

Bank of 1945, as added by paragraph (2). The report shall include the reasons why the Bank failed to reach this goal and a description of all final applications for projects in Africa that were deemed unworthy of Bank support.

(b) **AVAILABILITY OF PORTION OF CAPITALIZATION TO COMPETE AGAINST FOREIGN CONCESSIONAL LOANS.**—

(1) **IN GENERAL.**—The Bank shall make available annually such amounts as are necessary for loans that counter trade distorting non-OECD arrangement compliant financing or preferential, tied aid, or other related non-market loans offered by other nations for which United States companies are also competing or interested in competing.

(2) **REPORT.**—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for 5 years, the Export-Import Bank shall report to the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate and the Committee on Financial Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives if the Bank has not used at least \$250,000,000 annually for loans that counter non-OECD arrangement compliant financing offered by other nations to its firms, as described in paragraph (1). The report shall not disclose any information that is confidential or business proprietary, or that would violate section 1905 of title 18, United States Code (commonly referred to as the “Trade Secrets Act”). The report shall include—

(A) a description of trade distorting non-OECD arrangement compliant financing loans made by other countries during that fiscal year to firms that competed against United States firms;

(B) a description of any similar completed applications from United States firms that were denied by the Bank and the reason for such denial; and

(C) a description of any completed applications for tied aid that were denied for financing by the Bank and an explanation of why the applications were denied.

SEC. 210. SMALL BUSINESS ADMINISTRATION.

Section 22(b) of the Small Business Act (15 U.S.C. 649(b)) is amended—

(1) in the matter preceding paragraph (1), by inserting “the Trade Promotion Coordinating Committee,” after “Director of the United States Trade and Development Agency.”; and

(2) in paragraph (3), by inserting “regional offices of the Export-Import Bank,” after “Retired Executives.”.

SEC. 211. BILATERAL, SUBREGIONAL AND REGIONAL, AND MULTILATERAL AGREEMENTS.

Where applicable, the President shall explore opportunities to negotiate bilateral, subregional, and regional agreements that encourage trade and eliminate nontariff barriers to trade between countries, such as negotiating investor friendly double-taxation treaties and investment promotion agreements. United States negotiators in multilateral forum should take into account the objectives of this title. To the extent any such agreements exist between the United States and an African country, the President shall ensure that the agreement is being implemented in a manner that maximizes the positive effects for United States trade, export, and labor interests as well as the economic development of the countries in Africa.

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, on behalf of Senator TIM JOHNSON, I ask unanimous

consent that Jeanette Quick, a detailee on his committee staff, be granted the privilege of the floor for the duration of S. 3637.

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

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader, in consultation with the Republican leader, the Senate proceed to executive session to consider the following nominations: Calendar Nos. 762 and 829; that there be 30 minutes for debate equally divided in the usual form; that following the use or yielding back of time, the Senate proceed to vote without intervening action or debate on Calendar Nos. 762 and 829 in that order; the motions 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 that the Senate then resume legislative session.

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

MARCH OF DIMES COMMEMORATIVE COIN ACT OF 2012

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 3187, which was received from the House and is at the desk.

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

The assistant legislative clerk read as follows:

A bill (H.R. 3187) to require the Secretary of the Treasury to mint coins in recognition and celebration of the 75th anniversary of the establishment of the March of Dimes Foundation.

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

Mr. BLUMENTHAL. 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 related to the bill be printed in the RECORD.

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

The bill (H.R. 3187) was ordered to a third reading, was read the third time, and passed.

HONORING THE LIFE AND LEGACY OF THE HONORABLE ARLEN SPECTER

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 612 submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 612) honoring the life and legacy of the Honorable Arlen Specter, distinguished former Senator for the Commonwealth of Pennsylvania.

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

Mr. BLUMENTHAL. Mr. President, 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. 612) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 612

Whereas the Honorable Arlen Specter was born on February 12, 1930, in Wichita, Kansas;

Whereas Arlen Specter earned a Bachelor of Arts degree in international relations from the University of Pennsylvania in 1951 and a Juris Doctorate degree from Yale Law School in 1956;

Whereas Arlen Specter served in the Air Force during the Korean War, obtaining the rank of Second Lieutenant in the Air Force Office of Special Investigations;

Whereas Arlen Specter served the people of Philadelphia, Pennsylvania, as Assistant District Attorney from 1959 to 1964 and as District Attorney from 1965 to 1974;

