

**SEC. 238. REPORT ON POTENTIAL FUTURE HOMELAND BALLISTIC MISSILE DEFENSE OPTIONS.**

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on potential future options for homeland ballistic missile defense.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) A description of the current assessment of the threat to the United States from long-range ballistic missiles of North Korea and Iran, and an assessment of the projected future threat through 2022, including a discussion of confidence levels in such threat assessment.

(2) A description of the current United States homeland ballistic missile defense capability to defend against the current threat of limited ballistic missile attack from North Korea and Iran.

(3) A description of planned improvements to the current homeland ballistic missile defense system, and the capability enhancements that would result from such planned improvements.

(4) A description of potential additional future options for homeland ballistic missile defense, in addition to those described pursuant to paragraph (3), if the future ballistic missile threat warrants deployment of such options to increase the homeland ballistic missile defense capability, including—

(A) deployment of a missile defense interceptor site on the East Coast;

(B) deployment of a missile defense interceptor site in another location in the United States, other than on the East Coast;

(C) deployment of additional Ground-based Interceptors for the Ground-based Midcourse Defense system at Fort Greely, Alaska, Vandenberg Air Force Base, California, or both;

(D) deployment of Standard Missile-3 Block IIB interceptors on land or at sea; and

(E) any other options the Secretary considers appropriate.

(c) **EVALUATION.**—For each option described under subsection (b)(4), the Secretary shall provide an evaluation of the advantages and disadvantages of such option. The evaluation of each option shall include consideration of the following:

(1) Technical feasibility.

(2) Operational effectiveness and utility against the projected future threat.

(3) Cost, cost effectiveness and affordability.

(4) Adaptability to respond to changes in threat evolution.

(d) **CONCLUSIONS AND RECOMMENDATIONS.**—Based on the evaluation required by subsection (c), the Secretary shall include in the report required by subsection (a) such findings, conclusions, and recommendations as the Secretary considers appropriate for potential future options for homeland ballistic missile defense

(e) **FORM.**—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

**SA 3285.** Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 3254, to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

**SEC. 1064. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON POTENTIAL LIABILITY OF DEPARTMENT OF DEFENSE FOR RENEGOTIATION OR CANCELLATION OF CONTRACTS FOR CONFERENCES AND CONVENTIONS IN CONNECTION WITH SPENDING CUTS.**

Not later than \_\_\_\_\_ days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth an assessment of the potential liability of the Department of Defense, including the military departments and the Defense Agencies, for the renegotiation or cancellation of contracts for conferences and conventions to be hosted by the Department as a result of reductions in funding for the Department in connection with—

(2) directives of the Office of Management and Budget, or other Executive Branch directives, relating to cost saving measures; and

(3) such other funding reduction mechanisms as the Comptroller General identifies for purposes of the report.

**SA 3286.** Mr. LEVIN (for Ms. KLOBUCHAR) proposed an amendment to the bill S. 3542, to authorize the Assistant Secretary of Homeland Security (Transportation Security Administration) to modify screening requirements for checked baggage arriving from preclearance airports, and for other purposes; as follows:

On page 3, lines 8 through 10, strike “and the Committee on Commerce, Science, and Transportation of the Senate” and insert “, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Homeland Security and Governmental Affairs of the Senate”.

**SA 3287.** Mr. LEVIN (for Mrs. SHAHEEN) submitted an amendment intended to be proposed by Mr. LEVIN to the resolution S. Res. 600, supporting the goals and ideals of American Diabetes Month; as follows:

In the fifth whereas clause of the preamble, strike “5,082” and insert “5,205”.

In the tenth whereas clause of the preamble, strike “60” and insert “65”.

In the fifteenth whereas clause of the preamble, strike “each fiscal year” and insert “fiscal year 2005”.

**AUTHORITY FOR COMMITTEES TO MEET****COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS**

Mr. UDALL of Colorado. 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 November 29, 2012, at 9:30 a.m., in room 406 of the Dirksen Senate office building, to conduct a hearing entitled “Sandy and Its Impacts: A Local Perspective.”

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

**COMMITTEE ON INDIAN AFFAIRS**

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on November 29, 2012, in room SD-628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a hearing entitled “Reclaiming Our

Image and Identity for the Next Seven Generations.”

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

**COMMITTEE ON THE JUDICIARY**

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on November 29, 2012, 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.

**COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP**

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on November 29, 2012, at 10 a.m. in room 432 Russell Senate Office building to conduct a hearing entitled “Creating Jobs and Growing the Economy: Legislative Proposals to Strengthen the Entrepreneurial Ecosystem.”

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

**SELECT COMMITTEE ON INTELLIGENCE**

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on November 29, 2012, at 2:30 p.m.

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

**PRIVILEGES OF THE FLOOR**

Mr. LEVIN. Mr. President, I ask unanimous consent that Dr. Jim Malachowski, an Air Force fellow assigned to the office of Senator CONRAD, be granted floor privileges for the remainder of the debate on S. 3254.

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

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that Maj. Leigh Hasson, the defense fellow for Senator BEGICH, be allowed floor privileges for the remainder of the debate on S. 3254.

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

Ms. AYOTTE. Mr. President, I ask unanimous consent that my Air Force legislative fellow, Active-Duty Maj. Alison “Babs” Kamataris, receive floor privileges for the remainder of the consideration of S. 3254, the Defense authorization bill.

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

Mr. LEAHY. Mr. President, I ask unanimous consent that Russ Cummings, a military fellow from Senator MANCHIN’s office, be granted floor privileges for the remainder of the debate on the National Defense Authorization Act for fiscal year 2013.

