



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156

WASHINGTON, FRIDAY, SEPTEMBER 24, 2010

No. 130

House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. MITCHELL).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
September 24, 2010.

I hereby appoint the Honorable HARRY E. MITCHELL to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

PRAYER

Rev. Kurt Gerhard, St. Patrick's Episcopal Church, Washington, DC, offered the following prayer:

O Lord our God, creator and sustainer of all nations and people,

On this day, bless the Members of this House with anger at the injustice, oppression and exploitation of people so that they can work for justice, freedom and peace.

Bless them with enough foolishness to believe that they can make a difference in the world so that they can do what others claim is impossible.

Bless them with the humility to know that they can be wrong so that they can respect the perspectives of others.

Bless them with frustration with the way things are so that they will be motivated to create new solutions.

Send Your Spirit of courage and understanding upon each Member of this 111th Congress so that they will hold fast that which is true and serve these United States of America with glory and honor.

We ask this all in Your Holy Name.
Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. BURGESS) come forward and lead the House in the Pledge of Allegiance.

Mr. BURGESS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REV. KURT GERHARD

The SPEAKER pro tempore. Without objection, the gentleman from Texas (Mr. BURGESS) is recognized for 1 minute.

There was no objection.

Mr. BURGESS. Mr. Speaker, I rise today to honor and thank Father Kurt Gerhard of Washington, DC, for serving as the guest chaplain today for the House of Representatives.

In April of this year, Father Gerhard was installed as the eighth rector of St. Patrick's Episcopal Church, which is located in northwest Washington, DC, on Whitehaven Parkway. He recently relocated from my home State of Texas, where he served as senior chaplain at St. Andrew's Episcopal School and in the clergy at Good Shepherd Episcopal Church, both located in Austin, Texas.

Father Gerhard is a native of Nebraska, where he earned a degree from the University of Nebraska at Omaha. He went on to earn a Master of Divinity from the Seminary of the Southwest and a Doctor of Ministry from the Virginia Theological Seminary.

On behalf of every Member of the House of Representatives of the United States Congress, I want to thank Father Gerhard for his work on behalf of our community here in Washington, DC, and for his invocation before our House here today.

ADJOURNMENT

Mr. BURGESS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 4 minutes a.m.), under its previous order, the House adjourned until Tuesday, September 28, 2010, at 10:30 a.m., for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

9615. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Baron Hilton Fireworks Display, San Francisco Bay, CA [COTP San Francisco Bay 06-025] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9616. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; City of Antioch Fireworks Display, San Francisco Bay, CA [COTP San Francisco Bay 06-026] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9617. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Peninsula Celebration Fireworks Display, San Francisco Bay, CA [COTP San Francisco Bay 06-027] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9618. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety

This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

H6993

Zone; Pittsburgh Chamber of Commerce Fireworks Display, San Francisco Bay, CA [COTP San Francisco Bay 06-028] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9619. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; San Francisco Giants Fireworks Display, San Francisco Bay, CA [COTP San Francisco Bay 06-029] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9620. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Giants Enterprises Fireworks Display, San Francisco Bay, CA [COTP San Francisco Bay 06-030] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9621. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; 2006 NOAA Safe Seas Emergency Response Exercise, San Francisco, CA [COTP San Francisco Bay 06-032] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9622. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Spanish Bay, Monterey, California [COTP San Francisco Bay 06-034] (RIN: 1625-AA87) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9623. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Carquinez Strait, California [COTP San Francisco Bay 06-040] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9624. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; San Francisco Giants Fireworks Display, San Francisco Bay, CA [COTP San Francisco Bay 07-005] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9625. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Central Massachusetts August Swim Events [Docket No.: USCG-2008-0422] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9626. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; San Francisco Giants Fireworks Display, San Francisco Bay, CA [COTP San Francisco Bay 07-010] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9627. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; USCGC Bertholf Port of Miami Visit, Miami, Florida [Docket No.: USCG-2008-0432] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9628. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Savannah River, Savannah, GA

[USCG-2008-0437] (RIN: 1625-AA87) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9629. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Savannah River, Savannah, GA [USCG-2008-0438] (RIN: 1625-AA87) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9630. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; San Francisco Bay, CA [COTP San Francisco Bay 07-011] (RIN: 1625-AA87) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9631. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Allegheny and Ohio Rivers, Pittsburgh, PA [Docket No.: USCG-2008-0582] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9632. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — National Night Out on New River, Jacksonville, NC [USCG-2008-0439] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9633. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Savannah River, Savannah, GA [USCG-2008-0602] (RIN: 1625-AA87) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9634. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ohio River, Mile 848.0 to 849.0 [Docket No.: USCG-2008-0604] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9635. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Dutch Shoe Marathon; San Diego Bay, San Diego, CA [Docket No.: USCG-2008-0443] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9636. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sail Port Huron Fireworks, St. Clair River, Port Huron, MI [Docket No.: USCG-2008-0605] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9637. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; City of Wyandotte Independence Holiday Fireworks, Detroit River, Wyandotte, MI [Docket No.: USCG-2008-0606] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9638. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Fireworks & Stage FX America Fireworks Display at USS Midway; San Diego Bay, San Diego, California [Docket No.: USCG-2008-0444] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9639. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Bay City Fireworks Festival, Bay City, MI [Docket No.: USCG-2008-0607] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9640. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Murrell's Inlet, South Carolina [Docket No.: USCG-2008-0404] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9641. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Cooper River, Moncks Corner, South Carolina [Docket No.: USCG-2008-0405] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9642. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live-Fire Gun Exercise, Station Fort Pierce, Atlantic Ocean, Fort Pierce, Florida [Docket No.: USCG-2008-0408] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9643. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live-Fire Gun Exercise, Atlantic Ocean, Fort Lauderdale, Florida [Docket No.: USCG-2008-0419] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9644. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Rockets Over the River; Colorado River, Bullhead City, AZ [Docket No.: USCG-2008-0447] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9645. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live-Fire Gun Exercise, Station Miami, Atlantic Ocean, Miami, Florida [Docket No.: USCG-2008-0420] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9646. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Savannah River, Savannah, GA [USCG-2008-0452] (RIN: 1625-AA87) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9647. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Robert Fountain Private Party Fireworks Display, San Francisco, CA [Docket No.: USCG-2008-0455] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9648. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Cape Fear River in Downtown Wilmington, North Carolina [USCG-2008-0457] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9649. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Anniversary Fireworks Display, Southport, CT [Docket No.: USCG-2008-0459] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9650. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Corrections; Founder's Day Fireworks Event, Chesapeake Bay, Hampton, VA [Docket No.: USCG-2008-0463] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9651. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Temporary Safety Zone: Lower Cowlitz River Dredging Operation; Longview, Washington [Docket No.: USCG-2008-0467] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9652. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Temporary Safety Zone: Lower Cowlitz River Dredging Operation; Longview, Washington [Docket No.: USCG-2008-0467] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9653. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Monongahela River Mile Marker 0.5 to Mile Marker 1.5, Pittsburgh, PA [Docket No.: USCG-2008-0479] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9654. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lake Superior; Grand Marais, Michigan [USCG-2008-0482] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9655. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Maine; Sector Northern New England July Swim Events [Docket No.: USCG-2008-0493] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9656. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Independence Day Celebration for Baron Hilton, Stockton, CA [Docket No.: USCG-2008-0495] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9657. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lights on the Lake, South Lake Tahoe, CA [Docket No.: USCG-2008-0498] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9658. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Coastal Fireworks Massachusetts [Docket No.: USCG-2008-0501] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9659. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; San Francisco Giants Fireworks Display, San Francisco, CA [Docket No.: USCG-2008-0503] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9660. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ohio River, Mile 602.0 to 605.0, Louisville, KY [Docket No.: USCG-2008-0506] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9661. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; City of Antioch Fourth of July Fireworks Display, Antioch, CA [Docket No.: USCG-2008-0507] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9662. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Live-Fire Gun Exercise, Station Miami, Atlantic Ocean, Fort Pierce, Florida [Docket No.: USCG-2008-0407] (RIN: 1625-AA00) received August 19, 2010, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9663. A letter from the National Adjutant, Chief Executive Officer, Disabled American Veterans, transmitting the 2010 National Convention Proceedings of the Disabled American Veterans, pursuant to 36 U.S.C. 901 and 44 U.S.C. 1332; (H. Doc. No. 111—146); to the Committee on Veterans' Affairs and ordered to be printed.

DISCHARGE PETITIONS— ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 12 by Mr. HERGER on H.R. 5424: Howard P. "Buck" McKeon and Jeb Hensarling.

Petition 13 by Mr. LUNGREN on H.R. 5141: Paul C. Broun, Sam Johnson, Ileana Ros-Lehtinen, Peter Hoekstra, Patrick J. Tiberi, Lamar Smith, Sue Wilkins Myrick, Candice S. Miller, Tom Price, Zach Wamp, Steve Scalise, John Fleming, Ralph M. Hall, Paul Ryan, Thomas E. Petri, Howard P. "Buck" McKeon, Jeb Hensarling, Kay Granger, Greg Walden, Ander Crenshaw, David Dreier, Brett Guthrie, Kenny Marchant, Rob Bishop, Louise Gohmert, Bob Inglis, Robert E. Latta, Robert B. Aderholt, Marsha Blackburn, Dean Heller, Phil Gingrey, Tom Cole, and Michael C. Burgess.



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156

WASHINGTON, FRIDAY, SEPTEMBER 24, 2010

No. 130

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable AL FRANKEN, a Senator from the State of Minnesota.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

We pause at the convening of this Senate session, Eternal God, to acknowledge our total dependence upon You. We are aware of the fragile and temporary nature of our earthly pilgrimage and look to You, the changeless one, to guide our steps. From You we borrow our heartbeats, and because of You we live and move and have our being.

Guide our lawmakers today with more than human wisdom. Give them the ability to solve the difficult problems of these challenging days. Lord, break in and through their human best that justice, truth, and peace may prevail. We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable AL FRANKEN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 24, 2010.

To the Senate:

Under the provisions of Rule I, paragraph 3, of the Standing Rules of the Senate, I

hereby appoint the Honorable AL FRANKEN, a Senator from the State of Minnesota, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. FRANKEN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will proceed to a period of morning business. Senators will be permitted to speak for up to 10 minutes each. There will be no rollcall votes today.

CONGRESSIONAL BADGE OF BRAVERY BOARD

Mr. REID. Mr. President, sometimes all it takes to be a hero is to do your job the way you are supposed to do that job.

A few days after New Year's, a deranged gunman walked into the Lloyd D. George Federal building in downtown Las Vegas. In addition to housing our Federal courts, it is also the building where my staff works, Senator ENSIGN's staff, and of course many other employees of the people of the State of Nevada.

Court security Officer Stanley Cooper and Deputy U.S. Marshal Richard J. Gardner—everyone calls him Joe—were on duty that day. They were both in the lobby when the gunman got there. Both of them were shot. Officer Cooper didn't make it. He died in the line of duty. I met his family and spoke at his funeral earlier this year, and I know they still miss him every day. Joe Gardner was more fortunate. He re-

turned fire on the gunman. He too was hit while protecting the people working and visiting the courthouse but he did survive.

We can never know for sure how many lives were saved because Officer Cooper gave his or because U.S. Marshal Gardner put his own life at risk. And they can never know how grateful we are for their courage. It is hard to explain.

I am proud to say I have appointed this exemplary Nevadan—U.S. Marshal Joe Gardner—to the Law Enforcement Congressional Badge of Bravery Board. Because if anyone knows what bravery is, it is Joe Gardner. Seven Federal law enforcement officers serve on this board for 2-year terms. I want to express my appreciation to my friend the Republican leader, Senator MCCONNELL, for joining me in making sure Joe Gardner is one of them. It was an easy choice.

Too often we take these heroes for granted. We pass them on the streets or on our way through an office building's lobby. There are precious few like U.S. Marshal Joe Gardner—good men and women who wake up every morning, go to work and put everything on the line to protect people they do not even know. They will tell you they are just doing their jobs, and we should be grateful they are doing their jobs. We should fulfill our responsibility just as often—by thanking them every single day.

Mr. President, would the Chair announce morning business now.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S7437

will now be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

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

CREATING AMERICAN JOBS AND ENDING OFFSHORING ACT OF 2010—MOTION TO PROCEED

Mr. REID. Mr. President, I ask unanimous consent that at 3 p.m., Monday, September 27, the Senate proceed to consideration of Calendar No. 578, S. 3816, a bill to create American jobs and prevent the offshoring of such jobs overseas.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. McCONNELL. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

CLOTURE MOTION

Mr. REID. I now move to proceed to Calendar No. 578, S. 3816, and I send a cloture motion to the desk.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 578, S. 3816, the Creating American Jobs and Ending Offshoring Act of 2010.

Richard J. Durbin, Charles E. Schumer, Tom Harkin, Sheldon Whitehouse, Debbie Stabenow, Barbara A. Mikulski, Roland W. Burris, Bernard Sanders, Tom Udall, Mark Begich, Daniel K. Akaka, Jeff Merkley, Benjamin L. Cardin, Edward E. Kaufman, Christopher J. Dodd, Arlen Specter, Sherrod Brown, Amy Klobuchar, Byron L. Dorgan, Barbara Boxer.

Mr. REID. I ask unanimous consent that the vote on the motion to invoke cloture occur at 11:30 a.m., Tuesday, September 28, with the mandatory quorum being waived.

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

The Senator from Kentucky.

Mr. McCONNELL. Mr. President, the majority leader has generously consented to allow me to make a few observations before I must leave the Chamber.

My view is the majority has literally wasted months in the Chamber trying to tell the private sector what to do instead of providing certainty to help them make investment decisions. This

bill we will be voting on cloture on Tuesday will do nothing to create jobs in our country. Most of the factories the Durbin bill is trying to prevent from moving overseas are not traveling overseas to sell back to the American market but are moving there to gain competitive advantage over foreign companies in foreign markets. In doing so, they create more jobs and more opportunity in the United States. The nonpartisan Joint Committee on Taxation has informed my staff that this bill, similar to so many others produced by the majority this year, will increase the deficit by nearly \$1 billion, violating the majority's own pay-go rules.

It is my hope we will not decide to debate and pass this bill. I think it would be a step in the wrong direction. I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, my friend is correct. There has been a lot of wasted time in the Senate. But it hasn't been because of the majority. We have had to answer to more than 100 filibusters, which have eaten up weeks and weeks of our time, when we should have been talking about jobs for the American people. For my friend to stand on the floor and say the continual exporting of jobs is good for the country is beyond the ability of someone to believe. Not only does the fact that these jobs are transferred to another country create tremendous job losses, but we give these people tax benefits for doing so. It is hard to comprehend how such a policy ever came to be. This is an effort to stop it.

We have some very commonsense ideas. One says: If you want to come back to the United States and you want to create some jobs here, we will give you a tax benefit for that. But we do say that if you are going to tear down a plant, an operation in America, you should not get a tax benefit for doing that, as now exists. Right now, if you move a wood manufacturing company out of the State of Washington, tear down your plant and move it to China, you get a tax break for that. The American people don't want that. Finally, outsourcing these jobs is the third part of our legislation—shipping jobs overseas, terminating the jobs here and then making the product over there cheaply and then sending the product back here and you get a tax break for it. The American people don't understand that. They don't understand it because it is illogical. That is what the debate will be about.

