

Mr. McCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be laid upon the table.

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

The bill (S. 982) was ordered to be engrossed for a third reading, was read the third time and passed, as follows:

S. 982

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 "Freedom to Fish Act".

SEC. 2. RESTRICTED AREAS AT CORPS OF ENGINEERS DAMS.

(a) DEFINITIONS.—In this Act:

(1) RESTRICTED AREA.—The term "restricted area" means a restricted area for hazardous waters at dams and other civil works structures in the Cumberland River basin established in accordance with chapter 10 of the regulation entitled "Project Operations: Navigation and Dredging Operations and Maintenance Policies", published by the Corps of Engineers on November 29, 1996, and any related regulations or guidance.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Army, acting through the Chief of Engineers.

(b) EXISTING RESTRICTED AREA.—If the Secretary has established a restricted area or modified an existing restricted area during the period beginning on August 1, 2012, and ending on the day before the date of enactment of this Act, the Secretary shall—

(1) cease implementing and enforcing the restricted area until the date that is 2 years after the date of enactment of this Act; and

(2) remove any permanent physical barriers constructed in connection with the restricted area.

(c) ESTABLISHING NEW RESTRICTED AREA.—If, on or after the date of enactment of this Act, the Secretary establishes any restricted area, the Secretary shall—

(1) ensure that any restrictions are based on operational conditions that create hazardous waters;

(2) publish a draft describing the restricted area and seek and consider public comment on that draft prior to establishing the restricted area;

(3) not implement or enforce the restricted area until the date that is 2 years after the date of enactment of this Act; and

(4) not take any action to establish a permanent physical barrier in connection with the restricted area.

(d) EXCLUSIONS.—For purposes of this section, the installation and maintenance of measures for alerting the public of hazardous water conditions and restricted areas, including sirens, strobe lights, and signage, shall not be considered to be a permanent physical barrier.

(e) ENFORCEMENT.—

(1) IN GENERAL.—Enforcement of a restricted area shall be the sole responsibility of the State in which the restricted area is located.

(2) EXISTING AUTHORITIES.—The Secretary shall not assess any penalty for entrance into a restricted area under section 4 of the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved December 22, 1944 (16 U.S.C. 460d).

Mr. McCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. COWAN. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that on Monday, May 20, at 5 p.m., the Senate proceed to executive session to consider the following nominations: Calendar Nos. 45 and 46; that there be 30 minutes of debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote, with no intervening action or debate, on the nominations in the order listed; further, that at a time to be determined by the majority leader, after consultation with the Republican leader, the Senate proceed to executive session to consider the following nominations: Calendar Nos. 11 and 12; that there be 30 minutes of debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote, with no intervening action or debate, on the nominations in the order listed; further, that following the votes on Calendar No. 12 and Calendar No. 46, 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 the Senate then resume legislative session.

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

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 94-304, as amended by Public Law 99-7, appoints the following Senator as a member of the Commission on Security and Cooperation in Europe (Helsinki) during the 113th Congress: The Honorable SAXBY CHAMBLISS of Georgia.

RESOLUTIONS SUBMITTED TODAY

Mr. REID. Mr. 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. 145, S. Res. 146, S. Res. 147, and S. Res. 148.

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

Mr. REID. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon 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.")

AUTHORIZING THE USE OF THE CAPITOL VISITOR CENTER

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Con. Res. 16, submitted earlier today.

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

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 16) authorizing the use of Emancipation Hall in the Capitol Visitor Center for the unveiling of a statue of Frederick Douglass.

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

Mr. REID. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be laid upon the table with no intervening action or debate.

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

The concurrent resolution (S. Con. Res. 16) was agreed to.

(The concurrent resolution is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR MONDAY, MAY 20, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., Monday, May 20, 2013; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, 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 3 p.m., with Senators permitted to speak for up to 10 minutes each; that following morning business, the Senate proceed to Calendar No. 73, S. 954, the farm bill; and, finally, that at 5 p.m., the Senate proceed to executive session under the previous order.

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

PROGRAM

Mr. REID. Mr. President, then on Monday there will be two rollcall votes on the confirmation of Chappell and McShane at 5:30 p.m. We will, as indicated, move to the farm bill.

ADJOURNMENT UNTIL MONDAY, MAY 20, 2013, AT 2 P.M.

Mr. REID. If there is no further business to come before the Senate, I ask

unanimous consent it adjourn under the previous order.

