

by the Diamond Fork power plant and none of the costs associated with development of transmission facilities to transmit power from the Diamond Fork power plant shall be assigned to power for the purpose of Colorado River Storage Project ratemaking.

#### SEC. 5. PROHIBITION ON TAX-EXEMPT FINANCING.

No facility for the generation or transmission of hydroelectric power on the Diamond Fork System may be financed or refinanced, in whole or in part, with proceeds of any obligation—

(1) the interest on which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986, or

(2) with respect to which credit is allowable under subpart I or J of part IV of subchapter A of chapter 1 of such Code.

#### SEC. 6. REPORTING REQUIREMENT.

If, 24 months after the date of the enactment of this Act, hydropower production on the Diamond Fork System has not commenced, the Secretary of the Interior shall submit a report to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate stating this fact, the reasons such production has not yet commenced, and a detailed timeline for future hydropower production.

#### SEC. 7. PAYGO.

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 House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

#### SEC. 8. LIMITATION ON THE USE OF FUNDS.

The authority under the provisions of section 301 of the Hoover Power Plant Act of 1984 (Public Law 98-381; 42 U.S.C. 16421a) shall not be used to fund any study or construction of transmission facilities developed as a result of this Act.

### SLEEPING BEAR DUNES NATIONAL LAKESHORE CONSERVATION AND RECREATION ACT

The bill (S. 140) to designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, and for other purposes, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 140

*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 “Sleeping Bear Dunes National Lakeshore Proposed Wilderness Boundary”.

#### SEC. 2. DEFINITIONS.

In this Act:

(1) MAP.—The term “map” means the map consisting of 6 sheets entitled “Sleeping Bear Dunes National Lakeshore Proposed Wilderness Boundary”, numbered 634/80,083B, and dated November 2010.

(2) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

#### SEC. 3. SLEEPING BEAR DUNES WILDERNESS.

(a) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), certain land and inland water within the Sleeping Bear Dunes National Lakeshore com-

prising approximately 32,557 acres along the mainland shore of Lake Michigan and on certain nearby islands in Benzie and Leelanau Counties, Michigan, as generally depicted on the map, is designated as wilderness and as a component of the National Wilderness Preservation System, to be known as the “Sleeping Bear Dunes Wilderness”.

(b) MAP.—

(1) AVAILABILITY.—The map shall be on file and available for public inspection in appropriate offices of the National Park Service.

(2) CORRECTIONS.—The Secretary may correct any clerical or typographical errors in the map.

(3) LEGAL DESCRIPTION.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare a legal description of the wilderness boundary and submit a copy of the map and legal description to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives.

(c) ROAD SETBACKS.—The wilderness boundary shall be—

(1) 100 feet from the centerline of adjacent county roads; and

(2) 300 feet from the centerline of adjacent State highways.

#### SEC. 4. ADMINISTRATION.

(a) IN GENERAL.—Subject to valid existing rights, the wilderness area designated by section 3(a) shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in the Wilderness Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act; and

(2) any reference in the Wilderness Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary.

(b) MAINTENANCE OF ROADS OUTSIDE WILDERNESS BOUNDARY.—Nothing in this Act prevents the maintenance and improvement of roads that are located outside the boundary of the wilderness area designated by section 3(a).

(c) FISH AND WILDLIFE.—Nothing in this Act affects the jurisdiction of the State of Michigan with respect to the management of fish and wildlife, including hunting and fishing within the national lakeshore in accordance with section 5 of Public Law 91-479 (16 U.S.C. 460x-4).

(d) SAVINGS PROVISIONS.—Nothing in this Act modifies, alters, or affects—

(1) any treaty rights; or

(2) any valid private property rights in existence on the day before the date of enactment of this Act.