We will start the debate Monday afternoon. Everyone should be aware that we will have a live quorum at about 7 o'clock on Monday evening. I explained to the minority leader yesterday that we were going to do that so it is no surprise. Then we will see if during the evening we need any more. We will try to set up the debate in a constructive fashion. It is a debate we on this side relish.

Mr. President, I now withdraw my motion to proceed.

The ACTING PRESIDENT pro tempore. The motion is withdrawn.

MORNING BUSINESS

Mr. REID. I ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak for up to 10 minutes each.

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

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

HEALTH CARE REFORM

Mr. BROWN of Ohio. Mr. President, six months ago our Nation accomplished something that so many generations before had struggled to achieve. Six months ago yesterday, with the enactment of the Patient Protection and Affordable Care Act, our Nation stood up and declared that the health of our citizens is worth fighting for.

There has been a lot of debate, as the Presiding Officer knows, in this Chamber and in the House of Representatives and on the talk shows and talk radio. There is a lot of debate about theories and death panels and health care and preexisting conditions. But behind all of that is human beings in difficult situations. After hearing people say things about this health care law that simply aren't true, it is important to remember how this affects individual human beings.

This legislation began to take effect when, yesterday, several things happened. One is that a 22-year-old who is home from school who just got a job but doesn't have insurance in that job can stay on her parents' health care plan until she turns 27. Small businesses can get tax breaks to insure their employees. Something most small businesses—almost every small businessperson I know—want to do is provide decent, affordable health insurance to their employees. They will be better able to do that because of this bill. Also yesterday, because of this legislation, we saw movement toward the doughnut hole being closed. That simply means that senior citizens, conflicted with very high health care costs, having to choose between medication and heating their home or proper food, cutting their pills in half or having to skip a day in taking it because they couldn't afford it—this bill will begin to close that doughnut hole

that President Bush and the Republican Congress created.

We are seeing major progress which affects individual people. Mary from Ashtabula, OH, which is in the northeast corner of the State, shared a story with me about her friend who is paying \$56 each month for medications to treat her chronic illness. After the doughnut hole kicks in, she worries that her friend will have to pay literally 10 times that—not \$56, which she can handle, but literally \$500 per month, which she can't. This increase will catastrophically affect her friend, who is 80 years old and living on a tight budget. Next year, because of this legislation that is taking effect now, Mary's friend will see her prescription drug costs cut in half.

Robert from Cleveland wrote me a letter sharing his concerns about being young and uninsured. As happens to many young adults, Robert was dropped from his mother's insurance on his 21st birthday. He has been unable to obtain full-time employment. He has remained uninsured, not by choice but because he really had no options. In fact, he saw the risks associated with being uninsured firsthand as he accompanied his also uninsured friend to the hospital after sustaining a basketball injury not too long ago. His friend left the emergency room with a \$3,000 bill. Robert understands that young adults such as him and his friend will no longer have to face the uncertainty and fear associated with being uninsured.

This legislation also, as of yesterday, allows States such as Ohio and every State in the country to set up what are called high-risk insurance pools. We all know—and the Presiding Officer knows it from talking to people in Rochester and Duluth and St. Paul, and I have talked to people in Toledo and Dayton and Springfield who can't get insurance because they have a preexisting condition. So 462 Ohioans already have signed up for what is called this high-risk insurance pool. That means that even with a preexisting condition, those 462 Ohioans have insurance. Six months ago, they were uninsured and uninsurable. Today, they have insurance.

Laura from Hamilton County wrote to me when she learned about the health care law. She wrote:

I cheered when I learned that children with chronic conditions cannot be denied health insurance coverage. I have a child with Type 1 diabetes. I have worried for years about what will become of him as he ages and moves off our insurance policy. I have worried for years what his health plan options will be. It is a relief to now be able to shift our efforts to battling the disease, not the health care system.

Any mother or father with a sick child wants to focus their efforts on taking care of that illness, not fighting with insurance companies, not worrying about cobbling together payments to pay the doctor, the hospital, and the drug company.

I am proud to say these changes are just the beginning. As of yesterday,

when you renew or purchase a health insurance plan, you don't have to worry about lifetime limits. We know what happens: If you get sick, if you live in Akron or Youngstown and you get very sick and spend a lot of time in the hospital, insurance companies—it is called rescission—will simply cancel your insurance because you exceeded the lifetime limits they set up. Well, no more lifetime limits because of this bill.

From now on, recommended preventive services, immunizations, mammograms, and other recommended screenings, will be covered without a copay or deductible. We want people to get screened, to get preventive care. It saves their health, and it saves all of us money. So they can get less expensive health care. For them, taking away their requirement to pay copays and deductibles will make a huge difference.

There are now new restrictions on private insurers from placing unreasonable limits on your coverage. Patients can access out-of-network emergency room services and children can no longer be denied insurance because of a preexisting condition. Think of the parents we talk to who have a child who is sick and can't get insurance because that child has a preexisting condition, as if a parent wanted it that way. Now we have fixed this.

The Presiding Officer was part of this debate, as all of us in this institution were, during last year and the beginning of this year when we passed this bill. We know what the opponents—people speaking mostly on behalf of the insurance industry, the drug industry, and people who just don't agree that we should do something like this—we know what they did. They lied about death panels. They spread half-truths about costs. They even labeled health care reform "communism."

They did the same thing with Medicare. I remember the same arguments when I was a kid. I was 12 years old, 13 years old when Medicare passed. They used the same arguments about Medicare. They said: The government is going to stand between you and your doctor. They said: It is going to turn the United States into the Soviet Union. They said: We are never going to be able to get health insurance again. It is going to be big government running our lives. I don't think they say that about Medicare anymore. They have tried to dismantle and privatize Medicare, but they know it has worked.

In the 1930s, these same people with the same philosophy campaigned against Social Security, saying it wouldn't work. In the 1960s, they campaigned against Medicare, saying it wouldn't work. Now they are campaigning against the health care law.

There are Republicans all over this country—not many voters, I don't think—who are talking about repealing the health care law. So what they are going to do is kick the 23-year-old off

their parents' insurance. Now they are going to take away these tax breaks for small businesses to insure their employees. They are going to reinstate the doughnut hole. They are going to put more costs back on senior citizens, who finally are getting some help with their drug costs. I don't get it. They are going to bring back preexisting conditions. They are going to say it is OK again to deny somebody coverage for a preexisting condition. I don't think the public is going to buy that. I don't think this institution will vote that way.

It is important to recognize from where we have come. Most of all, it is important to think about individual human beings we have met who are affected so positively by this law. They are going to be able to get insurance. They are not going to be denied coverage if they have a preexisting condition. Businesses will be able to help their employees by covering them for insurance. Senior citizens are going to get significant help for their drug costs. What is not to like about that? That is why it is important that we stand firm as we mark this 6-month beginning of these changes that will make our health care system work better, be more responsive to people, and, most importantly, take care of individual Americans better than ever before.

STEELDAY 2010

Mr. DURBIN. Mr. President, I rise today to recognize the critical role of structural steel in our Nation's infrastructure and industrial economy.

Today, September 24, 2010, is the second annual SteelDay and is being celebrated through events nationwide. These events highlight the many American jobs provided by the structural steel industry and the contributions of structural steel as a safe, strong, green, and effective building material.

The structural steel industry is a major employer in Illinois. Today, the United States has 4 major structural steel mills, 10 hollow structural shape producers, and more than 2,600 steel fabricators. Together, they employ over 185,000 Americans, producing 4.5 million tons of fabricated structural steel in 2009. In Illinois, more than 100 structural steel firms provide more than 2,000 good jobs.

Most of the structured steel in a building can be recovered and recycled—as much as 98 percent. In fact, columns and beams that are made at U.S. steel mills include an average 93 percent of recycled materials. It is the most recycled material on the planet.

There is a renewed interest in this country in domestic steel as a building material, and structural steel accounts for 5 percent of the steel consumed in the United States. Shipping steel from other countries creates a huge and unnecessary carbon footprint. LEED certification, an environmental rating

system developed by the U.S. Green Building Council, relies heavily on the use of domestic steel in new construction.

The industry continues to incorporate improvements in the technology used to build steel projects. These improvements are also bringing down construction costs and increasing safety at construction sites. In light of these economic, environmental, and safety factors, it is no surprise that there is a three-to-one preference for using structural steel in the construction of multistory residential and non-residential buildings.

Mr. President, I congratulate the structural steel industry on its second annual SteelDay. Steel manufacturing and construction is driving our Nation's progress into the future.

GREATER OWENSBORO CHAMBER OF COMMERCE

Mr. MCCONNELL. Mr. President, I rise today to recognize the remarkable accomplishments of the Greater Owensboro Chamber of Commerce. They were selected as the winner, out of eight National finalists, in the 2010 Chamber of the Year competition sponsored by the American Chamber of Commerce Executives, ACCE. This is quite a feat, as the ACCE's Chamber of the Year is the Nation's only award that recognizes local chambers for their dual role in creating and leading businesses and communities.

Chambers wanting to apply for this award could do so if they had an exceptional year or if they had a program or initiative that went above and beyond expectations. With this in mind, the Greater Owensboro Chamber of Commerce highlighted their success in developing the Chamber Leadership Initiatives for Northwestern Kentucky, C-LINK, alliance and the Owensboro Buys It! program in the application process.

C-LINK includes 12 chambers in the region and has been a leading proponent of Interstate 69 in western Kentucky, one of the largest transportation projects in the region, which has seen significant progress in the past two years. Owensboro Buys It! was started in 2009 to create local commerce and to teach small business leaders how to initiate an "elevator pitch" and sharpen their ability to gain and retain customers. When the chamber board of directors mapped out a strategic plan in 2008, they made it their goal to earn this award by 2012. Because of their hard work, they managed to beat even that audacious goal.

Under the leadership of chamber president Jody Wassmer, the board of directors, staff, and members of the Greater Owensboro Chamber of Commerce made their hometown, their Commonwealth, and this Senator very proud. I ask my colleagues to rise and join me in congratulating them on this honor.

FREEDOM OF INFORMATION ACT AMENDMENTS

Mr. LEAHY. Mr. President, I commend the House of Representatives for promptly enacting the Freedom of Information Act amendments to the Securities and Exchange Act, Investment Company Act, and Investment Advisers Act of 2010, S. 3717. This bipartisan bill will ensure that the Freedom of Information Act, FOIA, remains an effective tool to provide public access to information about the stability of our financial markets.

This bill will also ensure that the important goals of the historic Wall Street reform law—enhancing transparency, accountability, and confidence in our financial system—will become a reality for all Americans. The bill eliminates several broad FOIA exemptions for Security and Exchange Commission, SEC, records that were recently enacted as part of Public Law 111-203. The bill also helps to ensure that the SEC has access to the information that the Commission needs to carry out its new enforcement activities under the new reforms.

I thank Representative EDOLPHUS TOWNS, the distinguished chairman of the House Committee on Oversight and Government Reform, and Representative BARNEY FRANK, the distinguished chairman of the House Committee on Financial Services, for their support of this bill and for working with me to quickly enact this legislation. I also thank Senators GRASSLEY, CORNYN, and KAUFMAN for cosponsoring this important open government bill. In addition, I commend the many open government organizations, including OpenTheGovernment.org, the Project on Government Oversight, the American Library Association, and the Sunlight Foundation for their support of this bill.

The Freedom of Information Act has long recognized the need to balance the government's legitimate interest in protecting confidential business records, trade secrets, and other sensitive information from public disclosure, and preserving the public's right to know. To accomplish this, care must always be taken to ensure that exemptions to FOIA's disclosure requirements are narrowly and properly applied. The bill accomplishes this important goal.

I commend the Congress for working in a bipartisan and expeditious manner to eliminate these overly broad FOIA exemptions. I urge the President to promptly sign this good government bill into law.

FEDERAL HIRING FREEZE

Mr. AKAKA. Mr. President, as chairman of the Senate subcommittee that oversees the Federal workforce, I strongly oppose the proposal by my colleagues on the other side of the aisle to impose a hiring freeze for all non-security positions in the Federal Gov-

ernment. If adopted, this proposal would sacrifice our Nation's long-term investments in the employees needed to efficiently and effectively run government programs for a short-sighted approach that does nothing to address our current fiscal challenges.

Far from being fiscally responsible, these policies would end up costing the government more over the long run, by increasing our reliance on contractors whose work would not be capped. Arbitrary restrictions on hiring Federal employees open up opportunities for waste, fraud, and abuse as contracting expands without investment in oversight. Over the past decade, Federal contracts have nearly doubled in size, to over \$500 billion, but the size of the workforce overseeing contractors has stayed constant. We must reverse, not reinforce, that trend.

Over the past two years, we have made efforts to rebalance the work performed by Federal employees and contractors. Many times, replacing contractors with Federal employees allows agencies to more efficiently meet their missions and provide vital services. The American people expect strong leadership from the Federal Government and we must make sure the Federal Government has the people it needs to perform critical functions and to properly oversee the important work done by contractors. Freezing the Federal workforce could once again lead to dramatic overreliance on contractors, putting agency missions and taxpayer dollars at risk.

The American people deserve a government that hires the right people with the right skills to run their government in an effective and efficient manner. An arbitrary cap on Federal employees is a poor substitute for the careful, thoughtful approach to Federal workforce planning we need.

Our Federal civil service is comprised of hard working, talented people who have dedicated their lives to the service of this country—and our way of life would not exist without them. These are honorable men and women who provide critical services to the American people, including protecting our Nation, ensuring that our food and drugs are safe, caring for our wounded warriors, and responding to natural disasters. America's public servants deserve our gratitude and respect. I thank them for their dedication.

AQUACULTURE DISASTER ASSISTANCE

Ms. LANDRIEU. Mr. President, I come to the floor today to speak on an issue that is of great importance to my home State of Louisiana: Federal disaster assistance. As you know, along the gulf coast, we keep an eye trained on the Gulf of Mexico during hurricane season. This is following the devastating one-two punch of Hurricanes Katrina and Rita of 2005 as well as Hurricanes Gustav and Ike last year. Our communities and businesses are still

recovering from these disasters—some from a disaster that devastated the gulf coast almost 5 years ago. We are now also dealing with the economic and environmental damage from the Deepwater Horizon disaster which occurred this April. For this reason, as chair of the Senate Committee on Small Business and Entrepreneurship ensuring effective Federal disaster coordination is one of my top priorities. While the gulf coast is prone to hurricanes, other parts of the country are no strangers to disaster. For example, the Midwest has tornadoes, California experiences earthquakes and wildfires, and the Northeast sees crippling snowstorms. So no part of our country is spared from disasters—disasters which can and will strike at any moment. With this in mind, we must ensure that the Federal Government is better prepared and has the tools necessary to respond quickly, effectively following a disaster.

In order to help ongoing recovery efforts in the gulf coast, and to give the U.S. Small Business Administration, SBA, more tools to respond after a future disaster, I am proud that the House of Representatives passed H.R. 5297, the Small Business Jobs Act of 2010. I have spoken at length on the Senate floor about the huge impact this legislation will have for small business owners. Today I also note that this legislation includes an important provision improving SBA disaster assistance. This provision builds off of SBA disaster reforms enacted in 2008 and ensures that small businesses in the aquaculture sector will not be left without disaster assistance following future disasters. In particular, the provision is section 1501 of H.R. 5297. I note that this provision is similar to section 205 of legislation I introduced last year, the Small Business Administration Disaster Recovery and Reform Act of 2009. This section amends the Small Business Act to make aquaculture businesses eligible for SBA economic injury disaster loans.