Whereas Arlen Specter was recommended to serve as assistant counsel on the President's Commission on the Assassination of President Kennedy in 1964, and he established conclusions central to the report of the Commission;

Whereas Arlen Specter served with distinction as a Senator from the Commonwealth of Pennsylvania for 3 decades, first elected in 1980, then reelected in 1986, 1992, 1998, and 2004;

Whereas, as a member and the Chairman of the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies of the Committee on Appropriations of the Senate, Arlen Specter worked in a bipartisan fashion to highlight the impact of specific diseases and to advance support for medical research and high-quality health care;

Whereas, as a member and the Chairman of the Committee on the Judiciary, Arlen Specter was recognized for his thorough questioning and presided over the confirmation hearings of 2 Justices of the Supreme Court;

Whereas, as a Senator, Arlen Specter served as the Chairman of the Select Committee on Intelligence of the Senate from 1995 to 1997, and as the Chairman of the Committee on Veterans' Affairs of the Senate from 1997 to 2001 and from 2003 to 2005;

Whereas, as a Senator, Arlen Specter further served as a member of the Committee on Appropriations of the Senate, the Committee on Environment and Public Works of the Senate, and the Special Committee on Aging of the Senate;

Whereas Arlen Specter was admired for his independent decisionmaking and willingness to cross party lines;

Whereas Arlen Specter introduced the Comprehensive Immigration Reform Act of 2006 (S. 2611, 109th Congress) and achieved bipartisan support and passage for the bill in the Senate on May 25, 2006;

Whereas Arlen Specter advocated both for strong national security measures and the maintenance of civil liberties;

Whereas Arlen Specter valiantly overcame bouts with brain tumors and cancer during his service in the United States Senate;

Whereas Arlen Specter returned to Philadelphia after his Senate career and taught as a Visiting Professor of Law at the University of Pennsylvania Law School; and

Whereas Arlen Specter passed away on October 14, 2012, and is survived by his wife Joan, his sister Shirley Kety, his sons Stephen and Shanin, and 4 grandchildren: Now, therefore, be it

Resolved, That—

(1) the Senate—

(A) expresses profound sorrow at the death of the Honorable Arlen Specter, former Senator for the Commonwealth of Pennsylvania;

(B) conveys the condolences of the Senate to the family of Arlen Specter; and

(C) respectfully requests the Secretary of the Senate to transmit a copy of this resolution to the House of Representatives and the family of Arlen Specter; and

(2) when the Senate adjourns today, it stands adjourned as a further mark of respect to the memory of Arlen Specter.

ORDERS FOR TUESDAY, DECEMBER 11, 2012

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, December 11, 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 resume consideration of the motion to proceed to S. 3637, the TAG extension legislation, with the time until 12:30 p.m. equally divided and controlled between the two leaders or their designees; further, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings.

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

PROGRAM

Mr. BLUMENTHAL. Mr. President, at 2:15 p.m. tomorrow, there will be a cloture vote on the motion to proceed to S. 3637, the TAG extension legislation.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. BLUMENTHAL. If there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the provisions of S. Res. 612 as a further mark of respect to

the late Senator Arlen Specter of Pennsylvania.

There being no objection, the Senate, at 6 p.m., adjourned until Tuesday, December 11, 2012, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL INSTITUTE OF BUILDING SCIENCES

TIMOTHY HYUNGROCK HAAHS, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2014. VICE MORGAN EDWARDS, TERM EXPIRED.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

MICHAEL WAYNE HAIL, OF KENTUCKY, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 10, 2017. VICE SHARON TUCKER, TERM EXPIRED.

MILLENNIUM CHALLENGE CORPORATION

MORTON H. HALPERIN, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE MILLENNIUM CHALLENGE CORPORATION FOR A TERM OF THREE YEARS. VICE ALAN J. PATRICOFF, TERM EXPIRING.

IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT AS DIRECTOR, AIR NATIONAL GUARD, AND FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 601 AND 10506:

To be lieutenant general

LT. GEN. STANLEY E. CLARKE III

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. MICHAEL L. SCHOLES

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

COLONEL CHRISTOPHER S. BALLARD
COLONEL DAVID G. BASSETT
COLONEL DONALD C. BOLDUC
COLONEL EDWARD M. DALY
COLONEL MALCOLM B. FROST
COLONEL DONALD G. FRYC
COLONEL ANTHONY C. FUNKHOUSER
COLONEL PETER A. GALLAGHER
COLONEL WILLIAM K. GAYLER
COLONEL MARK W. GILLETTE
COLONEL DAVID B. HAIGHT
COLONEL JOSEPH P. HARRINGTON
COLONEL MICHAEL L. HOWARD
COLONEL JOHN P. JOHNSON
COLONEL JAMES E. KRAFT, JR.
COLONEL MICHAEL E. KURILLA
COLONEL PAUL J. LAUGHLIN II
COLONEL JOSEPH M. MARTIN
COLONEL TERRENCE J. MCKENRICK
COLONEL CHRISTOPHER P. MCPADDEN
COLONEL JOHN E. O'NEIL
COLONEL MARK J. O'NEIL
COLONEL ERIK C. PETERSON
COLONEL ANDREW P. POPPAS
COLONEL JAMES E. RAINEY
COLONEL KENT D. SAVRE
COLONEL WILSON A. SHOFFNER, JR.
COLONEL MARK S. SPINDLER
COLONEL SEAN P. SWINDELL
COLONEL RANDY S. TAYLOR
COLONEL JOHN C. THOMSON III
COLONEL LEON N. THURGOOD
COLONEL FLEM B. WALKER, JR.
COLONEL ROBERT P. WALTERS, JR.

IN THE MARINE CORPS

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

To be lieutenant general

LT. GEN. RICHARD T. TRYON

IN THE NAVY

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

To be rear admiral

REAR ADM. (LH) RANDOLPH L. MAHR

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY

DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

DEEPTI S. CHITNIS
DANIEL J. CONVEY
ROBERT L. CRONYN
DANIEL D. DUNHAM
ALEX EKE
MARK W. FAGAN
CHRISTENSEN HSU
DOUGLAS D. LANCASTER
KENNETH L. MARQUARDT
GEORGE QUIROA
TARNJIT SAINI
DAVID C. SCHLENKER
STEVEN R. TURNER
STEPHEN WOLFPERT
GIA K. YI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

KARIN R. BILYARD
ERIN E. BROWN
DIANE E. COLLETTE
JUSTIN C. DEVANNA
SARAH L. EASTERSTRAYER
SARA B. EMANUEL
JAMES E. JOHNSON, JR.
REID H. KATAGIHARA
RICHARD KELLY III
SANG H. LEE
AMANDA MCGUIRE
JESSICA L. MOREHOUSE
REBECCA L. OGDEN
JEAN V. RUBANICK
EMILEE C. VENN
JENNIFER A. VIVIANO
BETHANY S. ZARNDT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be major

JAMES E. ANDREWS II
NICHOLAS D. BARRINGER
JOHN A. BERG
BENJAMIN P. BLANKS
NICOLAS D. BRADLEY
JERRY A. BRAVERMAN
AARON L. CALDWELL
CHRISTOPHER B. DOMINGUEZ
TRACIE T. DOMINGUEZ
JOHN S. DONOUGHE
ERIN E. DRIVER
JOSEPH B. EDDINS III
KAREN L. FISH
KURT FOSSUM
MAUREEN R. GIORIO
ALHAMBRO J. GORDON
DANIEL J. HANKES
CHRISTOPHER L. T. HARRIS
JAMES A. HART
ROBERT S. HELM
MARIO A. HEREDIA BLANCO
ALEXANDRA HICKMAN
SETH R. HOLLAND
RONALD L. HOLMES, JR.
CARRIE W. HOPPE
ERIK S. JOHNSON
WAYNE M. JOHNSON
RYAN P. MCGILL
SHANNON L. MERKLE
RICHARD L. NEWPORT
MATTHEW W. PERKINS
MICHAEL A. RAMOS
JENNIFER L. RIEGER
ANDREW A. SCHANO
JOSHUA H. SHEHAN
MICHAEL K. SINGER
TIMOTHY M. SKINNER
TRINA D. ST ANN
WILLIAM S. TAYLOR
LAURIS R. TRIMBLE
WILLIAM N. VASIOS
JOHN J. WALKER
CRAIGREON L. WALLACE
PATRICK S. WALSH
JOSHUA D. WALTERS
RICHARD B. WESTRICK
JARED N. WILLIAMSON
HAROLD YU
D011597
D011325
D010617

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be colonel

JACOB W. AARONSON
EDWARD H. BAILEY
JOHN S. BIRCHFIELD
JOHN A. BOJESCU
MARK C. BROWN
CLAUDE A. BURNETT
BENJAMIN B. CABLE
YONG U. CHOI
MICHAEL I. COHEN