### SAN ANTONIO MISSIONS NATIONAL HISTORICAL PARK BOUNDARY EXPANSION ACT OF 2011

The Senate proceeded to consider the bill (S. 114) to authorize the Secretary of the Interior to enter into a cooperative agreement for a park headquarters at San Antonio Missions National Historical Park, to expand the boundary of the Park, to conduct a study of potential land acquisitions, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the “San Antonio Missions National Historical Park Boundary Expansion Act of 2011”.*

#### SEC. 2. PARK BOUNDARY STUDY.

Section 201 of Public Law 95-629 (16 U.S.C. 410ee) is amended—

(1) by redesignating subsections (b), (c), (d), (e), and (f) as subsections (c), (e), (f), (g), and (h), respectively;

(2) by inserting after subsection (a) the following:

“(b) STUDY.—

“(1) IN GENERAL.—The Secretary shall conduct a study of land in Bexar and Wilson Counties, Texas, to identify land that would be suitable for inclusion in the park.

“(2) REQUIREMENTS.—In conducting the study under paragraph (1), the Secretary shall examine the natural, cultural, recreational, and scenic values and characteristics of the land.

“(3) REPORT.—Not later than 3 years after the date on which funds are made available for the study under paragraph (1), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes the findings, conclusions, and recommendations of the study.”;

(3) by inserting after subsection (c) (as redesignated by paragraph (1)) the following:

“(d) INTERPRETIVE SERVICES.—The Secretary may assign park employees to provide interpretive services, including visitor information and education, at facilities outside the boundary of the park.”; and

(4) in paragraph (1)(D) of subsection (g) (as redesignated by paragraph (1)), by striking “subsection (b)(2)” and inserting “subsection (c)(2)”.

#### SEC. 3. BOUNDARY EXPANSION.

Section 201 of Public Law 95-629 (16 U.S.C. 410ee) is amended—

(1) by striking “SEC. 201. (A) In order” and insert the following:

“SEC. 201. SAN ANTONIO MISSIONS HISTORICAL PARK.

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—In order”; and

(2) in subsection (a)—

(A) in the second sentence, by striking “The park shall also” and inserting the following:

“(2) ADDITIONAL LAND.—The park shall also”;;

(B) in the third sentence, by striking “After advising the” and inserting the following:

“(4) REVISIONS.—After advising the”; and

(C) by inserting after paragraph (2) (as designated by subparagraph (A)) the following:

“(3) BOUNDARY MODIFICATION.—

“(A) IN GENERAL.—The boundary of the park is modified to include approximately 151 acres, as depicted on the map entitled ‘San Antonio Missions National Historical Park Proposed Boundary Addition’, numbered 472-68, 027, and dated November 2009.

“(B) AVAILABILITY OF MAP.—The map described in subparagraph (A) shall be on file and available for inspection in the appropriate offices of the National Park Service.

“(C) ACQUISITION OF LAND.—The Secretary of the Interior may acquire the land or any interest in the land described in in subparagraph (A) by purchase from willing sellers, donation, or exchange.”.

The amendment in the nature of a substitute (No. 3446) was agreed to, as follows:

In lieu of the matter proposed to be inserted, insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “San Antonio Missions National Historical Park Boundary Expansion Act of 2012”.

#### SEC. 2. BOUNDARY EXPANSION.

Section 201 of Public Law 95-629 (16 U.S.C. 410ee) is amended—

(1) by striking “SEC. 201. (a) In order” and inserting the following:

“SEC. 201. SAN ANTONIO MISSIONS HISTORICAL PARK.

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—In order”; and

(2) in subsection (a)—

(A) in the second sentence, by striking “The park shall also” and inserting the following:

“(2) ADDITIONAL LAND.—The park shall also”;

(B) in the third sentence, by striking “After advising the” and inserting the following:

“(4) REVISIONS.—After advising the”; and

(C) by inserting after paragraph (2) (as designated by subparagraph (A)) the following:

“(3) BOUNDARY MODIFICATION.—

“(A) IN GENERAL.—The boundary of the park is modified to include approximately 137 acres, as depicted on the map entitled ‘San Antonio Missions National Historical Park Proposed Boundary Addition’, numbered 472/113,006A, and dated June 2012.

“(B) AVAILABILITY OF MAP.—The map described in subparagraph (A) shall be on file and available for inspection in the appropriate offices of the National Park Service.

“(C) ACQUISITION OF LAND.—The Secretary of the Interior may acquire the land or any interest in the land described in subparagraph (A) by donation or exchange.”.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 114) was ordered to be engrossed for a third reading, was read the third time, and passed.

