

(b) AVAILABILITY AND OBLIGATION OF TRANSFERRED AMOUNTS.—An amount transferred under subsection (a)(1) shall—

(1) be available immediately for obligation and expenditure as directly appropriated budget authority; and

(2) be deemed as obligated for grants-in-aid for airports under part B of subtitle VII of title 49, United States Code, for purposes of complying with the limitation on incurring obligations during that fiscal year under the heading "GRANTS-IN-AID FOR AIRPORTS" under title I of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2012 (division C of Public Law 112-55; 125 Stat. 647), and made applicable to fiscal year 2013 by division F of the Consolidated and Further Continuing Appropriations Act, 2013 (Public Law 113-6).

(c) AMOUNT SPECIFIED.—The amount specified in this subsection is the amount, not to exceed \$253,000,000, that the Secretary of Transportation determines to be necessary to prevent reduced operations and staffing of the Federal Aviation Administration during fiscal year 2013 to ensure a safe and efficient air transportation system; and Provided that none of the funds transferred under this subsection may be obligated unless the Secretary notifies the Committees on Appropriations of the House of Representatives and the Senate at least 5 days in advance of such transfer.

Mr. REID. Madam President, I ask unanimous consent that if the Senate receives a bill from the House and the text of that bill is identical to S. 853, the bill then be considered read three times and passed and the motion to reconsider be considered made and laid upon the table.

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

#### RESOLUTIONS SUBMITTED TODAY

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following resolutions, which were submitted earlier today: S. Res. 118, S. Res. 119, S. Res. 120, S. Res. 121, S. Res. 122, S. Res. 123, S. Res. 124, and S. Res. 125.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

S. RES. 124

Mr. REID. Mr. President, this resolution concerns a request for testimony in writing, documents, and representation in a pro se civil action pending in Connecticut federal district court. In this action, the plaintiff claims that a bar mitzvah was held in the Greenwich Town Hall, allegedly in violation of the Constitutions of the United States and the State of Connecticut.

The plaintiff has issued a subpoena to Senator BLUMENTHAL, who attended a Town Hall event preceding the alleged bar mitzvah, and to his office, requesting the production of a deposition by written questions from the Senator and documents. Senator BLUMENTHAL would like to cooperate by providing testimony in writing and relevant documents. The enclosed resolution would authorize the production of written testimony from the Senator and relevant office documents, where appro-

priate. It would also authorize the Senate Legal Counsel to represent the Senator, his office, and any employee of the Senator's office from whom evidence may be sought in this case.

S. RES. 122

Mr. UDALL of Colorado. Mr. President, I have submitted, with Senators CORNYN, REID, ENZI, MENENDEZ, UDALL of New Mexico, and CRUZ, a resolution commemorating Cinco de Mayo.

We all love Cinco de Mayo for the food and festivities that we have grown so accustomed to across our country. However, we commemorate Cinco de Mayo in order to celebrate the joint history and values that are shared by both Mexicans and Americans. Cinco de Mayo is a day that reminds us that the citizens of Mexico possess the same courage that we, as Americans, value in ourselves. For that reason, the commemoration of Cinco de Mayo has transcended from being a celebration of the victorious Battle of Puebla that Mexico won over France, to a celebration of courage and a recognition of all contributions that the Mexican-American community has had both in Colorado and in our great Nation. Celebrating Cinco de Mayo brings pride to both the Mexican-American community and all Americans.

The courage displayed by Mexican forces on May 5, 1862, parallels the courage that we as Americans have used to overcome adversity and thrive since our founding. The victory of the beleaguered force of Mexican troops at the Battle of Puebla weakened France's immense resources and limited its ability to meddle in America's Civil War. As Mexico sought to defend itself from European aggression, the Battle of Puebla reminds us that the foundation of the United States was also built through battles in which the United States often found itself as the underdog. Through courage, perseverance, and the willingness to fight and die for freedom, our Nation has become stronger. These contributions that the Mexican-American community has had in our Nation should be celebrated as part of our country's history.

