

and consent to the nomination of Mark A. Barnett, of Virginia, to be a Judge of the United States Court of International Trade?

The nomination was confirmed.

The PRESIDING OFFICER. If there is no further debate on the nomination, the question is, Will the Senate advise and consent to the nomination of Claire R. Kelly, of New York, to be a Judge of the United States Court of International Trade?

The nomination was confirmed.

### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate resumes legislative session.

### ASIAN/PACIFIC AMERICAN HERITAGE MONTH

Mr. REID. Mr. President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of S. Res. 129 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 129) recognizing the significance of May 2013 as Asian/Pacific American Heritage Month as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States.

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

Mr. REID. I ask unanimous consent the resolution be agreed to, the Hirono amendment to the preamble be agreed to, the preamble, as amended, be agreed to, and the motion to reconsider be laid on the table, with no intervening action or debate.

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

The resolution (S. Res. 129) was agreed to.

The amendment (No. 1143) was agreed to, as follows:

In the fifth whereas clause of the preamble, strike "nearly 6 percent" and insert "approximately 5.5 percent and 0.4 percent, respectively."

The preamble, as amended, was agreed to.

The resolution, with its preamble, as amended, reads as follows:

#### S. RES. 129

Whereas the United States joins together each May to pay tribute to the contributions of generations of Asian Americans and Pacific Islanders who have enriched the history of the United States;

Whereas the history of Asian Americans and Pacific Islanders in the United States is inextricably tied to the story of the United States;

Whereas the Asian-American and Pacific Islander community is an inherently diverse population comprised of more than 45 distinct ethnicities and more than 100 language dialects;

Whereas, according to the Bureau of the Census, the Asian-American population grew

faster than any other racial or ethnic group in the United States during the last decade, surging nearly 46 percent between 2000 and 2010, which is a growth rate 4 times faster than that of the total population of the United States;

Whereas the 2010 decennial census estimated that there are approximately 17,300,000 residents of the United States who identify as Asian and approximately 1,200,000 residents of the United States who identify themselves as Native Hawaiian or other Pacific Islander, making up approximately 5.5 percent and 0.4 percent, respectively, of the total population of the United States;

Whereas the month of May was selected for Asian/Pacific American Heritage Month because the first immigrants from Japan arrived in the United States on May 7, 1843, and the first transcontinental railroad was completed on May 10, 1869, with substantial contributions from immigrants from China;

Whereas 2013 marks 70 years since the repeal of the Act of May 5, 1892 (27 Stat. 25, chapter 60) (commonly known as the "Geary Act" or the "Chinese Exclusion Act"), and 25 years since the passage of the Civil Liberties Act of 1988 (50 U.S.C. App. 1989b et seq.) that granted reparations to Japanese Americans interned during World War II, both cases in which Congress acted to address discriminatory laws that targeted people of Asian descent;

Whereas section 102 of title 36, United States Code, officially designates May as Asian/Pacific American Heritage Month and requests the President to issue an annual proclamation calling on the people of the United States to observe the month with appropriate programs, ceremonies, and activities;

Whereas, in 2013, the Congressional Asian Pacific American Caucus, a bicameral caucus of Members of Congress advocating on behalf of Asian Americans and Pacific Islanders, is composed of 40 Members, including 13 Members of Asian or Pacific Islander descent;

Whereas, in 2013, Asian Americans and Pacific Islanders are serving in State legislatures across the United States in record numbers, including in the States of Alaska, Arizona, California, Connecticut, Colorado, Georgia, Hawaii, Idaho, Maryland, Massachusetts, New York, Pennsylvania, Texas, Utah, Vermont, Virginia, and Washington;

Whereas the number of Federal judges who are Asian Americans or Pacific Islanders more than doubled between 2009 and 2013, reflecting a commitment to diversity in the Federal judiciary that has resulted in the confirmations of high caliber Asian-American and Pacific Islander judicial nominees;

Whereas there remains much to be done to ensure that Asian Americans and Pacific Islanders have access to resources and a voice in the Government of the United States and continue to advance in the political landscape of the United States; and

Whereas celebrating Asian/Pacific American Heritage Month provides the people of the United States with an opportunity to recognize the achievements, contributions, and history of Asian Americans and Pacific Islanders, and to appreciate the challenges faced by Asian Americans and Pacific Islanders: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the significance of May 2013 as Asian/Pacific American Heritage Month as an important time to celebrate the significant contributions of Asian Americans and Pacific Islanders to the history of the United States; and

(2) recognizes that the Asian-American and Pacific Islander community enhances the rich diversity of and strengthens the United States.

### AUTHORIZING DOCUMENT PRODUCTION

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 158.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 158) to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs.

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

Mr. REID. Mr. President, the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs has received a request from a Federal agency seeking access to records that the subcommittee obtained during its recent review of the expenditures of U.S. funds related to U.S. efforts in Afghanistan.