Currently, the SBA determines that aquaculture includes any industry where an individual farms aquatic organisms, farming means intervention in the rearing process to enhance production—regular stocking, feeding, protection from predators. These include farmers of: algae, alligators, frogs, turtles, seaweed, clams, crawfish, pearls, fish farms/hatcheries, mussels, and oysters. Under current provisions of the Small Business Act, SBA is prohibited from providing assistance to these industries as it was wrongly assumed that they would be covered by other Federal agencies. This is because, when Congress repealed SBA disaster assistance for agricultural businesses in the 1980s, they mistakenly assumed that all of these businesses, including aquaculture businesses, would be helped by the U.S. Department of Agriculture, USDA.

For example, oystermen who seed private grounds which they own or rent are engaged in aquaculture and are currently ineligible. Public ground oys-

termen, however, who do not have exclusive use of any area, do not farm and are eligible for SBA economic injury disaster loans. In Louisiana, our aquaculture businesses in the southern part of the State were hit hard by both Hurricane Katrina and Rita. These businesses, many crawfish farmers or those with fish farms, were ineligible for U.S. Department of Agriculture, USDA, disaster assistance, but were also ineligible for SBA disaster loans. We also learned that similar problems followed Hurricanes Gustav and Ike in 2008. A more recent example of the huge problem this causes is that the SBA is currently offering \$2 million economic injury disaster loans, EIDLs, to businesses impacted by the Deepwater Horizon disaster. Since the Small Business Act currently prohibits aquaculture businesses from receiving EIDLs, they were ineligible. However, no other Federal agency, including USDA was providing assistance for this disaster. So small businesses impacted by a disaster were told. We cannot help you, even though no other Federal agency was there to fill in the gap.

In closing, I believe that the commonsense fix sent to the President today will give these businesses they help they need to recover from future disasters. Businesses involved in the farming of the following stand to benefit greatly from this new legislation: algae, alligators, frogs, turtles, seaweed, clams, crawfish, pearls, fish farms/hatcheries, mussels, and oysters. I thank the chair and ask that my entire statement and a copy of this particular provision appear in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SEC. 1501. AQUACULTURE BUSINESS DISASTER ASSISTANCE.

Section 3 of the Small Business Act (15 U.S.C. 632), as amended by section 1343, is amended by adding at the end the following: “(z) AQUACULTURE BUSINESS DISASTER ASSISTANCE.—Subject to section 18(a) and notwithstanding section 18(b)(1), the Administrator may provide disaster assistance under section 7(b)(2) to aquaculture enterprises that are small businesses.”

ADDITIONAL STATEMENTS

TRIBUTE TO PASTOR RUFUS BRADLEY, JR.

• Mr. LEVIN. Mr. President, I am pleased to pay tribute to a distinguished religious leader in Saginaw, MI, Pastor Rufus Bradley, Jr. Pastor Bradley will be honored at a banquet on September 25, 2010, by his church family. The banquet will celebrate his 30 years of ministry and his 23 years as Pastor of New Life Baptist Church Ministries.

Since accepting his call to the ministry, Pastor Bradley has persistently sought to encourage and enlighten his congregation, and through these efforts, has earned the respect and admiration of people throughout Michigan. His pastoral leadership and commitment to service is admirable, and The

New Life Baptist Church Ministries has flourished under his spiritual guidance. Through his stewardship and many community-based efforts such as the “Mission in the City Movement,” Pastor Bradley has provided much needed assistance to those most in need in the greater Saginaw community.

Before becoming pastor of New Life, Pastor Bradley studied theology under the tutelage of several well-known religious leaders. He also earned a bachelor’s degree from the United Theological Seminary in Monroe, LA, and is a graduate of the Beeson Institute for Advanced Church Leadership. Pastor Bradley is a family man and is supported by his wife, Relinda Bradley. They have enjoyed 32 wonderful years together and are the proud parents of two children, June and Rufus, Jr.

I know my colleagues join me in congratulating Pastor Bradley on 30 years of pastoral leadership and faithful service to the greater Saginaw community. We wish him the best as he continues this important work for many more years.●

MESSAGE FROM THE HOUSE

At 11:08 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 846. An act to award a congressional gold medal to Dr. Muhammad Yunus, in recognition of his contributions to the fight against global poverty.

S. 1055. An act to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1745. An act to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health centers under section 330 of such Act.

H.R. 3199. An act to amend the Public Health Service Act to provide grants to State emergency medical service departments to provide for expedited training and licensing for veterans with prior medical training, and for other purposes.

H.R. 5307. An act to amend the Tariff Act of 1930 to include ultralight vehicles under the definition of aircraft for purposes of the aviation smuggling provisions under that Act.

H.R. 5710. An act to amend and reauthorize the controlled substance monitoring program under section 3990 of the Public Health Service Act.

H.R. 5756. An act to amend subtitle D of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 to provide grants and technical assistance to University Centers for Excellence in Developmental Disabilities Education, Research, and Service to improve services rendered to children and adults on the autism spectrum, and their families, and for other purposes.

H.R. 6156. An act to renew the authority of the Secretary of Health and Human Services to approve demonstration projects designed to test innovative strategies in State child welfare programs.

At 12:04 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2701. An act to authorize appropriations for fiscal year 2010 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1745. An act to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health centers under section 330 of such Act; to the Committee on Health, Education, Labor, and Pensions.

H.R. 3199. An act to amend the Public Health Service Act to provide grants to State emergency medical service departments to provide for the expedited training and licensing of veterans with prior medical training, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5307. An act to amend the Tariff Act of 1930 to include ultralight vehicles under the definition of aircraft for purposes of the aviation smuggling provisions under that Act; to the Committee on Finance.

H.R. 5710. An act to amend and reauthorize the controlled substance monitoring program under section 3990 of the Public Health Service Act; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5756. An act to amend subtitle D of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 to provide grants and technical assistance to University Centers for Excellence in Developmental Disabilities Education, Research, and Service to improve services rendered to children and adults on the autism spectrum, and their families, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 6156. An act to renew the authority of the Secretary of Health and Human Services to approve demonstration projects designed to test innovative strategies in State child welfare programs; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 573. A resolution urging the development of a comprehensive strategy to ensure stability in Somalia, and for other purposes.

EXECUTIVE REPORT OF COMMITTEE—NOMINATION

The following executive report of a nomination was submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Robert Leon Wilkins, of the District of Columbia, to be United States District Judge for the District of Columbia.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

EXECUTIVE REPORTS OF COMMITTEE—TREATIES

The following executive reports of committee were submitted:

By Mr. KERRY, from the Committee on Foreign Relations:

TREATY DOC. 110-7 TREATY WITH UNITED KINGDOM CONCERNING DEFENSE TRADE COOPERATION WITH 9 CONDITIONS, 7 UNDERSTANDINGS, AND 3 DECLARATIONS (EX. REPT. 111-5); AND TREATY DOC. 110-10 TREATY WITH AUSTRALIA CONCERNING DEFENSE TRADE COOPERATION WITH 8 CONDITIONS, 6 UNDERSTANDINGS, AND 3 DECLARATIONS (EX. REPT. 111-5)

The text of the committee-recommended resolutions of advice and consent to ratification are as follows:

[110-7: Treaty with United Kingdom Concerning Defense Trade Cooperation]

Resolved (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent Subject to Conditions, Understandings And Declarations.

The Senate advises and consents to the ratification of the Treaty Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland Concerning Defense Trade Cooperation, done at Washington and London on June 21 and 26, 2007 (Treaty Doc. 110-7) (as defined in section 5 of this resolution), subject to the conditions in section 2, the understandings in section 3 and the declarations in section 4.

Section 2. Conditions.

The Senate's advice and consent to the ratification of the Treaty with the United Kingdom Concerning Defense Trade Cooperation is subject to the following conditions, which shall be binding upon the President:

(1) United States preparation for treaty implementation.

(A) At least 15 days before any exchange of notes pursuant to Article 20 of the Treaty, the President shall submit to the Congress a report—

(i) describing steps taken to ensure that the Executive branch and United States industry are prepared to comply with Treaty requirements;

(ii) analyzing the implications of the Treaty, and especially of Article 3(3) of the Treaty, for the protection of intellectual property rights of United States persons;

(iii) explaining what steps the United States Government is taking and will take to combat improper or illegal intangible exports (i.e., exports as defined in part 120.17(a)(4) of title 22, Code of Federal Regulations) under the Treaty; and

(iv) setting forth the issues to be addressed in the Management Plan called for by Section 12(3)(f) of the Implementing Arrangement and the procedures that are expected to be adopted in that Plan.

(B) Before any exchange of notes pursuant to Article 20 of the Treaty, the President shall submit to the Congress a certification that changes to the International Traffic in Arms Regulations (parts 120-130 of title 22, Code of Federal Regulations) have been published in the Federal Register pursuant to the Arms Export Control Act, as appro-

priate, that would, upon entry into force of the Treaty,—

(i) make clear the legal obligation for any person involved in an Export, Re-export, Transfer, or Re-transfer under the Treaty to comply with all requirements in the revised International Traffic in Arms Regulations, including by taking all reasonable steps to ensure the accuracy of information received from a member of the Approved Community that is party to an Export, Re-export, Transfer, or Re-transfer under the Treaty;

(ii) make clear the legal obligation for Approved Community members to comply with United States Government instructions and requirements regarding United States Defense Articles added to the list of exempt Defense Articles pursuant to Article 3(2) of the Treaty;

(iii) limit a person from being a member of the United States Community, pursuant to Article 5(2) of the Treaty, if that person is generally ineligible to export pursuant to section 120.1(c) of title 22, Code of Federal Regulations; and

(iv) require any nongovernmental entity that ceases to be included in the United States Community to comply with instructions from authorized United States Government officials and to open its records of transactions under the Treaty to inspection by United States Government and, as appropriate, authorized United Kingdom Government officials pursuant to Article 12 of the Treaty.

(C) Before any exchange of notes pursuant to Article 20 of the Treaty, the President shall submit to the Congress—

(i) a certification that appropriate mechanisms have been established to identify, in connection with the process for determining whether a nongovernmental entity is in the United States Community pursuant to Article 5(2) of the Treaty, persons who meet the criteria in section 38(g)(1) of the Arms Export Control Act (22 U.S.C. 2778(g)(1));

(ii) a certification that appropriate mechanisms have been established to verify that nongovernmental entities in the United States that Export pursuant to the Treaty are eligible to export Defense Articles under United States law and regulation as required by Article 5(2) of the Treaty;

(iii) a certification that United States Department of Homeland Security personnel at United States ports—

(a) have prompt access to a State Department database containing registered exporters, freight forwarders and consignees, and watch lists regarding United States companies; and

(b) are prepared to prevent attempts to export pursuant to the Treaty by United States persons who are not eligible to export Defense Articles under United States law or regulation, even if such person has registered with the United States Government;

(iv) a certification that the Secretary of Defense has promulgated appropriate changes to the National Industrial Security Program Operating Manual and to Regulation DoD 5200.1-R, "Information Security Program," and has issued guidance to industry regarding marking and other Treaty compliance requirements; and

(v) a certification that a capability has been established to conduct post-shipment verification, end-use/end-user monitoring and related security audits for Exports under the Treaty, accompanied by a report setting forth the legal authority, staffing and budget provided for this capability and any further Executive branch or congressional action recommended to ensure its effective implementation.

(2) Treaty partner preparation for treaty implementation.

Before any exchange of notes pursuant to Article 20 of the Treaty, the President shall

certify to Congress that the Government of the United Kingdom has promulgated all necessary regulatory changes, including:

(A) changes to export control regulations, setting forth a Treaty-specific Open General Export License (OGEL);

(B) changes to the United Kingdom Security Policy Framework and related security regulations for Government and United Kingdom Industry; and

(C) changes to the MOD Classified Material Release Procedure (F680), to take account of Treaty Re-exports and Re-transfers.

(3) Joint operations, programs and projects.

The Secretary of State shall keep the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives informed of the lists of combined military and counter-terrorism operations developed pursuant to Article 3(1)(a) of the Treaty; cooperative security and defense research, development, production, and support programs developed pursuant to Article 3(1)(b) of the Treaty; and specific security and defense projects developed pursuant to article 3(1)(c) of the Treaty.

(4) Exempted defense articles.

(A) The President may remove a Defense Article from the list of Defense Articles exempt from the Scope of the Treaty, if such removal is not barred by United States law, 30 days after the President informs the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives of such proposed removal.

(B) When a Defense Article is added to the list of Defense Articles exempt from the Scope of the Treaty, the Secretary of State shall provide a copy of the Federal Register Notice delineating the policies and procedures that will govern the control of such Defense Article, consistent with Section 4(7) of the Implementing Arrangement, as well as an explanation of the reasons for adopting those policies and procedures, to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives within five days of the issuance of such Notice.

(5) Changes to the definition of the territory of the United Kingdom.

(A) The Secretary of State shall inform the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives within 15 days of the initiation of consultations with the United Kingdom concerning the inclusion of any additional territory or territories in the definition of "Territory of the United Kingdom" for the purposes of Article 1(8) of the Treaty, and shall inform the Committees within 15 days of receipt through diplomatic channels of notice that a territory or group of territories has been added to the definition of "Territory of the United Kingdom" for the purposes of Article 1(8) of the Treaty.

(B) The Secretary of State shall consult with the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives before approving any addition to the United Kingdom Community of a non-governmental entity or facility outside the territory of England, Scotland, Wales, or Northern Ireland.

(6) Approved community membership.

(A) If sanctions are in effect against a person in the United Kingdom Community pursuant to section 73(a)(2)(B) or section 81 of the Arms Export Control Act (22 U.S.C. 2797b(a)(2)(B) or 2798), the United States shall raise the matter pursuant to Article 4(2) of the Treaty and Section 7(9) of the Implementing Arrangement.

(B) The Secretary of State shall inform the Committee on Foreign Relations of the Sen-

ate and the Committee on Foreign Affairs of the House of Representatives not later than 5 days before the U.S. Government agrees to the initial inclusion in the United Kingdom Community of a nongovernmental United Kingdom entity, if the Department of State is aware that the entity, or any one or more of its relevant senior officers or officials:

(i) Has been convicted of violating a statute cited in paragraph 38(g)(1) of the Arms Export Control Act (22 U.S.C. 2778(g)(1)); or

(ii) is, or would be if that person were a United States person.

(a) ineligible to contract with any agency of the U.S. Government;

(b) ineligible to receive a license or other form of authorization to export from any agency of the U.S. Government; or

(c) ineligible to receive a license or any form of authorization to import defense articles or defense services from any agency of the U.S. Government.

(C) The Secretary of State shall inform and consult with the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives not later than 5 days after the United States Government agrees to the continued inclusion in the United Kingdom Community of a nongovernmental United Kingdom entity, if the Department is aware that the entity, or any one or more of its relevant senior officers or officials, raises one or more of the concerns referred to in paragraph (B).

(7) Transition policies and procedures.

(A) No fewer than 15 days before formally establishing the procedures called for in Section 5(5) of the Implementing Arrangement, the President shall provide to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report concerning the policies and procedures developed to govern the transition to the application of the Treaty, pursuant to Article 3(3) of the Treaty, of Defense Articles acquired and delivered under the Foreign Military Sales program.

(B) No fewer than 15 days before formally establishing the procedures called for in Section 8(2) of the Implementing Arrangement, the President shall provide to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report concerning the policies and procedures developed to govern the members of the United Kingdom Community wishing to transition to the processes established under the Treaty, pursuant to Article 14(2) of the Treaty, from the requirements of a United States Government export license or other authorization.

