clintonville, a great neighborhood in the north side of Columbus. Our daughter lives in the Short North, one of the most exciting places of any city in the Midwest.

For 200 years Columbus has been a hub of economic and cultural activity for the State. We talk often in Columbus about the great brain gain; how Columbus is one of the fastest growing cities in the Midwest and east of the Mississippi.

Columbus started in its early days as a trading post along the Scioto River and continued as steamboats and railroads connected more people with new opportunities and new commerce. I should add that the Presiding Officer, if I am allowed to say this, once lived in the great city of Columbus. I think I am allowed to say that. He now is the very able junior Senator from Colorado.

During the Civil War, Columbus became an important location for the Union Army, and something I am more particularly proud of, the Underground Railroad. Through the turmoil of that era, President Lincoln signed the Morrill Act, which led to the creation of the Ohio Agricultural and Mechanical College in 1870. In 1878 it was renamed Ohio State University.

Today, OSU is one of the Nation's premiere public universities, and there are many other institutions of higher learning in Columbus: Capital University, established much earlier than that, 1830; the Columbus College of Art and Design, established in 1879; the Pontifical College Josephinum, established in 1888; Franklin University, established in 1902; the Mount Carmel College of Nursing in 1903; Ohio Dominican University, established in 1911, the year my father was born; and the Columbus State Community College, part of the great group of community colleges who were visiting the Capitol today—many people from those colleges—established in 1963.

Columbus is home to some of the Nation's earliest schools for Americans living with disabilities. The Ohio School for the Deaf was established in 1829. Many graduates of that school have gone on to Gallaudet University located in Washington, founded during the Civil War by Abraham Lincoln, the most outstanding school of its kind in the country. The Ohio School for the Blind was established in 1837.

In 2011, the Columbus library system was named the best in the United States, the recipient of the National Medal for Museum and Library Service. Columbus prospered in the post-Civil-War era through new banks, expanded railroad networks, extended streetcar service, and the city's first waterworks system. Manufacturers from horse-and-buggy manufacturers, to steel, and brewers made Columbus an important location for organized labor. The American Federation of Labor later merged with the Congress of Industrial Organizations into what we know today as the

AFL-CIO. The American Federation of Labor was founded in Columbus 116 years ago in 1886.

Today the legacy of advanced manufacturing continues at Ohio's cutting-edge Edison Networks, the Ohio Manufacturing Association, and Battelle. The spirit of the labor movement continues as workers of the Columbus local unions represent all types of industries and professions.

Attracted by world-class workforces and cultural outlets, leading retail corporations, health care, insurance companies, and financial institutions such as the Limited, Nationwide, Grange, Cardinal Health, and Huntington all call Columbus their home.

Columbus is a leader in cutting-edge medical research and hospital systems. We see it at the Ohio State Medical Center, the Arthur James Cancer Hospital, the Richard J. Solove Research Institute, and Nationwide Children's Hospitals. Of the top 10 Children's Hospitals in America, three of them are in Ohio consistently: Cleveland, Columbus, and Cincinnati, in addition to other great Children's Hospitals in Ohio: Mount Carmel Hospital, Riverside Community Hospital, and Grant Medical Center.

Columbus is a crown jewel of arts and culture in the Midwest. The majestic Southern Theatre, Southern Theatre and Hotel attracted world-class performances for more than 100 years. The Southern Hotel was one of President Theodore Roosevelt's favorite stops as he traveled through the Midwest.

The Short North is the epicenter of the burgeoning art scene, home to galleries, parks, and restaurants such as Betty's, the Happy Greek, Jeni's Ice Cream, and the North Market that attract an incredible number of young people with energy and commitment to that city.

It hosts some of the Midwest's largest concerts, fairs, and festivals ranging from ComFest to the Pride Festival. Columbus is also home to the Midwest's largest Fourth of July festival and the very famous Ohio State Fair.

Mayor Coleman and the Columbus Partnership, which is much more than just business organizations, are doing a tremendous job promoting economic development from the South Campus Gateway to the Short North, to the Scioto riverfront and the German Village.

Like Ohioans across the State, our people have long served those who serve us. One of the first Veterans of Foreign Wars chapters in the country was founded in Columbus in 1899.

Aside from the Buckeyes of Ohio State, Columbus is home to professional sports teams, including the Columbus Clippers, the Columbus Crew, and the Blue Jackets.

This year, Columbus will commence a year-long bicentennial celebration, with the theme "Honoring the Past. Celebrate the Present. Envision the Future." In doing so, it will celebrate the economic, cultural, educational, and artistic contributions of the people of Columbus to our great State and Nation.

On behalf of the Senate, with unanimous consent, I wish all the citizens of Columbus a happy 200th anniversary.

#### MEASURE READ THE FIRST TIME—S. 2105

Mr. BROWN of Ohio. Mr. President, I understand that S. 2105, introduced earlier today by Senator LIEBERMAN, is at the desk, and I ask for its first reading.

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

The bill clerk read as follows:

A bill (S. 2105) to enhance the security and resiliency of the cyber and communications infrastructure of the United States.

Mr. BROWN of Ohio. Mr. President, I now ask unanimous consent for its second reading and object to my own request.

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

#### UNANIMOUS CONSENT AGREEMENT—READING OF WASHINGTON'S FAREWELL ADDRESS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that notwithstanding the resolution of the Senate of January 24, 1901, the traditional reading of Washington's Farewell Address take place on Monday, February 27, 2012, at a time to be determined by the majority leader in consultation with the Republican leader.

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

#### APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to the order of the Senate of January 24, 1091, as modified by the order of February 14, 2012, appoints the Senator from New Hampshire (Mrs. SHAHEEN) to read Washington's Farewell Address on Monday, February 27, 2012.

#### ORDERS FOR WEDNESDAY, FEBRUARY 15, 2012

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Senate adjourn until 9:30 on Wednesday,

February 15, 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 until noon, 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 Republicans controlling the first 30 minutes and the majority controlling the second 30 minutes; that following morning business, the Senate proceed to executive session and resume consideration of the Jordan nomination, with 2 minutes of debate equally divided and controlled in the usual form prior to a vote on confirmation of the Jordan nomination; that upon confirmation of the nomination, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session and consideration of S. 1813, the surface transportation bill.

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

#### PROGRAM

Mr. BROWN of Ohio. Mr. President, the first vote tomorrow will be at approximately noon on confirmation of the Jordan nomination. Additional votes in relation to amendments to the surface transportation bill are possible.

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

Mr. BROWN of Ohio. 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 6:28 p.m., adjourned until Wednesday, February 15, 2012, at 9:30 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### OVERSEAS PRIVATE INVESTMENT CORPORATION

JAMES M. DEMERS, OF NEW HAMPSHIRE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2014, VICE KEVIN GLENN NEALER, TERM EXPIRED.

NAOMI A. WALKER, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION FOR A TERM EXPIRING DECEMBER 17, 2012, VICE CHRISTOPHER J. HANLEY, TERM EXPIRED.