There being no objection, the Senate, at 6:07 p.m., adjourned until Monday, May 20, 2013, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

CAROLYN B. MCHUGH, OF UTAH, TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT, VICE MICHAEL R. MURPHY, RETIRED.

DEBRA M. BROWN, OF MISSISSIPPI, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF MISSISSIPPI, VICE W. ALLEN PEPPER, JR., DECEASED. PAMELA L. REEVES, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TENNESSEE, VICE THOMAS W. PHILLIPS, RETIRING.

ELIZABETH A. WOLFORD, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF NEW YORK, VICE CHARLES J. SIRAGUSA, RETIRED.

NATIONAL CREDIT UNION ADMINISTRATION

RICHARD T. METSGER, OF OREGON, TO BE A MEMBER OF THE NATIONAL CREDIT UNION ADMINISTRATION BOARD FOR A TERM EXPIRING AUGUST 2, 2017, VICE GIGI HYLAND, RESIGNED.

DEPARTMENT OF STATE

DANIEL R. RUSSEL, OF NEW YORK, TO BE AN ASSISTANT SECRETARY OF STATE (EAST ASIAN AND PACIFIC AFFAIRS), VICE KURT M. CAMPBELL, RESIGNED.

LEGAL SERVICES CORPORATION

ROBERT JAMES GREY, JR., OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2014. (REAPPOINTMENT)

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

REAR ADM. ROBERT L. THOMAS, JR.

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531:

To be major

BRADLY A. CARLSON

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

MICHAEL LUCAS AHMANN
DARRIN KENT ANDERSON
ROBERT AVON ATOUR II
VANCE CHRISTIAN BATEMAN
KIMBERLY A. BAUMANN
CHRISTOPHER JOHN BELLI
THOMAS ALAN BIEDIGER
BARRY A. BLANCHARD
MICHAEL A. BORKOWSKI
ROBERT DARIN BOWIE
DENISE W. BOYER
ROBERT MICHAEL BRAWLEY
BRYAN S. BUHLER
MICHAEL O. CADLE
LAWRENCE L. CHRISTENSEN
JAMES DAVID CLEET
JENNIFER ANN CONWELL
MICHAEL D. CROGHAN
BRYAN A. DAVIS
HAROLD D. DAVIS II
BRYAN SCOTT DELAGE
STEVEN JOHN DEMILLIANO
KEVIN CHRISTOPHER DERICKSON
MONIQUE J. DESPAIN
MATTHEW D. DINMORE
JAMES NORRIS DIXON
BARBARA G. DONCASTER
DENISE M. DONNELL
BOBBI J. DOORENBOS
SCOTT ALAN DUMFORD
DAVID M. DZIOBKOWSKI
STEVEN J. EARLY
TERESA S. EDWARDS
RANDAL KEITH EFFERSON
DONALD L. FARMER
BRETT VINCENT FEHRLE
THOMAS EDWARD FENNELL
EMIL JOSEPH FILKORN
ROBERT A. FRANKOSKY, JR.
LANCE TAYLOR FRYE
STEVEN MINORU FUKINO
BRIAN L. FULKERSON
DANIEL E. GABRIELLI
ROBERT L. GARVIN

MICHAEL T. GEROCK
BLAKE A. GETTYS
KERRY S. GILL
ERIC ROLAND GOOD
BRENT W. GUGLIELMINO
ALEXANDER G. HALDOPOULOS
CHRISTOPHER PAUL HAMILTON
CHRISTOPHER HARDGRAVE
ROBERT KENNETH HENDERSON
RICKY LEE HERN
JAMES M. HEURING
PENNY C. HODGES-GOETZ
SCOTT P. HOYLE
ROY M. INGRAM
BRANDON G. ISAACS
THOMAS S. JESS
ANTHONY L. JOHNSON
GREGORY G. JOHNSON
KENNETH HOUSTON JONES
DAVID M. KASHIWAMURA
ANDREW PATRICK KEANE
DAVID M. KENNARD
STEPHEN P. KENSICK
JOHN F. KNABEL
KRIS KOLLAR
DALLAS F. KRATZER II
RODRICK W. LEKEY
LORETTA JEAN LOMBARD
ANDREW W. LOVE
MARK ANTHONY MALDONADO
ROLF EBERHARD MAMMEN
MATT MCFARLAND MATHIS
THOMAS P. MCATEE
LANCE P. MCCUISTON
DANIEL RICHARD MCDONOUGH
BRIAN T. MCHENRY
RANDALL GLENN MCNARY
NATHAN R. MELLMAN
CHAD D. MILNE
TIMOTHY SCOTT MOSES
ROBERT J. NIESEN
STEVEN S. NORRIS
WILLIAM ELLIS ORTON
DOUGLAS K. PENNINGTON
SCOTT D. PLAMBECK
DONNA M. PRIGMORE
MICHAEL E. PYBURN
DERON BRANT REYNOLDS
MARTIN JOSEPH RICHARD
JACK J. RICHMOND
FRANK W. ROY
ROBERT THROCKMORT SANDFORD
ROBERT A. SCHULTE
KURT S. SHIGETA
ROBIN WAYNE SKAAR
SHANNON D. SMITH
GARY R. STEFANICH
JAMES S. STUART
THOMAS M. SUELZER
TODD K. THOMAS
LANE ALVIN THURGOOD
THORNE S. TIBBITTS
EDWARD C. TRIEBEL
MICHAEL ANTHONY VALLE
EDWIN ARLYN VANDERWOLDE
MARK AARON VAVRA
JOHN M. VERHAGE
GREGORY J. WALTERS
RITA J. WHITMIRE
MARSHALL LEIGHTON WILDE
CHRISTOPHER J. WILL
ERIK C. WONG
SHANNA MARCIENE WOYAK
KYLE T. YANAGISAWA
BERNARD JOHN YOSTEN

