

law, then in a joint resolution making continuing appropriations for such preceding fiscal year.

“(2) Appropriations and funds made available, and authority granted, for a program, project, or activity for any fiscal year pursuant to this section shall be at a rate of operations not in excess of the lower of—

“(A) 100 percent of the rate of operations provided for in the regular appropriation Act providing for such program, project, or activity for the preceding fiscal year;

“(B) in the absence of such an Act, 100 percent of the rate of operations provided for such program, project, or activity pursuant to a joint resolution making continuing appropriations for such preceding fiscal year; or

“(C) 100 percent of the annualized rate of operations provided for in the most recently enacted joint resolution making continuing appropriations for part of that fiscal year or any funding levels established under the provisions of this Act;

for the period of 120 days. After the first 120 day period during which this subsection is in effect for that fiscal year, the applicable rate of operations shall be reduced by 1 percentage point. For each subsequent 90 day period during which this subsection is in effect for that fiscal year, the applicable rate of operations shall be reduced by 1 percentage point. The 90-day period reductions shall continue beyond the last day of that fiscal year until the new appropriation has been enacted.

“(3) Appropriations and funds made available, and authority granted, for any fiscal year pursuant to this section for a program, project, or activity shall be available for the period beginning with the first day of a lapse in appropriations and ending with the date on which the applicable regular appropriation bill for such fiscal year becomes law (whether or not such law provides for such program, project, or activity) or a continuing resolution making appropriations becomes law, as the case may be.

“(b) An appropriation or funds made available, or authority granted, for a program, project, or activity for any fiscal year pursuant to this section shall be subject to the terms and conditions imposed with respect to the appropriation made or funds made available for the preceding fiscal year, or authority granted for such program, project, or activity under current law.

“(c) Expenditures made for a program, project, or activity for any fiscal year pursuant to this section shall be charged to the applicable appropriation, fund, or authorization whenever a regular appropriation bill or a joint resolution making continuing appropriations until the end of a fiscal year providing for such program, project, or activity for such period becomes law.

“(d) This section shall not apply to a program, project, or activity during a fiscal year if any other provision of law (other than an authorization of appropriations)—

“(1) makes an appropriation, makes funds available, or grants authority for such program, project, or activity to continue for such period; or

“(2) specifically provides that no appropriation shall be made, no funds shall be made available, or no authority shall be granted for such program, project, or activity to continue for such period.”

(2) CLERICAL AMENDMENT.—The table of sections of chapter 13 of title 31, United States Code, is amended by inserting after the item relating to section 1310 the following new item:

“1311. Continuing appropriations.”.

**SA 8.** Mr. TOOMEY submitted an amendment intended to be proposed by

him to the bill H.R. 325, to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes; as follows:

At the end of the bill, insert the following:

**SEC. \_\_\_\_ . ENSURING THE FULL FAITH AND CREDIT OF THE UNITED STATES AND PROTECTING AMERICA'S SOLDIERS AND SENIORS ACT.**

(a) **SHORT TITLE.**—This section may be cited as the “Ensuring the Full Faith and Credit of the United States and Protecting America's Soldiers and Seniors Act”.

(b) **PRIORITIZE OBLIGATIONS ON THE DEBT HELD BY THE PUBLIC, SOCIAL SECURITY BENEFITS, AND MILITARY PAY.**—In the event that the debt of the United States Government reaches the statutory limit as defined in section 3101 of title 31, United States Code, the following shall take equal priority over all other obligations incurred by the Government of the United States:

(1) The authority of the Department of the Treasury contained in section 3123 of title 31, United States Code, to pay with legal tender the principal and interest on debt held by the public.

(2) The authority of the Commissioner of Social Security to pay monthly old-age, survivors' and disability insurance benefits under title II of the Social Security Act.

(3) The payment of pay and allowances for members of the Armed Forces on active duty.

(c) **LIMITED DEBT LIMIT AUTHORITY.**—

(1) **IN GENERAL.**—If the Secretary of the Treasury determines, after consultation with the Director of the Office of Management and Budget, that incoming revenue will not be sufficient to finance the priorities listed in subsection (b) over the following 2 weeks, the Secretary, in coordination with the Director of the Office of Management and Budget, shall—

(A) notify Congress of the expected revenue shortfall; and

(B) raise the debt limit by the amount necessary to cover the difference between incoming revenue and the revenue needed to finance the priorities listed in subsection (b) on a 2 week basis.

(2) **LIMIT.**—The debt limit increase provided by paragraph (1)(B) may not exceed the difference between expected outlays for the listed priorities and expected revenue.