(8) Congressional oversight.

(A) The Secretary of State shall inform the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives promptly of any report, consistent with Section 11(4)(b)(vi) of the Implementing Arrangement, of a material violation of Treaty requirements or procedures by a member of the Approved Community.

(B) The Department of State shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives regularly regarding issues raised in the Management Board called for in Section 12(3) of the Implementing Arrangement, and the resolution of such issues.

(9) Annual report.

Not later than March 31, 2011, and annually thereafter, the President shall submit to Congress a report, which shall cover all Treaty activities during the previous calendar year. This report shall include:

(A) a summary of the amount of Exports under the Treaty and of Defense Articles transitioned into the Treaty, with an analysis of how the Treaty is being used;

(B) a list of all political contributions, gifts, commissions and fees paid, or offered or agreed to be paid, by any person in connection with Exports of Defense Articles under the Treaty in order to solicit, promote, or otherwise to secure the conclusion of such sales;

(C) any action to remove from the United Kingdom Community a nongovernmental entity or facility previously engaged in activities under the Treaty, other than due to routine name or address changes or mergers and acquisitions;

(D) any concerns relating to infringement of intellectual property rights that were raised to the President or an Executive branch Department or Agency by Approved Community members, and developments regarding any concerns that were raised in previous years;

(E) a description of any relevant investigation and each prosecution pursued with respect to activities under the Treaty, the results of such investigations or prosecutions and of such investigations and prosecutions that continued over from previous years, and any shortfalls in obtaining prompt notification pursuant to Article 13(3) of the Treaty or in cooperation between the Parties pursuant to Article 13(3) and (4) of the Treaty;

(F) a description of any post-shipment verification, end-user/end-use monitoring, or other security activity related to Treaty implementation conducted during the year, the purposes of such activity and the results achieved; and

(G) any Office of Inspector General activity bearing upon Treaty implementation conducted during the year, any resultant findings or recommendations, and any actions taken in response to current or past findings or recommendations.

Section 3. Understandings.

The Senate's advice and consent to the ratification of the Treaty with the United Kingdom Concerning Defense Trade Cooperation is subject to the following understandings, which shall be included in the instrument of ratification:

(1) Meaning of the phrase "identified in."

It is the understanding of the United States that the phrase "identified in" in the Treaty shall be interpreted as meaning "identified pursuant to."

(2) Meaning of the word "scope."

It is the understanding of the United States that the word "Scope" in the Treaty shall be interpreted as meaning "the Treaty's coverage as identified in Article 3."

(3) Cooperative programs with exempt and non-exempt defense articles.

It is the understanding of the United States that if a cooperative program is mutually determined, consistent with Section 2(2)(e) of the Implementing Arrangement, to be within the Scope of the Treaty pursuant to Article 3(1)(b) of the Treaty despite involving Defense Articles that are exempt from the Scope of the Treaty pursuant to Article 3(2) of the Treaty, the exempt Defense Articles shall remain exempt from the Scope of the Treaty and the Treaty shall apply only to non-exempt Defense Articles required for the program.

(4) Investigations and reports of alleged violations.

It is the understanding of the United States that the words "as appropriate" in Section 10(3)(f) of the Implementing Arrangement do not detract in any way from the obligation in Article 13(3) of the Treaty, that "Each Party shall promptly investigate all suspected violations and reports of alleged violations of the procedures established pursuant to this Treaty, and shall promptly inform the other Party of the results of such investigations."

(5) Exempt defense articles.

It is the understanding of the United States that if one Party to the Treaty exempts a type of Defense Articles from the scope of the Treaty pursuant to Article 3(2) of the Treaty, then Defense Articles of that type will be treated as exempt by both Parties to the Treaty.

(6) Intermediate consignees.

It is the understanding of the United States that any intermediate consignee of an Export from the United States under the Treaty must be a member of the Approved Community or otherwise approved by the United States Government.

(7) Scope of treaty exemption.

The United States interprets the Treaty not to exempt any person or entity from any United States statutory and regulatory requirements, including any requirements of licensing or authorization, other than those included in the International Traffic in Arms Regulations, as modified or amended. Accordingly, the United States interprets the term 'license or other written authorization' in Article 2 and the term 'licenses or other authorizations' in Article 6(1), as these terms apply to the United States, and the term 'prior written authorization by the United States Government' in Article 7, to refer only to such licenses, licensing requirements, and other authorizations as are required or issued by the United States pursuant to the International Traffic in Arms Regulations, as modified or amended; and the United States interprets the reference to 'the applicable licensing requirements and the implementing regulations of the United States Arms Export Control Act' in Article 13(1) to refer only to the applicable licensing requirements under the International Traffic in Arms Regulations, as modified or amended.

Section 4. Declarations.

The Senate's advice and consent to the ratification of the Treaty with the United Kingdom Concerning Defense Trade Cooperation is subject to the following declarations:

(1) Self-execution.

This Treaty is not self-executing in the United States, notwithstanding the statement in the preamble to the contrary.

(2) Private rights.

This Treaty does not confer private rights enforceable in United States courts.

(3) Intellectual property rights.

No liability will be incurred by or attributed to the United States Government in connection with any possible infringement of privately owned patent or proprietary rights, either domestic or foreign, by reason of the United States Government's permitting Exports or Transfers or its approval of Re-exports or Re-transfers under the Treaty.

Section 5. Definitions.

As used in this resolution:

(1) The terms "Treaty with the United Kingdom Concerning Defense Trade Cooperation" and "Treaty" mean the Treaty between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland Concerning Defense Trade Cooperation, done at Washington and London on June 21 and 26, 2007.

(2) The terms "Implementing Arrangement Pursuant to the Treaty" and "Implementing Arrangement" mean the Implementing Arrangement Pursuant to the Treaty between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland Concerning Defense Trade Cooperation, which was signed in Washington on February 14, 2008.

(3) The terms "Defense Articles," "Export," "Re-export," "Re-transfer," "Transfer," "Approved Community," "United States Community," "United Kingdom Com-

munity," and "Territory of the United Kingdom" have the meanings given to them in Article 1 of the Treaty.

(4) The terms "Management Board" and "Management Plan" have the meanings given to them in Section 1 of the Implementing Arrangement.

(5) The terms "person" and "foreign person" have the meaning given to them by section 38(g)(9) of the Arms Export Control Act (22 U.S.C. 2778(g)(9)). The term "U.S. person" has the meaning given to it by part 120.15 of title 22, Code of Federal Regulations.

[110-10 Treaty with Australia Concerning Defense Trade Cooperation]

Resolved (two-thirds of the Senators present concurring therein).

Section 1. Senate Advice and Consent Subject to Conditions, Understandings And Declarations.

The Senate advises and consents to the ratification of the Treaty Between the Government of the United States of America and the Government of Australia Concerning Defense Trade Cooperation, done at Sydney, September 5, 2007 (Treaty Doc. 110-10) (as defined in section 5 of this resolution), subject to the conditions in section 2, the understandings in section 3 and the declarations in section 4.

Section 2. Conditions.

The Senate's advice and consent to the ratification of the Treaty with Australia Concerning Defense Trade Cooperation is subject to the following conditions, which shall be binding upon the President:

(1) United States preparation for treaty implementation.

(A) At least 15 days before any exchange of notes pursuant to Article 20 of the Treaty, the President shall submit to the Congress a report—

(i) describing steps taken to ensure that the Executive branch and United States industry are prepared to comply with Treaty requirements;

(ii) analyzing the implications of the Treaty, and especially of Article 3(3) of the Treaty, for the protection of intellectual property rights of United States persons;

(iii) explaining what steps the United States Government is taking and will take to combat improper or illegal intangible exports (i.e., exports as defined in part 120.17(a)(4) of title 22, Code of Federal Regulations) under the Treaty; and

(iv) setting forth the issues to be addressed in the Management Plan called for by Section 12(3)(f) of the Implementing Arrangement and the procedures that are expected to be adopted in that Plan.

(B) Before any exchange of notes pursuant to Article 20 of the Treaty, the President shall submit to the Congress a certification that changes to the International Traffic in Arms Regulations (parts 120-130 of title 22, Code of Federal Regulations) have been published in the Federal Register pursuant to the Arms Export Control Act, as appropriate, that would, upon entry into force of the Treaty,—

(i) make clear the legal obligation for any person involved in an Export, Re-export, Transfer, or Re-transfer under the Treaty to comply with all requirements in the revised International Traffic in Arms Regulations, including by taking all reasonable steps to ensure the accuracy of information received from a member of the Approved Community that is party to an Export, Re-export, Transfer, or Re-transfer under the Treaty;

(ii) make clear the legal obligation for Approved Community members to comply with United States Government instructions and requirements regarding United States Defense Articles added to the list of exempt Defense Articles pursuant to Article 3(2) of the Treaty;

(iii) limit a person from being a member of the United States Community, pursuant to Article 5(2) of the Treaty, if that person is generally ineligible to export pursuant to section 120.1(c) of title 22, Code of Federal Regulations; and

(iv) require any nongovernmental entity that ceases to be included in the United States Community to comply with instructions from authorized United States Government officials and to open its records of transactions under the Treaty to inspection by United States Government and, as appropriate, authorized Australian Government officials pursuant to Article 12 of the Treaty.

(C) Before any exchange of notes pursuant to Article 20 of the Treaty, the President shall submit to the Congress—

(i) a certification that appropriate mechanisms have been established to identify, in connection with the process for determining whether a nongovernmental entity is in the United States Community pursuant to Article 5(2) of the Treaty, persons who meet the criteria in section 38(g)(1) of the Arms Export Control Act (22 U.S.C. 2778(g)(1));

(ii) a certification that appropriate mechanisms have been established to verify that nongovernmental entities in the United States that Export pursuant to the Treaty are eligible to export Defense Articles under United States law and regulation as required by Article 5(2) of the Treaty;

(iii) a certification that United States Department of Homeland Security personnel at United States ports—

(a) have prompt access to a State Department database containing registered exporters, freight forwarders and consignees, and watch lists regarding United States companies; and

(b) are prepared to prevent attempts to export pursuant to the Treaty by United States persons who are not eligible to export Defense Articles under United States law or regulation, even if such person has registered with the United States Government;

(iv) a certification that the Secretary of Defense has promulgated appropriate changes to the National Industrial Security Program Operating Manual and to Regulation DoD 5200.1-R, "Information Security Program," and has issued guidance to industry regarding marking and other Treaty compliance requirements; and

(v) a certification that a capability has been established to conduct post-shipment verification, end-use/end-user monitoring and related security audits for Exports under the Treaty, accompanied by a report setting forth the legal authority, staffing and budget provided for this capability and any further Executive branch or congressional action recommended to ensure its effective implementation.

(2) Treaty partner preparation for treaty implementation.

Before any exchange of notes pursuant to Article 20 of the Treaty, the President shall certify to Congress that the Government of Australia has—

(A) enacted legislation to strengthen generally its controls over defense and dual-use goods, including controls over intangible transfers of controlled technology and brokering of controlled goods, technology, and services, and setting forth:

(i) the criteria for entry into the Australian Community and the conditions Australian Community members must abide by to maintain membership, including personnel, information and facilities security requirements;

(ii) the record-keeping and notification and reporting requirements under the Treaty;

(iii) the handling, marking and classification requirements for United States and Australian Defense Articles Exported or Transferred under the Treaty;

(iv) the requirements for Exports and Transfers of United States Defense Articles outside the Approved Community or to a third country;

(v) the rules for handling United States Defense Articles that are added to or removed from the list of items exempted from Treaty application;

(vi) the rules for transitioning into and out of the Australian Community;

(vii) auditing, monitoring and investigative powers for Commonwealth officials and powers to allow Commonwealth officials to perform post-shipment verifications and end-user/end-user monitoring; and (viii) offenses and penalties, and administrative requirements, necessary for the enforcement of the Treaty and its Implementing Arrangement; and

(B) promulgated regulatory changes setting forth:

(i) the criteria for entry into the Australian Community, and terms for maintaining Australian Community membership;

(ii) the criteria for individuals to become authorized to access United States Defense Articles received pursuant to the Treaty;

(iii) benefits stemming from Australian Community membership, including a framework for license-free trade with the United States in classified or controlled items falling within the scope of the Treaty;

(iv) the conditions Australian Community members must abide by to maintain membership, including:

(a) record-keeping and notification requirements;

(b) marking and classification requirements for defense articles Exported or Transferred under the Treaty;

(c) requirements for the Re-transfer to non-Approved Community members and Re-export to a third country of defense articles; and

(d) maintaining security standards and measures articulated in Defense protective security policy to protect defense articles pursuant to the Treaty;

(v) provisions to enforce the procedures established pursuant to the Treaty, including auditing and monitoring powers for Australian Department of Defence officials and powers to allow Department of Defence officials to perform post-shipment verifications and end-use/end-user monitoring;

(vi) offenses and penalties, including administrative and criminal penalties and suspension and termination from the Australian Community, to enforce the provisions of the Treaty; and

(vii) requirements and standards for transition into or out of the Australian Community and Treaty framework.

(3) Joint operations, programs and projects.

The Secretary of State shall keep the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives informed of the lists of combined military and counter-terrorism operations developed pursuant to Article 3(1)(a) of the Treaty; cooperative security and defense research, development, production, and support programs developed pursuant to Article 3(1)(b) of the Treaty; and specific security and defense projects developed pursuant to article 3(1)(c) of the Treaty.

(4) Exempted defense articles.

(A) The President may remove a Defense Article from the list of Defense Articles exempt from the Scope of the Treaty, if such removal is not barred by United States law, 30 days after the President informs the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives of such proposed removal.

(B) When a Defense Article is added to the list of Defense Articles exempt from the

Scope of the Treaty, the Secretary of State shall provide a copy of the Federal Register Notice delineating the policies and procedures that will govern the control of such Defense Article, consistent with Section 4(7) of the Implementing Arrangement, as well as an explanation of the reasons for adopting those policies and procedures, to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives within five days of the issuance of such Notice.

(5) Approved community membership.

(A) If sanctions are in effect against a person in the Australian Community pursuant to section 73(a)(2)(B) or section 81 of the Arms Export Control Act (22 U.S.C. 2797b(a)(2)(B) or 2798), the United States shall raise the matter pursuant to Article 4(2) of the Treaty and Section 6(9) of the Implementing Arrangement.

(B) The Secretary of State shall inform the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives not later than 5 days before the U.S. Government agrees to the initial inclusion in the Australian Community of a nongovernmental Australian entity, if the Department of State is aware that the entity, or any one or more of its relevant senior officers or officials:

(i) Has been convicted of violating a statute cited in paragraph 38(g)(1) of the Arms Export Control Act (22 U.S.C. 2778(g)(1)); or

(ii) is, or would be if that person were a United States person,

(a) ineligible to contract with any agency of the U.S. Government;

(b) ineligible to receive a license or other form of authorization to export from any agency of the U.S. Government; or

(c) ineligible to receive a license or any form of authorization to import defense articles or defense services from any agency of the U.S. Government.

(C) The Secretary of State shall inform and consult with the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives not later than 5 days after the United States Government agrees to the continued inclusion in the Australian Community of a nongovernmental Australian entity, if the Department is aware that the entity, or any one or more of its relevant senior officers or officials, raises one or more of the concerns referred to in paragraph (B).

(6) Transition policies and procedures.

