

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*

LT. 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. PAIGE  
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. SCHAEFFER  
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.