This resolution would authorize the chairman and ranking minority member of the Permanent Subcommittee on Investigations, acting jointly, to provide records, obtained by the Subcommittee in the course of its review, in response to this request and requests from other government entities and officials with a legitimate need for the records.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 158) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

### CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND ADJOURNMENT OF THE HOUSE

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to S. Con. Res. 17.

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. 17) providing for a conditional adjournment or the recess of the Senate and an adjournment of the House of Representatives.

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

Mr. REID. I ask unanimous consent 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. 17) was agreed to.

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

#### MEASURES READ THE FIRST TIME—H.R. 3 AND H.R. 271

Mr. REID. Mr. President, I am told there are two bills at the desk. If that is the case, I ask for their first reading.

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

The assistant legislative clerk read as follows:

A bill (H.R. 3) to approve the construction, operation, and maintenance of the Keystone XL Pipeline, and for other purposes.

A bill (H.R. 271) to clarify that compliance with an emergency order under section 202(c) of the Federal Power Act may not be considered a violation of any Federal, State, or local environmental law or regulation, and for other purposes.

Mr. REID. I now ask for a second reading and object to my own request, all en bloc.

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

#### APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the majority leader, after consultation with the Republican leader, pursuant to Public Law 93-415, as amended by Public Law 102-586, announces the appointment of the following individual to the Coordinating Council on Juvenile Justice and Delinquency Prevention: The Honorable Maura Corrigan of Michigan, vice Steven Jones.

#### SIGNING AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that from Friday, May 24, through Monday, June 3, Senators LEVIN and ROCKEFELLER be authorized to sign any duly enrolled bills or joint resolutions.

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

#### REPORTING AUTHORITY

Mr. REID. I ask unanimous consent that notwithstanding the Senate's recess, committees be authorized to report legislative and executive matters on Tuesday, May 28, from 10 a.m. to noon.

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

#### APPOINTMENT 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 of the Senate, and the majority and minority leaders be authorized to make appointments to commis-

sions, 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, MAY 24, 2013 THROUGH MONDAY, JUNE 3, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn to 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, May 24, at 12:30 p.m.; Tuesday, May 28, at 12:00 p.m., and Friday, May 31, at 12 p.m.; and that the Senate adjourn on Friday, May 31, until 2 p.m. on Monday, June 3, 2013, unless the Senate receives a message from the House that it has adopted S. Con. Res. 17, the adjournment resolution, and that if the Senate receives such a message, the Senate adjourn until 2 p.m. on Monday, June 3, 2013; that on Monday, following the prayer and the 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; and that following any leader remarks, the Senate be in a period of morning business until 4 p.m. with Senators permitted to speak for up to 10 minutes each; that following morning business, the Senate resume consideration of the farm bill, S. 954.

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

#### PROGRAM

Mr. REID. Mr. President, Senator STABENOW and Senator COCHRAN have arranged two votes that will begin on Monday, June 3, at 5:30.

#### CONDITIONAL ADJOURNMENT UNTIL FRIDAY, MAY 24, AT 12:30 P.M.

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

There being no objection, the Senate, at 6:33 p.m., conditionally adjourned until Friday, May 24, 2013, at 12:30 p.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### THE JUDICIARY

LANDYA B. MCCAFFERTY, OF NEW HAMPSHIRE, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW HAMPSHIRE, VICE STEVEN J. MCAULIFFE, RETIRED.  
BRIAN MORRIS, OF MONTANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MONTANA, VICE SAM E. HADDON, RETIRED.  
SUSAN P. WATTERS, OF MONTANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MONTANA, VICE RICHARD F. CEBULL, RETIRED.

##### DEPARTMENT OF JUSTICE

ZACHARY THOMAS FARDON, OF ILLINOIS, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DIS-

TRICT OF ILLINOIS FOR THE TERM OF FOUR YEARS, VICE PATRICK J. FITZGERALD, TERM EXPIRED.

##### FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS ONE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

MATTHEW D. LOWE, OF THE DISTRICT OF COLUMBIA  
MELISSA JO GARZA, OF TEXAS

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

CHRISTIAN CHARETTE, OF FLORIDA  
CYNTHIA ANNE EHRLICH, OF CALIFORNIA  
ROGER CHANCE SULLIVAN, OF WASHINGTON

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

JUANITA LUCIA AGUIRRE, OF TEXAS  
MICHAEL AHN, OF CALIFORNIA  
REBEKAH DAVIS AHRENS, OF THE DISTRICT OF COLUMBIA  
RYAN AIKEN, OF UTAH  
R. ANDREW ALLEN, OF VIRGINIA  
NAFEESAH ALLEN, OF NEW JERSEY  
NATALIA ALMAGUER, OF FLORIDA  
MAYRA ALEJANDRA ALVARADO TORRES, OF CALIFORNIA