The amendment (No. 3447) to amend the title was agreed to, as follows:

Amend the title so as to read as follows: “To expand the boundary of the San Antonio Missions National Historical Park.”.

#### WHITE CLAY CREEK WILD AND SCENIC RIVER EXPANSION ACT

Mr. DURBIN. Mr. President, I ask unanimous consent the Senate proceed to the consideration of Calendar No. 283, S. 970.

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

The assistant legislative clerk read as follows:

A bill (S. 970) to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System.

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

Mr. DURBIN. I do not believe there is any further debate on this bill.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 970) was passed, as follows:

S. 970

*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 “White Clay Creek Wild and Scenic River Expansion Act of 2011”.

#### SEC. 2. DESIGNATION OF SEGMENTS OF WHITE CLAY CREEK, AS SCENIC AND RECREATIONAL RIVERS.

Section 3(a)(163) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(163)) is amended—

(1) in the matter preceding subparagraph (A)—

(A) by striking “190 miles” and inserting “199 miles”; and

(B) by striking “the recommended designation and classification maps (dated June 2000)” and inserting “the map entitled ‘White Clay Creek Wild and Scenic River Designated Area Map’ and dated July 2008, the map entitled ‘White Clay Creek Wild and Scenic River Classification Map’ and dated July 2008, and the map entitled ‘White Clay Creek National Wild and Scenic River Proposed Additional Designated Segments—July 2008’”;

(2) by striking subparagraph (B) and inserting the following:

“(B) 22.4 miles of the east branch beginning at the southern boundary line of the Borough of Avondale, including Walnut Run, Broad Run, and Egypt Run, outside the boundaries of the White Clay Creek Preserve, as a recreational river.”; and

(3) by striking subparagraph (H) and inserting the following:

“(H) 14.3 miles of the main stem, including Lamborn Run, that flow through the boundaries of the White Clay Creek Preserve, Pennsylvania and Delaware, and White Clay Creek State Park, Delaware beginning at the confluence of the east and middle branches in London Britain Township, Pennsylvania, downstream to the northern boundary line of the City of Newark, Delaware, as a scenic river.”.

#### SEC. 3. ADMINISTRATION OF WHITE CLAY CREEK.

Sections 4 through 8 of Public Law 106-357 (16 U.S.C. 1274 note; 114 Stat. 1393), shall be applicable to the additional segments of the White Clay Creek designated by the amendments made by section 2.

Mr. DURBIN. I ask unanimous consent the motion to reconsider be laid upon the table.

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

#### MEASURE READ THE FIRST TIME—H.R. 459

Mr. DURBIN. Mr. President, I understand there is a bill at the desk. I ask for its first reading.

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

The assistant legislative clerk read as follows:

A bill (H.R. 459) to require a full audit of the Board of Governors of the Federal Re-

serve System and the Federal reserve banks by the Comptroller General of the United States, and for other purposes.

Mr. DURBIN. I now ask for a second reading and in order to place the bill on the calendar under rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for a second time on the next legislative day.

#### AUTHORITY TO PRINT

Mr. DURBIN. Mr. President, I ask unanimous consent that when tributes to Danny Inouye, late Senator from Hawaii, be printed as a Senate document, and that Members have until 12 p.m. on Tuesday, January 8, 2013, to submit said tributes.

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

#### ORDERS FOR MONDAY, DECEMBER 31, 2012

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 11 a.m. Monday, December 31, 2012; that following the prayer and pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to a period of morning business until 12 p.m. for debate only, with Senators permitted to speak therein for up to 10 minutes each.

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

#### RECESS UNTIL 11 A.M. TOMORROW

Mr. DURBIN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent it recess under the previous order.

There being no objection, the Senate, at 7:26 p.m., recessed until Monday, December 31, 2012, at 11 a.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate Sunday, December 30, 2012:

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

CAROL J. GALANTE, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT.

#### DEPARTMENT OF JUSTICE

WILLIAM JOSEPH BAER, OF MARYLAND, TO BE AN ASSISTANT ATTORNEY GENERAL.