While Cinco de Mayo remains a Mexican national holiday, the commemoration of this holiday has become imbedded in American culture. Both in Colorado and throughout our Nation, the contributions of the millions of Mexican-American families are seen throughout our communities. As in years past, I continue to encourage my fellow Coloradans to celebrate Cinco de Mayo by remembering and educating but also by coming together with friends and neighbors to enjoy food, music, and dancing.

Mr. REID. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be laid on the table en bloc, with no intervening action or debate.

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

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

#### APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the majority leader, pursuant to Public Law 101-509, the reappointment of Steve Zink, of Nevada, to the Advisory Committee on the Records of Congress.

The Chair announces, on behalf of the Republican leader, pursuant to the provisions of Section 3166 of Public Law 112-239, the appointment of the following individual to be a member of the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise: Michael R. Anastasio of New Mexico.

The Chair, on behalf of the Republican leader, pursuant to Public Law 111-5, appoints the following individual to the Health Information Technology Policy Committee: Dr. Scott Gottlieb of Connecticut.

#### APPOINTMENTS AUTHORITY

Mr. REID. I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

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

ORDERS FOR FRIDAY, APRIL 26, 2013 THROUGH MONDAY, MAY 6, 2013

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn and convene for pro forma sessions only, with no business conducted on the following dates and times, and that following each pro forma session the Senate adjourn until the next pro forma session: Friday, April 26 at 11:30 a.m., Tuesday, April 30 at 10 a.m., and Friday, May 3 at 2 p.m.; and that the Senate adjourn on Friday, May 3 until 2 p.m. on Monday, May 6, 2013; that on Monday, following the prayer and pledge, the morning hour be deemed expired, 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 be in a period of morning business until 5:30 p.m. with Senators permitted to speak for up to 10 minutes each; further, I ask unanimous consent that the previous order with respect to S. 743 be modified to provide that at 5:30 p.m., the Senate resume consideration of S. 743, all postcloture time be considered expired, and all other provisions remain in effect.

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

PROGRAM

Mr. REID. Madam President, I appreciate the Chair's patience.

There will be up to three rollcall votes Monday, May 6: two votes in order to complete the Marketplace Fairness Act and a third vote on the motion to invoke cloture on the motion to proceed to WRDA.

I am told we may not have to have that third vote.

ADJOURNMENT UNTIL 11:30 A.M.  
TOMORROW

Mr. REID. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 8:41 p.m., adjourned until Friday, April 26, 2013, at 11:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

CORPORATION FOR PUBLIC BROADCASTING

BRENT FRANKLIN NELSEN, OF SOUTH CAROLINA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2016, VICE GAY HART GAINES, TERM EXPIRED.

FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

WILLIAM S. JASIEN, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL RETIREMENT THRIFT INVESTMENT BOARD FOR A TERM EXPIRING OCTOBER 11, 2015, VICE TERRENCE A. DUFFY, TERM EXPIRED.

POSTAL REGULATORY COMMISSION

NANCI E. LANGLEY, OF HAWAII, TO BE A COMMISSIONER OF THE POSTAL REGULATORY COMMISSION FOR A TERM EXPIRING NOVEMBER 22, 2018. (REAPPOINTMENT)

EXECUTIVE OFFICE OF THE PRESIDENT

HOWARD A. SHELANSKI, OF PENNSYLVANIA, TO BE ADMINISTRATOR OF THE OFFICE OF INFORMATION AND REGULATORY AFFAIRS, OFFICE OF MANAGEMENT AND BUDGET, VICE CASS R. SUNSTEIN, RESIGNED.

IN THE NAVY

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

*To be vice admiral*

VICE ADM. MICHELLE J. HOWARD

CONFIRMATIONS

Executive nominations confirmed by the Senate April 25, 2013:

DEPARTMENT OF THE TREASURY

CHRISTOPHER J. MEADE, OF NEW YORK, TO BE GENERAL COUNSEL FOR THE DEPARTMENT OF THE TREASURY.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

WILLIAM B. SCHULTZ, OF THE DISTRICT OF COLUMBIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

JENNY R. YANG, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION FOR A TERM EXPIRING JULY 1, 2017.

DEPARTMENT OF JUSTICE

KAROL VIRGINIA MASON, OF GEORGIA, TO BE AN ASSISTANT ATTORNEY GENERAL.