(A) No fewer than 15 days before formally establishing the procedures called for in Section 5(5) of the Implementing Arrangement, the President shall provide to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report concerning the policies and procedures developed to govern the transition to the application of the Treaty, pursuant to Article 3(3) of the Treaty, of Defense Articles acquired and delivered under the Foreign Military Sales program.

(B) No fewer than 15 days before formally establishing the procedures called for in Section 7(2) of the Implementing Arrangement, the President shall provide to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report concerning the policies and procedures developed to govern the members of the Australian Community wishing to transition to the processes established under the Treaty, pursuant to Article 14(2) of the Treaty, from the requirements of a United States Government export license or other authorization.

(7) Congressional oversight.

(A) The Secretary of State shall inform the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of

the House of Representatives promptly of any report, consistent with Section 11(6)(f) of the Implementing Arrangement, of a material violation of Treaty requirements or procedures by a member of the Approved Community.

(B) The Department of State shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives regularly regarding issues raised in the Management Board called for in Section 12(3) of the Implementing Arrangement, and the resolution of such issues.

(8) Annual report.

Not later than March 31, 2011, and annually thereafter, the President shall submit to Congress a report, which shall cover all Treaty activities during the previous calendar year. This report shall include:

(A) a summary of the amount of Exports under the Treaty and of Defense Articles transitioned into the Treaty, with an analysis of how the Treaty is being used;

(B) a list of all political contributions, gifts, commissions and fees paid, or offered or agreed to be paid, by any person in connection with Exports of Defense Articles under the Treaty in order to solicit, promote, or otherwise to secure the conclusion of such sales;

(C) any action to remove from the Australian Community a nongovernmental entity or facility previously engaged in activities under the Treaty, other than due to routine name or address changes or mergers and acquisitions;

(D) any concerns relating to infringement of intellectual property rights that were raised to the President or an Executive branch Department or Agency by Approved Community members, and developments regarding any concerns that were raised in previous years;

(E) a description of any relevant investigation and each prosecution pursued with respect to activities under the Treaty, the results of such investigations or prosecutions and of such investigations and prosecutions that continued over from previous years, and any shortfalls in obtaining prompt notification pursuant to Article 13(3) of the Treaty or in cooperation between the Parties pursuant to Article 13(3) and (4) of the Treaty;

(F) a description of any post-shipment verification, end-user/end-use monitoring, or other security activity related to Treaty implementation conducted during the year, the purposes of such activity and the results achieved; and

(G) any Office of Inspector General activity bearing upon Treaty implementation conducted during the year, any resultant findings or recommendations, and any actions taken in response to current or past findings or recommendations.

Section 3. Understandings.

The Senate's advice and consent to the ratification of the Treaty with Australia Concerning Defense Trade Cooperation is subject to the following understandings, which shall be included in the instrument of ratification:

(1) Meaning of the phrase "identified in."

It is the understanding of the United States that the phrase "identified in" in the Treaty shall be interpreted as meaning "identified pursuant to."

(2) Cooperative programs with exempt and non-exempt defense articles.

It is the understanding of the United States that if a cooperative program is mutually determined, consistent with Section 2(2)(e) of the Implementing Arrangement, to be within the Scope of the Treaty pursuant to Article 3(1)(b) of the Treaty despite involving Defense Articles that are exempt from the Scope of the Treaty pursuant to Article 3(2) of the Treaty, the exempt Defense

Articles shall remain exempt from the Scope of the Treaty and the Treaty shall apply only to non-exempt Defense Articles required for the program.

(3) Investigations and reports of alleged violations.

It is the understanding of the United States that the words "as appropriate" in Section 10(3)(f) of the Implementing Arrangement do not detract in any way from the obligation in Article 13(3) of the Treaty, that "Each Party shall promptly investigate all suspected violations and reports of alleged violations of the procedures established pursuant to this Treaty, and shall promptly inform the other Party of the results of such investigations."

(4) Exempt defense articles.

It is the understanding of the United States that if one Party to the Treaty exempts a type of Defense Articles from the scope of the Treaty pursuant to Article 3(2) of the Treaty, then Defense Articles of that type will be treated as exempt by both Parties to the Treaty.

(5) Intermediate consignees.

It is the understanding of the United States that any intermediate consignee of an Export from the United States under the Treaty must be a member of the Approved Community or otherwise approved by the United States Government.

(6) Scope of treaty exemption.

The United States interprets the Treaty not to exempt any person or entity from any United States statutory and regulatory requirements, including any requirements of licensing or authorization, other than those included in the International Traffic in Arms Regulations, as modified or amended. Accordingly, the United States interprets the term 'license or other written authorization' in Article 2 and the term 'licenses or other authorizations' in Article 6(1), as these terms apply to the United States, and the term 'prior written authorization by the United States Government' in Article 7, to refer only to such licenses, licensing requirements, and other authorizations as are required or issued by the United States pursuant to the International Traffic in Arms Regulations, as modified or amended; and the United States interprets the reference to 'the applicable licensing requirements and the implementing regulations of the United States Arms Export Control Act' in Article 13(1) to refer only to the applicable licensing requirements under the International Traffic in Arms Regulations, as modified or amended.

Section 4. Declarations.

The Senate's advice and consent to the ratification of the Treaty with Australia Concerning Defense Trade Cooperation is subject to the following declarations:

(1) Self-execution.

This Treaty is not self-executing in the United States, notwithstanding the statement in the preamble to the contrary.

(2) Private rights.

This Treaty does not confer private rights enforceable in United States courts.

(3) Intellectual property rights.

No liability will be incurred by or attributed to the United States Government in connection with any possible infringement of privately owned patent or proprietary rights, either domestic or foreign, by reason of the United States Government's permitting Exports or Transfers or its approval of Re-exports or Re-transfers under the Treaty.

Section 5. Definitions.

As used in this resolution:

(1) The terms "Treaty with Australia Concerning Defense Trade Cooperation" and "Treaty" mean the Treaty between the Government of the United States of America and the Government of Australia Concerning De-

fense Trade Cooperation, done at Sydney, September 5, 2007.

(2) The terms "Implementing Arrangement Pursuant to the Treaty" and "Implementing Arrangement Pursuant to the Treaty between the Government of the United States of America and the Government of Australia Concerning Defense Trade Cooperation, which was signed in Washington on March 14, 2008.

(3) The terms "Defense Articles," "Export," "Re-export," "Re-transfer," "Transfer," "Approved Community," "United States Community," "Australian Community," and "Scope" have the meanings given to them in Article 1 of the Treaty.

(4) The terms "Management Board" and "Management Plan" have the meanings given to them in Section 1 of the Implementing Arrangement.

(5) The terms "person" and "foreign person" have the meaning given to them by section 38(g)(9) of the Arms Export Control Act (22 U.S.C. 2778(g)(9)). The term "U.S. person" has the meaning given to it by part 120.15 of title 22, Code of Federal Regulations.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. LANDRIEU (for herself and Ms. SNOWE):

S. 3839. A bill to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes; considered and passed.

By Mr. CASEY (for himself and Mr. HARKIN):

S. 3840. A bill to permit employees to request, and to ensure employers consider requests for, flexible work terms and conditions, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KAUFMAN (for himself, Mr. CRAPO, Mr. CARDIN, Mr. ALEXANDER, Mr. CASEY, Mrs. MURRAY, Mrs. LINCOLN, Ms. LANDRIEU, Mr. BURRIS, Mr. UDALL of Colorado, Mr. BINGAMAN, Mr. KERRY, Mrs. SHAHEEN, Mrs. FEINSTEIN, Mr. BENNETT, Mr. FEINGOLD, Ms. CANTWELL, Mr. CORKER, Mr. REED, Mr. UDALL of New Mexico, Mr. PRYOR, Ms. STABENOW, Mr. WHITEHOUSE, Mr. INOUE, and Mr. LEVIN):

S. Res. 644. A resolution designating the week beginning October 10, 2010, as "National Wildlife Refuge Week"; considered and agreed to.

By Mr. ENSIGN:

S. Res. 645. A resolution expressing the sense of the Senate regarding the Parliamentary elections to be held in Venezuela on September 26, 2010; to the Committee on Foreign Relations.

By Mr. HATCH (for himself, Mr. LEVIN, Mr. BENNETT, Mr. DURBIN, Mr. CRAPO, Mr. CASEY, and Mr. COCHRAN):

S. Res. 646. A resolution designating Thursday, November 18, 2010, as "Feed America Day"; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 730

At the request of Mr. ENSIGN, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 730, a bill to amend the Harmonized Tariff Schedule of the United States to modify the tariffs on certain footwear, and for other purposes.

S. 3398

At the request of Mr. BAUCUS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 3398, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans.

S. 3708

At the request of Mr. SCHUMER, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 3708, a bill to amend titles XVIII and XIX of the Social Security Act to clarify the application of EHR payment incentives in cases of multi-campus hospitals.

S. 3773

At the request of Mr. JOHANNIS, his name was added as a cosponsor of S. 3773, a bill to permanently extend the 2001 and 2003 tax relief provisions and to provide permanent AMT relief and estate tax relief, and for other purposes.

S. 3834

At the request of Ms. KLOBUCHAR, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 3834, a bill to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to require the appointment of a member of the Science Advisory Board based on the recommendation of the Secretary of Agriculture.

S. CON. RES. 71

At the request of Mr. FEINGOLD, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. Con. Res. 71, a concurrent resolution recognizing the United States national interest in helping to prevent and mitigate acts of genocide and other mass atrocities against civilians, and supporting and encouraging efforts to develop a whole of government approach to prevent and mitigate such acts.

S. RES. 642

At the request of Mr. INOUE, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. Res. 642, a resolution congratulating the National Institute of Nursing Research on the occasion of its 25th anniversary.

S. RES. 643

At the request of Mr. INOUE, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. Res. 643, a resolution designating the week beginning October 3, 2010, as "National Nurse-Managed Health Clinic Week".

STATEMENTS ON INTRODUCED
BILLS AND JOINT RESOLUTIONS

By Mr. CASEY (for himself and Mr. HARKIN):

S. 3840. A bill to permit employees to request, and to ensure employers consider requests for, flexible work terms and conditions, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. CASEY. Mr. President:

We all fill many roles in our lives. We are workers, parents, sons and daughters, and members of our communities. We struggle to do well in each responsibility. But when the demands of work overshadow the rest of our lives, our lives feel out of balance. This legislation gives millions of American workers the opportunity to restore that balance—to be good employees and responsible citizens and family members, too. They deserve no less.—Senator Ted Kennedy delivered these words on December 6, 2007.

With those words, Senator Kennedy introduced the Working Families Flexibility Act in 2007. Today, I continue his essential work by reintroducing the legislation he championed.

Millions of Americans face unbelievable demands on their time due to work and familial responsibilities. Thirty years ago, people worked fewer hours and it was commonplace for one parent to stay at home while the other worked. Today, 70 percent of households are led by either two employed parents, or a single parent.

There are numerous demands on our personal time. Parents spend countless hours on childcare, caring for older relatives, doctor's appointments, kids sporting events, and school activities—on top of putting in a full day at work. Then, there is the time it takes to get to work. It is not uncommon for people to spend hours every day in their cars, or on some form of public transportation, getting to and from work each day.

These time commitments lead to stress and a loss of productivity. According to research compiled by Workplace Flexibility 2010, a public policy initiative at Georgetown Law, a staggering 92 percent of employees feel they don't have enough flexibility on the job to meet the needs of their children and families.

We need a change. Parents deserve options. We must encourage an evolution in the modern workplace to acknowledge the realities of our outside time commitments.

One thing we can do is promote workplace flexibility. Flexibility can mean telecommuting, job sharing or part-time work. For workers, this flexibility means greater control about when and where they get their work done. For employers, it means less turn over, higher morale and more productive employees. It is a win-win for both employer and employee.

That is why I am introducing the Workplace Flexibility Fairness Act. Long championed by Senator Ted Kennedy, this bill acknowledges the realities of our modern workforce by providing employees the "right to re-

quest" flexible work options in terms of hours, schedules and work location. Further, the legislation provides employers with flexibility by encouraging them to review these requests, propose changes and even deny workers if the request is not in the best interest of the business. Lastly, the legislation imposes civil penalties on any employer who discriminates against an employee for exercising any right granted under this legislation. This provision is necessary to protect workers who initiate a conversation with their employer about workplace flexibility options.

Countries around the world, including Great Britain, Germany, the Netherlands and New Zealand have "Right to Request" laws that have been shown to increase productivity, attendance and overall job satisfaction. It is time for Congress to encourage workplace flexibility in the United States. I look forward to working with my colleagues in the Senate to pass this common sense legislation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 644—DESIGNATING THE WEEK BEGINNING OCTOBER 10, 2010, AS "NATIONAL WILDLIFE REFUGE WEEK"

Mr. KAUFMAN (for himself, Mr. CRAPO, Mr. CARDIN, Mr. ALEXANDER, Mr. CASEY, Mrs. MURRAY, Mrs. LINCOLN, Ms. LANDRIEU, Mr. BURRIS, Mr. UDALL of Colorado, Mr. BINGAMAN, Mr. KERRY, Mrs. SHAHEEN, Mrs. FEINSTEIN, Mr. BENNET, Mr. FEINGOLD, Ms. CANTWELL, Mr. CORKER, Mr. REED, Mr. UDALL of New Mexico, Mr. PRYOR, Ms. STABENOW, Mr. WHITEHOUSE, Mr. INOUE, and Mr. LEVIN) submitted the following resolution; which was considered and agreed to:

S. RES. 644

Whereas, in 1903, President Theodore Roosevelt established the first national wildlife refuge on Florida's Pelican Island;

Whereas, in 2010, the National Wildlife Refuge System is the premier system of lands and waters to conserve wildlife in the world, and has grown to more than 150 million acres, 552 national wildlife refuges, and 38 wetland management districts in every State and territory of the United States;

Whereas national wildlife refuges are important recreational and tourism destinations in communities across the Nation, and these protected lands offer a variety of recreational opportunities, including 6 wildlife-dependent uses that the National Wildlife Refuge System manages: hunting, fishing, wildlife observation, photography, environmental education, and interpretation;

Whereas hunting is permitted on more than 320 national wildlife refuges and fishing is permitted on 272 national wildlife refuges, welcoming more than 2,500,000 hunters and more than 7,000,000 anglers;

Whereas national wildlife refuges are important to local businesses and gateway communities;

Whereas, for every \$1 appropriated, national wildlife refuges generate \$4 in economic activity;

Whereas approximately 41,000,000 people visit national wildlife refuges every year,

generating nearly \$1,700,000,000 and 27,000 jobs in local economies;

Whereas the National Wildlife Refuge System encompasses every kind of ecosystem in the United States, including temperate, tropical, and boreal forests, wetlands, deserts, grasslands, arctic tundras, and remote islands, and spans 12 time zones from the Virgin Islands to Guam;

Whereas national wildlife refuges are home to more than 700 species of birds, 220 species of mammals, 250 species of reptiles and amphibians, and more than 1,000 species of fish;

Whereas 59 refuges were established specifically to protect imperiled species and of the more than 1,200 federally listed threatened and endangered species in the United States, 280 species are found on units of the National Wildlife Refuge System;

Whereas national wildlife refuges are cores of conservation for larger landscapes and resources for other agencies of the Federal Government and State governments, private landowners, and organizations in their efforts to secure the wildlife heritage of the United States;

Whereas 39,000 volunteers and more than 220 national wildlife refuge "Friends" organizations contribute nearly 1,400,000 hours annually, the equivalent of 665 full-time employees, and provide an important link with local communities;

Whereas national wildlife refuges provide an important opportunity for children to connect with nature and discover the natural world;

Whereas, because there are national wildlife refuges located in several urban and suburban areas and 1 refuge located within an hour's drive of every metropolitan area in the United States, national wildlife refuges employ, educate, and engage young people from all backgrounds in exploring, connecting with, and preserving the natural heritage of the Nation;

Whereas, since 1995, refuges across the Nation have held festivals, educational programs, guided tours, and other events to celebrate National Wildlife Refuge Week during the second full week of October;

Whereas the week beginning on October 10, 2010, has been designated as "National Wildlife Refuge Week" by the United States Fish and Wildlife Service; and

Whereas, in 2010, the designation of National Wildlife Refuge Week would recognize more than a century of conservation in the United States and would serve to raise awareness about the importance of wildlife and the National Wildlife Refuge System and to celebrate the myriad recreational opportunities available to enjoy this network of protected lands: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning on October 10, 2010, as "National Wildlife Refuge Week";

(2) supports the goals and ideals of National Wildlife Refuge Week;

(3) acknowledges the importance of national wildlife refuges for their recreational opportunities and contribution to local economies across the United States;

(4) pronounces that national wildlife refuges play a vital role in securing the hunting and fishing heritage of the United States for future generations;

(5) recognizes the importance of national wildlife refuges to wildlife conservation and the protection of imperiled species and ecosystems;

(6) applauds the work of refuge "Friends" groups, national and community organizations, and public partners that promote awareness, compatible use, protection, and restoration of national wildlife refuges;

(7) reaffirms the support of the Senate for wildlife conservation and the National Wildlife Refuge System; and

(8) expresses the intent of the Senate—

(A) to continue working to conserve wildlife; and

(B) to manage the National Wildlife Refuge System for current and future generations.