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

Mr. LEAHY. Mr. President, I ask unanimous consent that Scott Haller

of Senator UDALL's office be granted floor privileges for the duration of debate on S. 3254.

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

Mrs. BOXER. Mr. President, I ask unanimous consent that Shannon Beebe, a legal fellow in Senator BLUMENTHAL's office, be granted floor privileges for the duration of the debate on the National Defense Authorization Act.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, I ask unanimous consent that Leigh Hasson, a fellow in Senator BEGICH's office be granted floor privileges for the consideration of S. 3254, DOD authorization bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, I ask unanimous consent that Captain Chris Bala, an Army fellow in Senator MURKOWSKI's office, be allowed floor privileges for the duration of the Senate's debate on S. 3254, the National Defense Authorization bill.

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

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that Gary Mayo, an Army fellow in Senator HUTCHISON's office, be granted floor privileges during the consideration of S. 3254.

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

#### NO-HASSLE FLYING ACT OF 2012

Mr. LEVIN. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration of S. 3542 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title. The assistant legislative clerk read as follows:

A bill (S. 3542) to authorize the Assistant Secretary of Homeland Security (Transportation Security Administration) to modify training requirements for checked baggage arriving from preclearance airports, and for other purposes.

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

Mr. LEVIN. Mr. President, I ask that the Klobuchar amendment which is at the desk be agreed to; the bill, as amended, be read a third time and passed; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; and that any statements relating to the measure be printed in the RECORD.

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

The amendment (No. 3286) was agreed to, as follows:

#### AMENDMENT NO. 3286

(Purpose: To include the Committee on Homeland Security and Governmental Affairs of the Senate in the committees to which the report on re-screening of baggage is required to be submitted)

On page 3, lines 8 through 10, strike "and the Committee on Commerce, Science, and Transportation of the Senate" and insert "the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Homeland Security and Governmental Affairs of the Senate".

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

#### S. 3542

*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 "No-Hassle Flying Act of 2012".

#### SEC. 2. PRECLEARANCE AIRPORTS.

(a) IN GENERAL.—Section 44901(d) of title 49, United States Code, is amended by adding at the end the following new paragraph:

"(4) PRECLEARANCE AIRPORTS.—

"(A) IN GENERAL.—For a flight or flight segment originating at an airport outside the United States and traveling to the United States with respect to which checked baggage has been screened in accordance with an aviation security preclearance agreement between the United States and the country in which such airport is located, the Assistant Secretary (Transportation Security Administration) may, in coordination with U.S. Customs and Border Protection, determine whether such baggage must be re-screened in the United States by an explosives detection system before such baggage continues on any additional flight or flight segment.

"(B) AVIATION SECURITY PRECLEARANCE AGREEMENT DEFINED.—In this paragraph, the term 'aviation security preclearance agreement' means an agreement that delineates and implements security standards and protocols that are determined by the Assistant Secretary, in coordination with U.S. Customs and Border Protection, to be comparable to those of the United States and therefore sufficiently effective to enable passengers to deplane into sterile areas of airports in the United States.

"(C) REPORT.—The Assistant Secretary shall submit to the Committee on Homeland Security of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Homeland Security and Governmental Affairs of the Senate an annual report on the re-screening of baggage under this paragraph. Each such report shall include the following for the year covered by the report:

"(i) A list of airports outside the United States from which a flight or flight segment traveled to the United States for which the Assistant Secretary determined, in accordance with the authority under subparagraph (A), that checked baggage was not required to be re-screened in the United States by an explosive detection system before such baggage continued on an additional flight or flight segment.

"(ii) The amount of Federal savings generated from the exercise of such authority."

(b) CONFORMING AMENDMENTS.—Section 44901 of title 49, United States Code, is amended by striking "explosive" each place it appears and inserting "explosives".

#### AMERICAN DIABETES MONTH

Mr. LEVIN. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 600 and the Senate proceed to its immediate 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. 600) supporting the goals and ideals of American Diabetes Month.

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

Mr. LEVIN. Mr. President, I ask unanimous consent that the resolution be agreed to; the amendment to the preamble which is at the desk be agreed to; the preamble, as amended, be agreed to; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; and that any statements related to the measure be printed in the RECORD.

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

The resolution (S. Res. 600) was agreed to.

The amendment (No. 3287) was agreed to, as follows:

#### AMENDMENT NO. 3287

In the fifth whereas clause of the preamble, strike "5,082" and insert "5,205".

In the tenth whereas clause of the preamble, strike "60" and insert "65".

In the fifteenth whereas clause of the preamble, strike "each fiscal year" and insert "fiscal year 2005".

The preamble, as amended, was agreed to.

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

#### S. RES. 600

Whereas according to the Centers for Disease Control and Prevention (referred to in this preamble as the "CDC"), nearly 26,000,000 people in the United States have diabetes and 79,000,000 people in the United States have pre-diabetes;

Whereas diabetes is a serious chronic condition that affects people of every age, race, ethnicity, and income level;

Whereas the CDC reports that Hispanics, African-Americans, Asian-Americans, and Native Americans are disproportionately affected by diabetes and suffer from diabetes at rates that are much higher than the general population of the United States;

Whereas according to the CDC, someone is diagnosed with diabetes every 17 seconds;

Whereas each day, approximately 5,205 people are diagnosed with diabetes;

Whereas in 2010, the CDC estimated that approximately 1,900,000 individuals age 20 and older were newly diagnosed with diabetes;

Whereas a joint National Institutes of Health and CDC study found that approximately 15,000 youth in the United States are diagnosed with type 1 diabetes annually and approximately 3,600 youth are diagnosed with type 2 diabetes annually;

Whereas according to the CDC, between 1980 and 2007, the prevalence of diabetes in the United States increased by more than 300 percent;