

conducted under paragraph (1). Such report shall review and assess—

“(A) the extent to which flexible manufacturing capacity under this section is dedicated to chemical, biological, radiological, and nuclear threats;

“(B) the activities supported by flexible manufacturing initiatives; and

“(C) the ability of flexible manufacturing activities carried out under this section to—

“(i) secure and leverage leading technical expertise with respect to countermeasure advanced research, development, and manufacturing processes; and

“(ii) meet the surge manufacturing capacity needs presented by novel and emerging threats, including chemical, biological, radiological, and nuclear agents.”.

(g) DEFINITIONS.—

(1) QUALIFIED COUNTERMEASURE.—Section 319F-1(a)(2)(A) of the Public Health Service Act (42 U.S.C. 247d-6a(a)(2)(A)) is amended—

(A) in the matter preceding clause (i), by striking “to—” and inserting “—”;

(B) in clause (i)—

(i) by striking “diagnose” and inserting “to diagnose”; and

(ii) by striking “; or” and inserting a semicolon;

(C) in clause (ii)—

(i) by striking “diagnose” and inserting “to diagnose”; and

(ii) by striking the period at the end and inserting “; or”; and

(D) by adding at the end the following:

“(iii) is a product or technology intended to enhance the use or effect of a drug, biological product, or device described in clause (i) or (ii).”.

(2) QUALIFIED PANDEMIC OR EPIDEMIC PRODUCT.—Section 319F-3(i)(7)(A) of the Public Health Service Act (42 U.S.C. 247d-6d(i)(7)(A)) is amended—

(A) in clause (i)(II), by striking “; or” and inserting “;”;

(B) in clause (ii), by striking “; and” and inserting “; or”; and

(C) by adding at the end the following:

“(iii) a product or technology intended to enhance the use or effect of a drug, biological product, or device described in clause (i) or (ii); and”.

(3) TECHNICAL AMENDMENTS.—Section 319F-3(i) of the Public Health Service Act (42 U.S.C. 247d-6d(i)) is amended—

(A) in paragraph (1)(C), by inserting “, 564A, or 564B” after “564”; and

(B) in paragraph (7)(B)(iii), by inserting “, 564A, or 564B” after “564”.

SEC. 403. STRATEGIC NATIONAL STOCKPILE.

Section 319F-2 of the Public Health Service Act (42 U.S.C. 247d-6b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting “consistent with section 2811” before “by the Secretary to be appropriate”; and

(ii) by inserting before the period at the end of the second sentence the following: “and shall submit such review annually to the appropriate congressional committees of jurisdiction to the extent that disclosure of such information does not compromise national security”; and

(B) in paragraph (2)(D), by inserting before the semicolon at the end the following: “and that the potential depletion of countermeasures currently in the stockpile is identified and appropriately addressed, including through necessary replenishment”; and

(2) in subsection (f)(1), by striking “\$640,000,000 for fiscal year 2002, and such sums as may be necessary for each of fiscal years 2003 through 2006. Such authorization is in addition to amounts in the special reserve fund referred to in subsection (c)(10)(A).” and inserting “\$533,800,000 for each of fiscal years 2014 through 2018. Such authorization is in addition to amounts in the special reserve fund referred to in subsection (h).”.

SEC. 404. NATIONAL BIODEFENSE SCIENCE BOARD.

Section 319M(a) of the Public Health Service Act (42 U.S.C. 247d-f(a)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (D)—

(i) in clause (i), by striking “and” at the end; (ii) in clause (ii), by striking the period and inserting a semicolon; and

(iii) by adding at the end the following:

“(iii) one such member shall be an individual with pediatric subject matter expertise; and

“(iv) one such member shall be a State, tribal, territorial, or local public health official.”; and

(B) by adding at the end the following flush sentence:

“Nothing in this paragraph shall preclude a member of the Board from satisfying two or more of the requirements described in subparagraph (D).”; and

(2) in paragraph (5)—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(D) provide any recommendation, finding, or report provided to the Secretary under this paragraph to the appropriate committees of Congress.”.

Mr. REID. Mr. President, I ask unanimous consent that the committee-reported substitute be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be made and laid upon the table with no intervening action or debate.

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

The committee-reported substitute was agreed to.

The amendment was ordered to be engrossed and the bill to be read the third time and passed.

The bill (H.R. 307), as amended, was read the third time and passed.

READ ACROSS AMERICA DAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 61, 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. 61) designating March 1, 2013, as “Read Across America Day.”

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

Mr. REID. I ask unanimous consent that 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. 61) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

AUTHORIZING THE PRODUCTION OF RECORDS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 62, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 62) 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 the resolution.

Mr. REID. I ask unanimous consent that the resolution 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. 62) was agreed to.

(The resolution is printed in today’s RECORD under “Submitted Resolutions.”)

ORDERS FOR THURSDAY, FEBRUARY 28, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, February 28, 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 proceed to a period of morning business for 1 hour with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half; further, that following morning business, the Senate resume consideration of the motion to proceed to S. 388, the American Family Economic Protection Bill.