SENATE RESOLUTION 645—EX-PRESSING THE SENSE OF THE SENATE REGARDING THE PARLIAMENTARY ELECTIONS TO BE HELD IN VENEZUELA ON SEPTEMBER 26, 2010

Mr. ENSIGN submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 645

Whereas both the United States and Venezuela were among the 21 original members that founded the Organization of American States on May 5, 1948;

Whereas both the United States and Venezuela joined the other 34 Organization of American States member nations and approved and accepted the Inter-American Democratic Charter on September 11, 2001;

Whereas Article 1 of the Organization of American States Inter-American Democratic Charter states the peoples of the Americas have a right to democracy and their governments have an obligation to promote and defend it;

Whereas Article 4 of the Organization of American States Inter-American Democratic Charter states transparency in government activities, probity, responsible public administration on the part of governments, respect for social rights, and freedom of expression and of the press are essential components of the exercise of democracy;

Whereas Article 57 of the Constitution of the Bolivarian Republic of Venezuela guarantees the right of all citizens to freely express their thoughts and opinions;

Whereas Article 106 of the Charter for the Organization of American States establishes “an Inter-American Commission on Human Rights, whose principal function shall be to promote the observance and protection of human rights and to serve as a consultative organ of the Organization in these matters”;

Whereas the Inter-American Commission on Human Rights report entitled Democracy and Human Rights in Venezuela, published February 24, 2010, found that the government of President Hugo Chavez employs the punitive power of the state to intimidate or punish people inside Venezuela on account of their political opinions;

Whereas the Inter-American Commission on Human Rights report entitled Democracy and Human Rights in Venezuela found that conditions do not exist for human rights defenders and journalists to be able to freely carry out their work in Venezuela;

Whereas the Department of State declared on November 29, 2009, that the United States “commends the Honduran people for peacefully exercising their democratic right to select their leaders in an electoral process that began over a year ago”;

Whereas, prior to the election in Honduras, President Chavez announced on Venezuelan state television that he put the military of Venezuela on alert in response to the removal by the people of Honduras of Chavez’s ally Manuel Zelaya;

Whereas the Inter-American Commission on Human Rights report entitled Democracy and Human Rights in Venezuela concluded that constraints on freedom of expression and the right to protest peaceably and the existence of a climate hostile to the free ex-

ercise of dissenting political participation contribute to the weakening of the rule of law and democracy in Venezuela;

Whereas, on June 14, 2010, the Department of State described an arrest order issued by the government of President Chavez for the owner of Venezuela’s last remaining independent television station as “the latest example of the government of Venezuela’s continuing assault on the freedom of the press” and urged Venezuela to “honor its commitment under the Inter-American Democratic Charter to uphold the principle that respect for human rights, including freedom of the press, is essential to representative democracies”; and

Whereas the people of Venezuela will hold parliamentary elections on September 26, 2010; Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the people and Government of the United States support the right of the people of Venezuela to free and fair elections as guaranteed by the Organization of American States Democratic Charter;

(2) the people and Government of the United States support the right of the people of Venezuela to the freedom of speech, the freedom of assembly, and their right to freely express their political views as guaranteed by the Organization of American States Democratic Charter; and

(3) the people and Government of the United States summarily reject any effort by President Chavez to invoke the punitive power of the state to intimidate or punish the people of Venezuelan who exercise their right to express their political opinions, their right to assemble, and their right to vote in a free and fair elections.

SENATE RESOLUTION 646—DESIGNATING THURSDAY, NOVEMBER 18, 2010, AS “FEED AMERICA DAY”

Mr. HATCH (for himself, Mr. LEVIN, Mr. BENNETT, Mr. DURBIN, Mr. CRAPO, Mr. CASEY, and Mr. COCHRAN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 646

Whereas Thanksgiving Day celebrates the spirit of selfless giving and an appreciation for family and friends;

Whereas the spirit of Thanksgiving Day is a virtue upon which the United States was founded;

Whereas, according to the Department of Agriculture, roughly 35,000,000 people in the United States, including 12,000,000 children, continue to live in households that do not have an adequate supply of food; and

Whereas selfless sacrifice breeds a genuine spirit of thanksgiving, both affirming and restoring fundamental principles in our society: Now, therefore, be it

Resolved, That the Senate—

(1) designates Thursday, November 18, 2010, as “Feed America Day”; and

(2) encourages the people of the United States to sacrifice 2 meals on Thursday, November 18, 2010, and to donate the money that would have been spent on that food to the religious or charitable organization of their choice for the purpose of feeding the hungry.

Mr. HATCH. Mr. President, I rise today to introduce Senate Resolution 646, also known as Feed America Day.

Feed America Day began in 2002 as a small effort in Provo, UT. From that small beginning, the campaign has re-

ceived support from over 1,100 large and small cities. This includes over 60 cities that have responded with proclamations, covering a population exceeding seven million.

This eighth year of promoting Feed America Day is held on the Thursday immediately preceding Thanksgiving Day. On that day, each person is encouraged to fast two meals and then to contribute to a food bank, church, or charity the equivalent dollar amount saved.

The U.S. Department of Agriculture has reported that 35 million Americans, including 12 million children, live in homes that do not have an adequate supply of food. This resolution recalls that selfless sacrifice breeds a genuine spirit of thanksgiving, both affirming and restoring fundamental principles in our society. In that spirit, I encourage individuals and families to remember to help those in need one week before Thanksgiving.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4658. Mr. BROWN of Ohio (for Mr. KAUFMAN (for himself and Mr. VOINOVICH)) proposed an amendment to the bill S. 3196, to amend the Presidential Transition Act of 1963 to provide that certain transition services shall be available to eligible candidates before the general election.

TEXT OF AMENDMENTS

SA 4658. Mr. BROWN of Ohio (for Mr. KAUFMAN (for himself and Mr. VOINOVICH)) proposed an amendment to the bill S. 3196, to amend the Presidential Transition Act of 1963 to provide that certain transition services shall be available to eligible candidates before the general election; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Pre-Election Presidential Transition Act of 2010”.

SEC. 2. CERTAIN PRESIDENTIAL TRANSITION SERVICES MAY BE PROVIDED TO ELIGIBLE CANDIDATES BEFORE GENERAL ELECTION.

(a) IN GENERAL.—Section 3 of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended by adding at the end the following new subsection:

“(h)(1)(A) In the case of an eligible candidate, the Administrator—

“(i) shall notify the candidate of the candidate’s right to receive the services and facilities described in paragraph (2) and shall provide with such notice a description of the nature and scope of each such service and facility; and

“(ii) upon notification by the candidate of which such services and facilities such candidate will accept, shall, notwithstanding subsection (b), provide such services and facilities to the candidate during the period beginning on the date of the notification and ending on the date of the general elections described in subsection (b)(1).

The Administrator shall also notify the candidate that sections 7601(c) and 8403(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 provide additional services.

“(B) The Administrator shall provide the notice under subparagraph (A)(i) to each eligible candidate—

“(i) in the case of a candidate of a major party (as defined in section 9002(6) of the Internal Revenue Code of 1986), on one of the first 3 business days following the last nominating convention for such major parties; and

“(ii) in the case of any other candidate, as soon as practicable after an individual becomes an eligible candidate (or, if later, at the same time as notice is provided under clause (i)).

“(C)(i) The Administrator shall, not later than 12 months before the date of each general election for President and Vice-President (beginning with the election to be held in 2012), prepare a report summarizing modern presidential transition activities, including a bibliography of relevant resources.

“(ii) The Administrator shall promptly make the report under clause (i) generally available to the public (including through electronic means) and shall include such report with the notice provided to each eligible candidate under subparagraph (A)(i).

“(2)(A) Except as provided in subparagraph (B), the services and facilities described in this paragraph are the services and facilities described in subsection (a) (other than paragraphs (2), (3), (4), (7), and 8(A)(v) thereof), but only to the extent that the use of the services and facilities is for use in connection with the eligible candidate’s preparations for the assumption of official duties as President or Vice-President.

“(B) The Administrator—

“(i) shall determine the location of any office space provided to an eligible candidate under this subsection;

“(ii) shall, as appropriate, ensure that any computers or communications services provided to an eligible candidate under this subsection are secure;

“(iii) shall offer information and other assistance to eligible candidates on an equal basis and without regard to political affiliation; and

“(iv) may modify the scope of any services to be provided under this subsection to reflect that the services are provided to eligible candidates rather than the President-elect or Vice-President-elect, except that any such modification must apply to all eligible candidates.

“(C) An eligible candidate, or any person on behalf of the candidate, shall not use any services or facilities provided under this subsection other than for the purposes described in subparagraph (A), and the candidate or the candidate’s campaign shall reimburse the Administrator for any unauthorized use of such services or facilities.

“(3)(A) Notwithstanding any other provision of law, an eligible candidate may establish a separate fund for the payment of expenditures in connection with the eligible candidate’s preparations for the assumption of official duties as President or Vice-President, including expenditures in connection with any services or facilities provided under this subsection (whether before such services or facilities are available under this section or to supplement such services or facilities when so provided). Such fund shall be established and maintained in such manner as to qualify such fund for purposes of section 501(c)(4) of the Internal Revenue Code of 1986.

“(B)(i) The eligible candidate may—

“(I) transfer to any separate fund established under subparagraph (A) contributions (within the meaning of section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8))) the candidate received for the general election for President or Vice-President or payments from the Presidential Election Campaign Fund under chapter 95 of the Internal Revenue Code of 1986 the candidate received for the general election; and

“(II) solicit and accept amounts for receipt by such separate fund.

“(ii) Any expenditures from the separate fund that are made from such contributions or payments described in clause (i)(I) shall be treated as expenditures (within the meaning of section 301(9) of such Act (2 U.S.C. 431(9))) or qualified campaign expenses (within the meaning of section 9002(11) of such Code), whichever is applicable.

“(iii) An eligible candidate establishing a separate fund under subparagraph (A) shall (as a condition for receiving services and facilities described in paragraph (2)) comply with all requirements and limitations of section 5 in soliciting or expending amounts in the same manner as the President-elect or Vice-President-elect, including reporting on the transfer and expenditure of amounts described in subparagraph (B)(i) in the disclosures required by section 5.

“(4)(A) In this subsection, the term ‘eligible candidate’ means, with respect to any presidential election (as defined in section 9002(10) of the Internal Revenue Code of 1986)—

“(i) a candidate of a major party (as defined in section 9002(6) of such Code) for President or Vice-President of the United States; and

“(ii) any other candidate who has been determined by the Administrator to be among the principal contenders for the general election to such offices.

“(B) In making a determination under subparagraph (A)(ii), the Administrator shall—

“(i) ensure that any candidate determined to be an eligible candidate under such subparagraph—

“(I) meets the requirements described in Article II, Section 1, of the United States Constitution for eligibility to the office of President;

“(II) has qualified to have his or her name appear on the ballots of a sufficient number of States such that the total number of electors appointed in those States is greater than 50 percent of the total number of electors appointed in all of the States; and

“(III) has demonstrated a significant level of public support in national public opinion polls, so as to be realistically considered among the principal contenders for President or Vice-President of the United States; and

“(ii) consider whether other national organizations have recognized the candidate as being among the principal contenders for the general election to such offices, including whether the Commission on Presidential Debates has determined that the candidate is eligible to participate in the candidate debates for the general election to such offices.”

(b) ADMINISTRATOR REQUIRED TO PROVIDE TECHNOLOGY COORDINATION UPON REQUEST.—Section 3(a)(10) of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended to read as follows:

“(10) Notwithstanding subsection (b), consultation by the Administrator with any President-elect, Vice-President-elect, or eligible candidate (as defined in subsection (h)(4)) to develop a systems architecture plan for the computer and communications systems of the candidate to coordinate a transition to Federal systems if the candidate is elected.”

(c) COORDINATION WITH OTHER TRANSITION SERVICES.—

(1) SECURITY CLEARANCES.—Section 7601(c) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 435b note) is amended—

(A) by striking paragraph (1) and inserting:

“(1) DEFINITION.—In this section, the term ‘eligible candidate’ has the meaning given such term by section 3(h)(4) of the Presidential Transition Act of 1963 (3 U.S.C. 102 note).”, and

(B) by striking “major party candidate” in paragraph (2) and inserting “eligible candidate”.

(2) PRESIDENTIALLY APPOINTED POSITIONS.—Section 8403(b)(2)(B) of such Act (5 U.S.C. 1101 note) is amended to read as follows:

“(B) OTHER CANDIDATES.—After making transmittals under subparagraph (A), the Office of Personnel Management shall transmit such electronic record to any other candidate for President who is an eligible candidate described in section 3(h)(4)(B) of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) and may transmit such electronic record to any other candidate for President.”

(d) CONFORMING AMENDMENTS.—Section 3 of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended—

(1) in subsection (a)(8)(B), by striking “President-elect” and inserting “President-elect or eligible candidate (as defined in subsection (h)(4)) for President”;

(2) in subsection (e), by inserting “, or eligible candidate (as defined in subsection (h)(4)) for President or Vice-President,” before “may designate”.

SEC. 3. AUTHORIZATION OF TRANSITION ACTIVITIES BY THE INCUMBENT ADMINISTRATION.