IN THE ARMY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

SHERCODA G. SMAW

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTION 531 AND 3064:

To be major

CARL N. SOFFLER

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR ARMY UNITED STATE ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

OWEN B. MOHN

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

CARMELO N. OTEROSANTIAGO
JOHN H. SEOK

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

BRENT E. HARVEY

JOOHYUN A. KIM

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

To be colonel

JERRY M. ANDERSON
JOSEPH M. BARTEL
DARYL P. BRACH
EDWARD W. LOCKWOOD
ROY J. MACARAEG
WILLIAM M. MYER
SHAWN C. REGER
NEIL W. SALKOWSKI
MAUREEN H. WEIGL

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 lieutenant colonel

DENNIS R. BELL
MICHAEL BERECEZ
RONALD L. BURKE
TAYLOR B. CHANCE
MARK G. CHAPPELL
MATTHEW J. ENROTH
CHAD D. FOSTER
CARY HONNOLD
NORMAN KREISELMEIER
ERIC D. LOMBARDINI
ANDREW L. MCGRAW
WENDY E. MEY
STEPHANIE L. MONT
BRETT J. TAYLOR
MICHELLE THOMPSON
KENT J. VINCE

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 lieutenant colonel

DAVID W. ADMIRE
TRACY H. BROWN
BRIAN E. BURK
PETER J. CONTOS
THEODORE W. CROY III
JOHN F. DETRO
GAIL A. EVANS
SARAH B. GOLDMAN
FLORIE GONZALES
KEVIN M. HOUCK
KENNETH E. HYDE
KEARY J. JOHNSTON
IAN E. LEE
LARRY T. LINDSAY
ROBERTO E. MARIN
STEPHANIE A. MEYER
ROBERT D. MONTZ
DAWN L. ORTA
JAMES L. PULLIAM
BILL A. SOLIZ
CAMERON C. STOKES
KERRYN L. STORY
MARK D. THELEN
KATHLEEN E. YANCOSEK
ARTHUR F. YEAGER
D006281

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

To be lieutenant colonel

CHRISTOPHER G. ARCHER
BRADFORD A. BAUMANN
RALPH L. BIEGANEK
EARL T. BOWERS
ROBERT S. BROWN
SCOTT M. BULLOCK
JEFFREY A. BURBANK
STEVEN E. CANTRELL
JEFFREY D. DILLARD
PETER O. DISSMORE
SHMUEL L. FELZENBERG
GARY T. FISHER
BARTON T. HERNDON
TAYLOR G. R. HOLLIS
DAVID K. JACOB
PAUL R. JAEDICKE
WILLIAM B. KILLOUGH
MARK R. LEVINE
THOMAS J. MCCOIRT
RODERICK R. MILLS
CHRISTOPHER G. MORRIS
DAMON P. ONELLION
ALAN T. SAVAGE
PHILIP T. SMILEY
THOMAS B. VAUGHN
DENNIS R. VILLARREAL
ARLEIGH F. VONSEGGERN
WILLIAM J. WEHLAGE
TYSON J. WOOD
PAUL H. YOON
D011470
D011779

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

To be lieutenant colonel

JAMES A. ADAMEC