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

PROGRAM

Mr. REID. Mr. President, at a time to be determined, there will be two cloture votes on motions to proceed to sequestration-related bills offered by the majority leader and Republican leader, respectively. Senators will be notified when those votes are scheduled.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, 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 6:59 p.m., adjourned until Thursday, February 28, 2013, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

CORPORATION FOR PUBLIC BROADCASTING

JANNETTE LAKE DATES, OF MARYLAND, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2016, VICE ERNEST J. WILSON, III, TERM EXPIRED.

BRUCE M. RAMER, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2018. (REAPPOINTMENT)

UNITED STATES INSTITUTE OF PEACE

STEPHEN J. HADLEY, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM OF FOUR YEARS, VICE JUDY VAN REST, TERM EXPIRED.

DEPARTMENT OF THE INTERIOR

VINCENT G. LOGAN, OF NEW YORK, TO BE SPECIAL TRUSTEE, OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS, DEPARTMENT OF THE INTERIOR, VICE ROSS OWEN SWIMMER, RESIGNED.

DEPARTMENT OF STATE

GEOFFREY R. PYATT, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO UKRAINE.

FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE DEPARTMENT OF COMMERCE FOR PROMOTION WITHIN AND INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

MARGARET A. HANSON-MUSE, OF MARYLAND
JOHN M. MCCASLIN, OF OHIO
PATRICK O. SANTILLO, OF MARYLAND

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

DAVID L. GOSSACK, OF WASHINGTON
SARAH E. KEMP, OF WASHINGTON

IN THE AIR FORCE

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

To be lieutenant general

L.T. GEN. JOHN E. HYTEN

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

To be lieutenant general

MAJ. GEN. TOD D. WOLTERS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MICHELLE D. JOHNSON

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. BRUCE E. GROOMS

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ALEXANDER M. ARCHIBALD III
BENJAMIN C. BOTH
ROMEL L. JARAMILLO

To be major

FRANCIS S. BEAUDOIN
JOHN L. DECKER
AMY E. MCDANIEL
TIMOTHY Y. SALAM

IN THE ARMY

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

To be major

MICHAEL J. BURKE

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER 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

CHARLES A. SLANEY

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

SARA L. CARLSON
JONATHAN A. NEWSOM
DAVID R. TRAINOR

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be colonel

JAMES W. NESS
LEON L. ROBERT
MICHAEL J. ROGERS

To be lieutenant colonel

RANDY R. COTE
CHRISTOPHER HEMPEL
CHRISTINE M. NELSONCHUNG
SHONNEIL W. SEVERNS
CLIFTON B. TROUT
GERARD A. VAVRINA

To be major

ZACHARY T. IRVINE

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MA-

RINE CORPS RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

TIMOTHY L. ADAMS
MICHAEL J. ATCHESON
BENJAMIN T. BREWER
ALEJANDRO P. BRICENO
DOUGLAS B. BRUUN
DAVID CARBONERO
ERIC R. CASEY
STANTON L. CHAMBERS
RICHARD J. COATES, JR.
ERIC M. DIFRANCESCO
PAUL C. FAGAN
MARK C. GERHARD
SCOTT W. GRANDGEORGE
DAVID E. GRIBBLE
MICHAEL C. GRIFFIN
MARTIN T. GRIFFITH
ARTURO G. HERNANDEZ
PAUL A. KONOPKA
PAUL D. KOVAC
KERRY G. KRELL
MARC C. LANGEVIN
RORY C. LANGRAN
ANTHONY E. LANZA
STEPHEN A. LAWSON
EDWIN H. LOWSMA
STEVEN P. MANBER
MORGAN G. MANN
GREGORY C. MCCARTHY
KEVIN A. MCCOWN
ADAM N. MCKEOWN
KENNETH L. MCROSTIE
CARLOS L. OLIVO
JOSEPH V. ORSI III
ANDREW J. PAIGE
ERIK T. PETERSON
THOMAS D. PLEITGEN
WALTER D. POWERS
JAVIER T. RAMOS
ALEX M. RAY
DAVID V. READY
JULIE C. SCHAFFER
MARK E. SEILHAMER
MARK A. SEXTON
PETER P. SHACKLETTE
TIMOTHY E. SHANAHAN
SANJEEV SHINDE
WILLIAM E. SOUZA III
JOHN A. SPEICHER
RONALD A. STEPHENS
JAMES W. THOMAS, JR.
MICHAEL H. TORREY
JEFFREY M. VERRANT
DANIEL K. WARD
CHRISTOPHER J. WARNKE
MICHAEL P. WASTILA
LEE C. WHALEN
JAMES R. WILLSEA

CONFIRMATION

Executive nomination confirmed by the Senate February 27, 2013:

DEPARTMENT OF THE TREASURY

JACOB J. LEW, OF NEW YORK, TO BE SECRETARY OF THE TREASURY.