(a) IN GENERAL.—The President of the United States, or the President’s delegate, may take such actions as the President determines necessary and appropriate to plan and coordinate activities by the Executive branch of the Federal Government to facilitate an efficient transfer of power to a successor President, including—

(1) the establishment and operation of a transition coordinating council comprised of—

(A) high-level officials of the Executive branch selected by the President, which may include the Chief of Staff to the President, any Cabinet officer, the Director of the Office of Management and Budget, the Administrator of the General Services Administration, the Director of the Office of Personnel Management, the Director of the Office of Government Ethics, and the Archivist of the United States; and

(B) any other persons the President determines appropriate;

(2) the establishment and operation of an agency transition directors council which includes career employees designated to lead transition efforts within Executive Departments or agencies;

(3) the development of guidance to Executive Departments and agencies regarding briefing materials for an incoming administration, and the development of such materials; and

(4) the development of computer software, publications, contingency plans, issue memoranda, memoranda of understanding, training and exercises (including crisis training and exercises), programs, lessons learned from previous transitions, and other items appropriate for improving the effectiveness and efficiency of a Presidential transition that may be disseminated to eligible candidates (as defined in section 3(h)(4) of the Presidential Transition Act of 1963, as added by section 2(a)) and to the President-elect and Vice-President-elect.

Any information and other assistance to eligible candidates under this subsection shall be offered on an equal basis and without regard to political affiliation.

(b) REPORTS.—

(1) IN GENERAL.—The President of the United States, or the President’s delegate, shall provide to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of

the Senate reports describing the activities undertaken by the President and the Executive Departments and agencies to prepare for the transfer of power to a new President.

(2) **TIMING.**—The reports under paragraph (1) shall be provided six months and three months before the date of the general election for the Office of President of the United States.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a joint hearing has been scheduled before the Subcommittee on National Parks and the Subcommittee on Public Lands and Forests.

The hearing will be held on Wednesday, September 29, 2010, at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills:

S. 3261, to establish the Buffalo Bayou National Heritage Area in the State of Texas, and for other purposes; S. 3283, A bill to designate Mt. Andrea Lawrence;

S. 3291, to establish Coltsville National Historical Park in the State of Connecticut, and for other purposes;

S. 3524 and H.R. 1858, to authorize the Secretary of the Interior to enter into a cooperative agreement for a park headquarters at San Antonio Missions National Historical Park, to expand the boundary of the Park, to conduct a study of potential land acquisitions, and for other purposes;

S. 3565, to provide for the conveyance of certain Bureau of Land Management land in Mohave County, Arizona, to the Arizona Game and Fish Commission, for use as a public shooting range;

S. 3612, to amend the Marsh-Billings-Rockefeller National Historical Park Establishment Act to expand the boundary of the Marsh-Billings-Rockefeller National Historical Park in the State of Vermont, and for other purposes;

S. 3616, to withdraw certain land in the State of New Mexico, and for other purposes;

S. 3744, to establish Pinnacles National Park in the State of California as a unit of the National Park System, and for other purposes;

S. 3778 and H.R. 4773, to authorize the Secretary of the Interior to lease certain lands within Fort Pulaski National Monument, and for other purposes;

S. 3820, to authorize the Secretary of the Interior to issue permits for a microhydro project in nonwilderness areas within the boundaries of Denali National Park and Preserve, to acquire land for Denali National Park and Preserve from Doyon Tourism, Inc., and for other purposes;

S. 3822, to adjust the boundary of the Carson National Forest, New Mexico; and

H.R. 1858, to provide for a boundary adjustment and land conveyances involving Roosevelt National Forest, Colorado, to correct the effects of an erroneous land survey that resulted in approximately 7 acres of the Crystal Lakes Subdivision, Ninth Filing, encroaching on National Forest System land, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to testimony@energy.senate.gov.

For further information, please contact David Brooks at (202) 224-9863 or Allison Seyferth at (202) 224-4905.

PREELECTION PRESIDENTIAL TRANSITION ACT OF 2010

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 499, S. 3196.

The PRESIDING OFFICER. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (S. 3196) to amend the Presidential Transition Act of 1963 to provide that certain transition services shall be available to eligible candidates before the general election.

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

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Kaufman-Voinovich substitute amendment, which is at the desk, be considered and agreed to, the bill, as amended, be read the third time and passed; that the motions to reconsider be laid upon the table, without any 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. 4658) was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Pre-Election Presidential Transition Act of 2010".

SEC. 2. CERTAIN PRESIDENTIAL TRANSITION SERVICES MAY BE PROVIDED TO ELIGIBLE CANDIDATES BEFORE GENERAL ELECTION.

(a) IN GENERAL.—Section 3 of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended by adding at the end the following new subsection:

"(h)(1)(A) In the case of an eligible candidate, the Administrator—

"(i) shall notify the candidate of the candidate's right to receive the services and facilities described in paragraph (2) and shall provide with such notice a description of the nature and scope of each such service and facility; and

"(ii) upon notification by the candidate of which such services and facilities such can-

didate will accept, shall, notwithstanding subsection (b), provide such services and facilities to the candidate during the period beginning on the date of the notification and ending on the date of the general elections described in subsection (b)(1).

The Administrator shall also notify the candidate that sections 7601(c) and 8403(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 provide additional services.

"(B) The Administrator shall provide the notice under subparagraph (A)(i) to each eligible candidate—

"(i) in the case of a candidate of a major party (as defined in section 9002(6) of the Internal Revenue Code of 1986), on one of the first 3 business days following the last nominating convention for such major parties; and

"(ii) in the case of any other candidate, as soon as practicable after an individual becomes an eligible candidate (or, if later, at the same time as notice is provided under clause (i)).

"(C)(i) The Administrator shall, not later than 12 months before the date of each general election for President and Vice-President (beginning with the election to be held in 2012), prepare a report summarizing modern presidential transition activities, including a bibliography of relevant resources.

"(ii) The Administrator shall promptly make the report under clause (i) generally available to the public (including through electronic means) and shall include such report with the notice provided to each eligible candidate under subparagraph (A)(i).

"(2)(A) Except as provided in subparagraph (B), the services and facilities described in this paragraph are the services and facilities described in subsection (a) (other than paragraphs (2), (3), (4), (7), and 8(A)(v) thereof), but only to the extent that the use of the services and facilities is for use in connection with the eligible candidate's preparations for the assumption of official duties as President or Vice-President.

"(B) The Administrator—

"(i) shall determine the location of any office space provided to an eligible candidate under this subsection;

"(ii) shall, as appropriate, ensure that any computers or communications services provided to an eligible candidate under this subsection are secure;

"(iii) shall offer information and other assistance to eligible candidates on an equal basis and without regard to political affiliation; and

"(iv) may modify the scope of any services to be provided under this subsection to reflect that the services are provided to eligible candidates rather than the President-elect or Vice-President-elect, except that any such modification must apply to all eligible candidates.

"(C) An eligible candidate, or any person on behalf of the candidate, shall not use any services or facilities provided under this subsection other than for the purposes described in subparagraph (A), and the candidate or the candidate's campaign shall reimburse the Administrator for any unauthorized use of such services or facilities.

"(3)(A) Notwithstanding any other provision of law, an eligible candidate may establish a separate fund for the payment of expenditures in connection with the eligible candidate's preparations for the assumption of official duties as President or Vice-President, including expenditures in connection with any services or facilities provided under this subsection (whether before such services or facilities are available under this section or to supplement such services or facilities when so provided). Such fund shall be established and maintained in such manner as to

qualify such fund for purposes of section 501(c)(4) of the Internal Revenue Code of 1986.

“(B)(i) The eligible candidate may—

“(I) transfer to any separate fund established under subparagraph (A) contributions (within the meaning of section 301(8) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(8))) the candidate received for the general election for President or Vice-President or payments from the Presidential Election Campaign Fund under chapter 95 of the Internal Revenue Code of 1986 the candidate received for the general election; and

“(II) solicit and accept amounts for receipt by such separate fund.

“(ii) Any expenditures from the separate fund that are made from such contributions or payments described in clause (i)(I) shall be treated as expenditures (within the meaning of section 301(9) of such Act (2 U.S.C. 431(9))) or qualified campaign expenses (within the meaning of section 9002(11) of such Code), whichever is applicable.

“(iii) An eligible candidate establishing a separate fund under subparagraph (A) shall (as a condition for receiving services and facilities described in paragraph (2)) comply with all requirements and limitations of section 5 in soliciting or expending amounts in the same manner as the President-elect or Vice-President-elect, including reporting on the transfer and expenditure of amounts described in subparagraph (B)(i) in the disclosures required by section 5.

“(4)(A) In this subsection, the term ‘eligible candidate’ means, with respect to any presidential election (as defined in section 9002(10) of the Internal Revenue Code of 1986)—

“(i) a candidate of a major party (as defined in section 9002(6) of such Code) for President or Vice-President of the United States; and

“(ii) any other candidate who has been determined by the Administrator to be among the principal contenders for the general election to such offices.

“(B) In making a determination under subparagraph (A)(ii), the Administrator shall—

“(i) ensure that any candidate determined to be an eligible candidate under such subparagraph—

“(I) meets the requirements described in Article II, Section 1, of the United States Constitution for eligibility to the office of President;

“(II) has qualified to have his or her name appear on the ballots of a sufficient number of States such that the total number of electors appointed in those States is greater than 50 percent of the total number of electors appointed in all of the States; and

“(III) has demonstrated a significant level of public support in national public opinion polls, so as to be realistically considered among the principal contenders for President or Vice-President of the United States; and

“(ii) consider whether other national organizations have recognized the candidate as being among the principal contenders for the general election to such offices, including whether the Commission on Presidential Debates has determined that the candidate is eligible to participate in the candidate debates for the general election to such offices.”

(b) ADMINISTRATOR REQUIRED TO PROVIDE TECHNOLOGY COORDINATION UPON REQUEST.—Section 3(a)(10) of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended to read as follows:

“(10) Notwithstanding subsection (b), consultation by the Administrator with any President-elect, Vice-President-elect, or eligible candidate (as defined in subsection (h)(4)) to develop a systems architecture plan for the computer and communications systems of the candidate to coordinate a transi-

tion to Federal systems if the candidate is elected.”

(c) COORDINATION WITH OTHER TRANSITION SERVICES.—

(1) SECURITY CLEARANCES.—Section 7601(c) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 435b note) is amended—

(A) by striking paragraph (1) and inserting: “(1) DEFINITION.—In this section, the term ‘eligible candidate’ has the meaning given such term by section 3(h)(4) of the Presidential Transition Act of 1963 (3 U.S.C. 102 note).”, and

(B) by striking “major party candidate” in paragraph (2) and inserting “eligible candidate”.

(2) PRESIDENTIALLY APPOINTED POSITIONS.—Section 8403(b)(2)(B) of such Act (5 U.S.C. 1101 note) is amended to read as follows:

“(B) OTHER CANDIDATES.—After making transmittals under subparagraph (A), the Office of Personnel Management shall transmit such electronic record to any other candidate for President who is an eligible candidate described in section 3(h)(4)(B) of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) and may transmit such electronic record to any other candidate for President.”

(d) CONFORMING AMENDMENTS.—Section 3 of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended—

(1) in subsection (a)(8)(B), by striking “President-elect” and inserting “President-elect or eligible candidate (as defined in subsection (h)(4)) for President”; and

(2) in subsection (e), by inserting “, or eligible candidate (as defined in subsection (h)(4)) for President or Vice-President,” before “may designate”.

SEC. 3. AUTHORIZATION OF TRANSITION ACTIVITIES BY THE INCUMBENT ADMINISTRATION.

(a) IN GENERAL.—The President of the United States, or the President’s delegate, may take such actions as the President determines necessary and appropriate to plan and coordinate activities by the Executive branch of the Federal Government to facilitate an efficient transfer of power to a successor President, including—

(1) the establishment and operation of a transition coordinating council comprised of—

(A) high-level officials of the Executive branch selected by the President, which may include the Chief of Staff to the President, any Cabinet officer, the Director of the Office of Management and Budget, the Administrator of the General Services Administration, the Director of the Office of Personnel Management, the Director of the Office of Government Ethics, and the Archivist of the United States, and

(B) any other persons the President determines appropriate;

(2) the establishment and operation of an agency transition directors council which includes career employees designated to lead transition efforts within Executive Departments or agencies;

(3) the development of guidance to Executive Departments and agencies regarding briefing materials for an incoming administration, and the development of such materials; and

(4) the development of computer software, publications, contingency plans, issue memoranda, memoranda of understanding, training and exercises (including crisis training and exercises), programs, lessons learned from previous transitions, and other items appropriate for improving the effectiveness and efficiency of a Presidential transition that may be disseminated to eligible candidates (as defined in section 3(h)(4) of the Presidential Transition Act of 1963, as added

by section 2(a)) and to the President-elect and Vice-President-elect.

Any information and other assistance to eligible candidates under this subsection shall be offered on an equal basis and without regard to political affiliation.

(b) REPORTS.—

(1) IN GENERAL.—The President of the United States, or the President’s delegate, shall provide to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate reports describing the activities undertaken by the President and the Executive Departments and agencies to prepare for the transfer of power to a new President.

(2) TIMING.—The reports under paragraph (1) shall be provided six months and three months before the date of the general election for the Office of President of the United States.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The bill (S. 3196), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. KAUFMAN. Mr. President, the Senate has just passed an important piece of legislation that will make our Presidential transitions safer. The Presidential Transition Act, which I introduced in April along with Senators VOINOVICH, AKAKA, and LIEBERMAN—and which has also been cosponsored by Senators CARPER and COLLINS—is a bipartisan bill and the product of research into best practices from recent transitions.

With input from the General Services Administration, and following the release of new studies by the nonpartisan Partnership for Public Service and Presidential scholars like Martha Joynt Kumar and Terry Sullivan, we crafted a bill that draws on the successes of the 2008–2009 transition. Our Nation was fortunate that both President Bush and President-Elect Obama were both focused on ensuring a smooth and secure transition. In this, our first transition between parties since the attacks of September 11, 2001, in the midst of two wars and the worst economic downturn since the Great Depression, we had no room for error.

This legislation will help remove the stigma that all too often dissuades candidates from taking the responsible step of early transition planning before election day. By extending a limited number of government services to Presidential nominees, we can make early transition activities a normal part of responsible candidacy.

I thank my cosponsors for their work on this bill, and I thank my colleagues for their unanimous support. I am glad that the Senate has taken this important step. In our post-September 11 security environment, we simply cannot afford to leave Presidential transitions to chance. I urge the House of Representatives to take swift action to pass this bill.

I also ask unanimous consent that the op-ed by Ed Gillespie and Donna

Brazile on the importance of passing this bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Roll Call, July 20, 2010]

CONGRESS CAN EXPEDITE THE PRESIDENTIAL TRANSITION

(By Donna Brazile and Ed Gillespie)

For most Americans, the morning after a presidential election has been decided represents a moment of relief. Relief that months of campaign commercials, debates and a seemingly endless stream of canvassers knocking on their doors and phoners interrupting their dinners are finally over—relief at the end of a long and exhausting process.

However, for the election winner's staff, that morning is the official beginning of a stressful and complicated process that can make or break the new president's first two years in office.

Having worked on presidential transitions, we both know the pressures facing transition staff. There are only 11 or 12 weeks between Election Day and the inauguration, too short a period to prepare for the host of challenges facing incoming administrations. This is especially true in our post-9/11 security environment and in times of economic uncertainty, which demand a seamless transfer of power and leave us no room for a gap in national leadership.

That is why, in recent elections, candidates have begun planning their transitions informally before winning election. While these efforts are almost never spoken of out of fear they will be derided as presumptuous, they have become as important to the process of transferring power as the formal transition following Election Day.

To their credit, both President Barack Obama and Sen. John McCain (R-Ariz.) engaged in transition planning before the election was held in 2008. President George W. Bush also deserves praise for making a smooth transition out of office a high priority during the final months of his term. None of these steps was mandated by law, and all pre-election transition efforts by candidates had to be funded privately.