(3) **EXCESS REVENUE.**—If incoming revenue exceeds the amount projected by the Secretary of the Treasury, in consultation with the Director of the Office of Management and Budget, needed to finance the priorities listed in subsection (b) over the 2-week period, any amount in excess shall be held in reserve and applied to the following 2-week period.

**SA 9.** Mr. PAUL (for himself and Mr. LEE) submitted an amendment intended to be proposed by him to the bill H.R. 325, to ensure the complete and timely payment of the obligations of the United States Government until May 19, 2013, and for other purposes; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . PROHIBITION ON CERTAIN MILITARY SALES TO EGYPT.**

(a) **IN GENERAL.**—Notwithstanding any other provision of law, the United States Government shall not license, approve, facilitate, or otherwise allow the sale, lease, transfer, retransfer, or delivery of F-16 aircraft, M1 tanks, or other defense articles or services listed in Category VI, VII, or VIII of the United States Munitions List to the Government of Egypt.

(b) **UNITED STATES MUNITIONS LIST DEFINED.**—In this section, the term “United States Munitions List” means the list referred to in section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)), as in effect on January 1, 2013.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON ARMED SERVICES**

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on January 31, 2013, at 9:30 a.m.

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

**COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS**

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on January 31, 2013, at 10 a.m., in room 406 of the Dirksen Senate Office Building, a hearing entitled “The Harbor Maintenance Trust Fund and the Need to Invest in the Nation's Ports.”

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

**COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS**

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled “Pension Savings: Are Workers Saving Enough for Retirement?” on January 31, 2013, at 10 am, in room 430 of the Dirksen Senate Office Building.

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

**COMMITTEE ON THE JUDICIARY**

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on January 31, 2013, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

**PRIVILEGES OF THE FLOOR**

Mr. BAUCUS. Mr. President, I ask unanimous consent the following staff on the Finance Committee have the privilege of the floor for the 113th Congress: Ashtin Jeney, Daniel West, Eva Hampl, Gavin Mathis, Andrew Vondall, and Bryan Watt.

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

Mr. REID. Mr. President, I ask unanimous consent that Natalie Beckman, a fellow in my office, be granted floor privileges for the remainder of calendar year 2013.

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

# COMMEMORATING THE LOSS OF SPACE SHUTTLE "COLUMBIA"

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to S. Res. 24.

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

The legislative clerk read as follows:

A resolution (S. Res. 24) commemorating the 10-year anniversary of the loss of the Space Shuttle *Columbia*.

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

Mr. REID. Madam President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, 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 resolution (S. Res. 24) was agreed to.

The preamble was agreed to.

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

## HONORING GONZAGA UNIVERSITY

Mr. REID. Madam President, I now ask unanimous consent that we proceed to the consideration of S. Res. 25, which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 25) honoring Gonzaga University on its 125th anniversary.

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

Mr. REID. Madam President, 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, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

## MEASURES READ THE FIRST TIME—S. 201 AND S. 204

Mr. REID. Madam President, there are two bills at the desk due for their first reading. I ask that those bills' readings take place.

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

The legislative clerk read as follows:

A bill (S. 201) to prohibit the sale, lease, transfer, retransfer, or delivery of F-16 aircraft, M1 tanks, or certain other defense articles or services to the Government of Egypt.

A bill (S. 204) to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

Mr. REID. Madam President, I now ask for a second reading on both these measures, but I object to both these requests on both measures.

The PRESIDING OFFICER. The objection is heard. The bills will be read a second time on the next legislative day.

## ORDERS FOR MONDAY, FEBRUARY 4, 2013

Mr. REID. Madam President, I now ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, February 4, 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; and that following any leader remarks, the Senate be in a period of morning business until 5 p.m. with Senators permitted to speak therein for up to 10 minutes each; further, that following morning business, the Senate resume consideration of the motion to proceed to S. 47, and the time until 5:30 be equally divided and controlled in the usual form; finally, at 5:30 the Senate proceed to vote on the motion to proceed to S. 47.

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

## PROGRAM

Mr. REID. The next rollcall vote will be at 5:30 p.m. on the motion to proceed to the Violence Against Women Act.

## ADJOURNMENT UNTIL MONDAY, FEBRUARY 4, 2013, AT 2 P.M.

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

There being no objection, the Senate, at 6:09 p.m., adjourned until Monday, February 4, 2013, at 2 p.m.

## NOMINATIONS

Executive nominations received by the Senate:

### THE JUDICIARY

JANE KELLY, OF IOWA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE EIGHTH CIRCUIT, VICE MICHAEL J. MELLO, RETIRING.

GREGORY ALAN PHILLIPS, OF WYOMING, TO BE UNITED STATES CIRCUIT JUDGE FOR THE TENTH CIRCUIT, VICE TERRENCE L. O'BRIEN, RETIRING.