MOLLY MCKNIGHT AMADOR, OF TENNESSEE  
KRISTER BERNT ANDERSON, OF MARYLAND  
REBECCA ARCHER-KNEPPER, OF VIRGINIA  
JOHN S. ARMIGER, OF COLORADO  
BRIAN P. ASMUS, OF FLORIDA  
WILLIAM P. ASTILLERO, OF NEW JERSEY  
KARA B. BABROWSKI, OF FLORIDA  
ZACHARY BAILEY, OF MARYLAND  
JUDITH E. BAKER, OF NEW HAMPSHIRE  
TERESA SUSAN BAILL, OF TENNESSEE  
DAWN ELIZABETH BEAUPAIN, OF FLORIDA  
ESTHER FALCON BELL, OF RHODE ISLAND  
JESSICA ERIN BERLOW, OF FLORIDA  
VIRGINIA ELEANOR BLAKEMAN, OF NEW YORK  
CHELSEA BLISS, OF WASHINGTON  
AJA CITITRE BONSU, OF TEXAS  
ANTHONY JUNG BONVILLE, OF TEXAS  
VIRGILE GEORGES BORDERIES, OF CALIFORNIA  
ASHLEY CHANTREL BORDNER, OF PENNSYLVANIA  
DAVID SEAN BOXER, OF CALIFORNIA  
ANNE BRAGHETTA, OF CALIFORNIA  
VIRGINIA CLAIRE BREEDLOVE, OF CALIFORNIA  
BRIGETTE BUCHET, OF MARYLAND  
RAVI FRANKLIN BUCK, OF MISSOURI  
PETER BURBA, OF CALIFORNIA  
MATTHEW A. BUSHELL, OF CONNECTICUT  
WILLIAM A. CAMPBELL, OF WISCONSIN  
CARINA R. CANAAN, OF FLORIDA  
NATALIA DEL PILAR CAPEL, OF FLORIDA  
ALYSSA M. CARALLA, OF GEORGIA  
OMAR CARDENY, OF FLORIDA  
MARCUS BLAIR CARPENTER, OF THE DISTRICT OF COLUMBIA

DANIEL C. CARROLL, OF HAWAII  
MELISSA ANN RHODES CARTER, OF ARKANSAS  
ANDREW NICHOLAS CARUSO, OF VIRGINIA  
MICHAEL PATRICK CASEY, OF VIRGINIA  
BETH M. CHESTERMAN, OF TEXAS  
JONATHAN B. CHESTNUT, OF GEORGIA  
SARAH JANE CICCOTTA, OF TENNESSEE  
ERIN JORDAN CLANCY, OF CALIFORNIA  
TRAVIS JOHN COBERLY, OF KANSAS  
JACLYN ANNE COLE, OF MARYLAND  
DESIREE MICHELLE CORMIER, OF CALIFORNIA  
CHRISTOPHER A. CRAWFORD, OF UTAH  
CHRISTOPHER B. CREAGHE, OF COLORADO  
ROBIN SLOAN CROMER, OF SOUTH CAROLINA  
JUAN C. CRUZ, OF FLORIDA  
GAETAN WILLIAM DAMBERG-OTT, OF NEW YORK  
JESSICA RENEE DANCEL, OF COLORADO  
SCOTT B. DARGUS, OF WASHINGTON  
PETER JOHN DAVIDIAN, OF OHIO  
JUSTIN E. DAVIS, OF GEORGIA  
NEIL MICHAEL DIBIASE, OF FLORIDA  
TRENTON BROWN DOUTHETT, OF OHIO  
SADIE ELEN DWORAK, OF NEW HAMPSHIRE  
JASON DYER, OF NEW MEXICO  
CHRISTOPHER MICHAEL ELMS, OF NEW YORK  
STEPHEN J. ESTE, OF TEXAS  
MARCUS GEORGE FALION, OF TENNESSEE  
JOHANNA L. FERNANDO, OF TEXAS  
JOSEPH ANTON FETTE, OF VIRGINIA  
KYLE FIELDING, OF WASHINGTON  
ERIK T. FINCH, OF TEXAS  
JESSE KYLE FINKEL, OF THE DISTRICT OF COLUMBIA  
COLIN W. FISHWICK, OF WASHINGTON  
JOAN H. FLYNN, OF VIRGINIA  
PHILIP LOWELL FOLKEMER, OF MARYLAND  
NICOLE LOKOMAIA KIKUE PROBST FOX, OF HAWAII  
MATTHEW A. FULLERTON, OF MARYLAND  
AARON ELLIOTT GARFIELD, OF CALIFORNIA  
GERALDINE B. GASSAM, OF LOUISIANA  
JOSEPH GORDONO-SCHOLZ, OF CALIFORNIA  
ANGELA CARMEN GJERTSON, OF TENNESSEE  
SARAH ELIZABETH GJORGEJEVSKI, OF CALIFORNIA  
CATHERYN MARGARET GLEASMAN, OF TEXAS  
SAMUEL EVERETT GOFMAN, OF ILLINOIS  
HOLLYN J. GREEN, OF MASSACHUSETTS  
CATHERINE PHYLLIS GRIFFITH, OF VIRGINIA  
PRISCILLA GUZMAN, OF TEXAS  
JAMES J. HAGENGROBER, OF WASHINGTON