It was fortunate that, in the first transfer of power between parties after 9/11, with two ongoing wars and the worst financial crisis since the Great Depression, both major candidates and the White House took it upon themselves to ensure one of the smoothest transitions in modern history. But we should not simply leave something so important to fortune.

Sens. Ted Kaufman (D-Del.) and George Voinovich (R-Ohio) have introduced the Pre-Election Presidential Transition Act. This bipartisan legislation would extend to both parties' nominees some of the government services (i.e., office space, secure computer systems) currently provided to presidents-elect for their transition planning several weeks before Election Day. It also authorizes funding for sitting presidents to help plan for a responsible transfer out of office and recommends the Bush administration's Presidential Transition Coordinating Council as a model.

This will go a long way toward removing the stigma of presumptuousness that discourages early transition planning. We now know that in 2008 the Obama and McCain campaigns were poised to make a joint statement acknowledging that both were engaging in pre-election transition planning as an act of responsibility. However, at the last minute the issue became politicized and neither campaign wanted to risk being accused of "measuring the drapes" in the White House.

This political calculus is understandable but dangerous in today's world. The Kaufman-Voinovich bill was written in consultation with veterans of past transitions. Its introduction follows on the heels of a landmark report by the nonpartisan, nonprofit Partnership for Public Service as well as academic articles by presidential scholars Martha Joynt Kumar, Terry Sullivan and others analyzing the successes and shortcomings of recent transitions. The Pre-Election Presidential Transition Act would provide nominees with office space, computer services and information about previous transitions. It would not pay transition staff salaries or provide for the hiring of outside consultants. For those expenses and others not covered by the bill, it would allow candidates to open transition accounts to which they could raise money or transfer funds from their campaign chests.

For those of us who have worked on presidential transitions, this bipartisan effort by two outgoing Senators in a non-presidential election year is long overdue. Congress should take advantage of this opportunity to implement the changes proposed by this bill to ensure more responsible, more secure and more seamless transfers of power in the future.

TEMPORARY EXTENSION OF SMALL BUSINESS PROGRAMS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3839, which was introduced earlier today.

The PRESIDING OFFICER. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (S. 3839) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

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

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the bill be read the third time and passed; that the motion to reconsider be laid upon the table, with no intervening action or debate; and that any statements related to the bill be printed in the RECORD.

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

The bill (S. 3839) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3839

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ADDITIONAL TEMPORARY EXTENSION OF AUTHORIZATION OF PROGRAMS UNDER THE SMALL BUSINESS ACT AND THE SMALL BUSINESS INVESTMENT ACT OF 1958.

(a) IN GENERAL.—Section 1 of the Act entitled "An Act to extend temporarily certain authorities of the Small Business Administration", approved October 10, 2006 (Public Law 109-316; 120 Stat. 1742), as most recently amended by section 1 of Public Law 111-214 (124 Stat. 2346), is amended by striking "September 30, 2010" each place it appears and inserting "January 31, 2011".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on September 29, 2010.

NATIONAL WILDLIFE REFUGE WEEK

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 644, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 644) designating the week of October 10, 2010, as "National Wildlife Refuge Week."

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

Mr. KAUFMAN. Mr. President, I rise to speak on a resolution I submitted today with Senators CRAPO and CARDIN to celebrate National Wildlife Refuge Week and honor the extraordinary National Wildlife Refuge System. I am pleased that so many of my colleagues have joined me to cosponsor this resolution.

President Theodore Roosevelt established the first national wildlife refuge on Florida's Pelican Island in 1903. He was a renowned naturalist, an avid hunter, and is considered to be one of the greatest conservation leaders in American history.

Roosevelt was spurred to action after witnessing a dramatic decline in bird and animal populations across the country due to unregulated and unsustainable hunting. A sportsman himself, Roosevelt saw a great need to conserve our nation's natural resources not only for the benefit of his generation but for future generations as well.

President Roosevelt set out this basic principle when he said:

I recognize the right and duty of this generation to develop and use the natural resources of our land. But I do not recognize the right to waste them, or to rob, by wasteful use, the generations that come after us.

He was a man of action. Over the course of Presidency, Roosevelt would establish more than 50 Federal bird reserves which would become the foundation of the National Wildlife Refuge System.

Today, the Refuge System has grown to more than 150 million acres, 552 national wildlife refuges, and 38 wetland management districts. These lands are truly American treasures and important parts of our natural heritage.

The Refuge System is a magnificent network of lands and waters dedicated to wildlife conservation. It is exceptionally diverse, encompassing every kind of ecosystem in the United States, including forests, wetlands, deserts, grasslands, tundras, and remote islands.

National wildlife refuges are critical to the broad goals of wildlife conservation to both keep common species common and to protect and restore imperiled species. Refuges do this well. They are home to an incredible amount of biodiversity, including over 700 species of birds, 220 species of mammals, 250 reptile and amphibian species, and

more than 1,000 species of fish. Furthermore, of the more than 1,200 federally listed threatened and endangered species in the United States, 280 are found on national wildlife refuges.

The incredible resources available through the National Wildlife Refuge System offer a variety of recreational opportunities including hunting, fishing, wildlife watching, photography, hiking, boating, environmental education, and so much more. In fact, hunting and fishing is permitted on hundreds of refuges, providing opportunities for over 2.5 million hunters and more than 7 million anglers.

National wildlife refuges also provide children and families a unique opportunity to explore and learn about wildlife and the outdoors. A third of U.S. children and teens are overweight or close to it. Playing outside and engaging with the natural world can get our children active, and studies show that it can also reduce stress, improve attention and cooperation, and open children's imagination and creativity.

Refuges also afford service opportunities for local residents. Every year 39,000 volunteers and over 220 refuge "Friends" organizations contribute nearly 1.4 million hours of their time to lead educational programs, guide tours, restore habitat, maintain trails, and offer their time and energy in other important ways. Their efforts are worth the equivalent of 665 full-time employees.

National wildlife refuges are important to local businesses and gateway communities. Each year, refuges draw 41 million visitors, generating nearly \$1.7 billion and 27,000 jobs for local economies. Refuges are also a good investment for the American people. For every \$1 appropriated, refuges generate \$4 in economic activity.

Since 1995 refuges across the country have held festivals, educational programs, guided tours, and other events to celebrate National Wildlife Refuge Week during the second week of October. This year Refuge Week will take place from October 10 to 17.

There is much to celebrate. For over a century, the National Wildlife Refuge System has served to conserve our wildlife heritage, provide recreational opportunities for our communities, and support for local economies. With at least one refuge located in every State and within an hour's drive of every metropolitan area across the Nation, we can all take part in National Wildlife Refuge Week.

In my home State of Delaware, we are fortunate to have two national wildlife refuges: Bombay Hook and Prime Hook. The tens of thousands of acres of freshwater wetlands and tidal salt marshes these refuges protect are considered some of the best on the Atlantic coast and provide critical habitat for waterfowl migrating between Canada and Mexico. In fact, the American Bird Conservancy has recognized Bombay Hook as one of America's 100 important Bird Areas.

Bombay Hook and Prime Hook are also incredible places to visit and enjoy. Bombay Hook host over 100,000 visitors a year, and the Great Outdoor Recreation Pages, GORP magazine recently rated the refuge as one of the top Ten most scenic drives in the United States. Furthermore, studies show that visitors of Prime Hook generate over \$1.21 million and nearly 20 jobs a year in the local Sussex County economy.

I am proud to join my colleagues in sponsoring this resolution to celebrate National Wildlife Refuge Week and honor the National Wildlife Refuge System.

As President Roosevelt once said:

It is not what we have that will make us a great Nation. It is the way in which we use it.

We must continue the legacy of President Roosevelt and work to conserve our wildlife heritage for current and future generations.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 644) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 644

Whereas, in 1903, President Theodore Roosevelt established the first national wildlife refuge on Florida's Pelican Island;

Whereas, in 2010, the National Wildlife Refuge System is the premier system of lands and waters to conserve wildlife in the world, and has grown to more than 150 million acres, 552 national wildlife refuges, and 38 wetland management districts in every State and territory of the United States;

Whereas national wildlife refuges are important recreational and tourism destinations in communities across the Nation, and these protected lands offer a variety of recreational opportunities, including 6 wildlife-dependent uses that the National Wildlife Refuge System manages: hunting, fishing, wildlife observation, photography, environmental education, and interpretation;

Whereas hunting is permitted on more than 320 national wildlife refuges and fishing is permitted on 272 national wildlife refuges, welcoming more than 2,500,000 hunters and more than 7,000,000 anglers;

Whereas national wildlife refuges are important to local businesses and gateway communities;

Whereas, for every \$1 appropriated, national wildlife refuges generate \$4 in economic activity;

Whereas approximately 41,000,000 people visit national wildlife refuges every year, generating nearly \$1,700,000,000 and 27,000 jobs in local economies;

Whereas the National Wildlife Refuge System encompasses every kind of ecosystem in the United States, including temperate, tropical, and boreal forests, wetlands, deserts, grasslands, arctic tundras, and remote islands, and spans 12 time zones from the Virgin Islands to Guam;

Whereas national wildlife refuges are home to more than 700 species of birds, 220 species of mammals, 250 species of reptiles and amphibians, and more than 1,000 species of fish;

Whereas 59 refuges were established specifically to protect imperiled species and of the more than 1,200 federally listed threatened and endangered species in the United States, 280 species are found on units of the National Wildlife Refuge System;

Whereas national wildlife refuges are cores of conservation for larger landscapes and resources for other agencies of the Federal Government and State governments, private landowners, and organizations in their efforts to secure the wildlife heritage of the United States;

Whereas 39,000 volunteers and more than 220 national wildlife refuge "Friends" organizations contribute nearly 1,400,000 hours annually, the equivalent of 665 full-time employees, and provide an important link with local communities;

Whereas national wildlife refuges provide an important opportunity for children to connect with nature and discover the natural world;

Whereas, because there are national wildlife refuges located in several urban and suburban areas and 1 refuge located within an hour's drive of every metropolitan area in the United States, national wildlife refuges employ, educate, and engage young people from all backgrounds in exploring, connecting with, and preserving the natural heritage of the Nation;

Whereas, since 1995, refuges across the Nation have held festivals, educational programs, guided tours, and other events to celebrate National Wildlife Refuge Week during the second full week of October;

Whereas the week beginning on October 10, 2010, has been designated as "National Wildlife Refuge Week" by the United States Fish and Wildlife Service;

Whereas, in 2010, the designation of National Wildlife Refuge Week would recognize more than a century of conservation in the United States and would serve to raise awareness about the importance of wildlife and the National Wildlife Refuge System and to celebrate the myriad recreational opportunities available to enjoy this network of protected lands: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning on October 10, 2010, as "National Wildlife Refuge Week";

(2) supports the goals and ideals of National Wildlife Refuge Week;

(3) acknowledges the importance of national wildlife refuges for their recreational opportunities and contribution to local economies across the United States;

(4) pronounces that national wildlife refuges play a vital role in securing the hunting and fishing heritage of the United States for future generations;

(5) recognizes the importance of national wildlife refuges to wildlife conservation and the protection of imperiled species and ecosystems;

(6) applauds the work of refuge "Friends" groups, national and community organizations, and public partners that promote awareness, compatible use, protection, and restoration of national wildlife refuges;

(7) reaffirms the support of the Senate for wildlife conservation and the National Wildlife Refuge System; and

(8) expresses the intent of the Senate—

(A) to continue working to conserve wildlife; and

(B) to manage the National Wildlife Refuge System for current and future generations.

Mr. BROWN of Ohio. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2010—MOTION TO PROCEED

CLOTURE MOTION

Mr. REID. Mr. President, I move to proceed to Calendar No. 107, H.R. 3081, and I send to the desk a cloture motion.

The ACTING PRESIDENT pro tempore. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 107, H.R. 3081, the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010.

John D. Rockefeller, IV, Byron L. Dorgan, Carl Levin, Dianne Feinstein, Jack Reed, Mark R. Warner, Patrick J. Leahy, Michael F. Bennet, Barbara Boxer, Benjamin L. Cardin, Charles E. Schumer, Patty Murray, Debbie Stabenow, Robert P. Casey, Jr., Christopher J. Dodd, Daniel K. Akaka, Harry Reid.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum be waived.

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

EXTENDING FUNDING AND EXPENDITURE AUTHORITY OF THE AIRPORT AND AIRWAY TRUST FUND

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to H.R. 6190.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 6190) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

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

Mr. REID. Mr. President, I ask unanimous consent that the bill be read three times, passed, and the motion to reconsider be laid on the table, and that any statements be printed in the RECORD.

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

The bill (H.R. 6190) was ordered to a third reading, was read the third time, and passed.

ORDER FOR RECORD TO REMAIN OPEN

Mr. REID. Mr. President, I ask unanimous consent now that the RECORD remain open until 2 p.m. today for the introduction of bills, resolutions, statements, and cosponsor requests.

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

ORDERS FOR MONDAY, SEPTEMBER 27, 2010

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m., Monday, September 27; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that after any leader remarks, the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each until 3 p.m.; following morning business, the Senate resume consideration of the motion to proceed to S. 3816, the Creating American Jobs and Ending Offshoring Act.

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

PROGRAM

Mr. REID. Mr. President, we expect to have a live quorum at 7 p.m. on Monday, as we consider the motion to proceed to S. 3816.

ADJOURNMENT UNTIL 2 P.M., MONDAY, SEPTEMBER 27, 2010

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 12:15 p.m., adjourned until Monday, September 27, 2010, at 2 p.m.

EXTENSIONS OF REMARKS

RECOGNIZING SINGER-SONG-
WRITER CLARE BURSON FOR
BRINGING SOCIAL AWARENESS
TO THE HOLOCAUST THROUGH
MUSIC

HON. STEVE COHEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 2010

Mr. COHEN. Madam Speaker, I rise today to recognize singer and songwriter Clare Burson for her work in bringing awareness to the Holocaust through music. Chronicled through research and stories from her family, her new album "Silver and Ash" remembers her family and pays tribute to the many Jewish men, women and children who suffered and died during this dark period in history.

Clare Burson had always been interested in learning her family's history since the young age of 8 years old. However, her grandmother, Joci Burson, was reluctant to speak about the events that caused her family to flee their home in Germany due to the painful memories. Joci, who lived in Memphis, Tennessee, would receive letters from family that fled to Latvia updating her on their condition. Receiving letters from only 1938–1941 was undoubtedly a sign that the worst had happened and forced Joci into mourning and silence about the tragedy that befell the family.

Clare Burson spent much of her young adult life researching her family's history to gain a better understanding of how the Holocaust changed her family. Her research led her to move to Germany and to travel to Latvia, Lithuania and Ukraine—the homes of her ancestors. As a result of her research and through her songs, she was able to convey resemblances of her sister to their great-grandmother in "Look Close." In "I Will/With You," Ms. Burson encourages her grandmother to share her memories so that she and others will forever remember their history.

In "Baby Boy," Clare Burson describes a metaphorical hole in her great-great-grandmother's home after sending her son to Lithuania to escape conscription to military service in the German army. Although not in her lyrics, Ms. Burson shared a piece of her family's history saying that her great-great-grandmother sent her son to Lithuania in 1893 with a trunk of belongings and a wedge of cheese made by his mother. He then moved to South Africa and stayed there for 10 years before moving to Memphis, where he married her great-grandmother, Clare. They had 4 children including her grandmother who, when she passed away, gave her the cheese. That wedge of cheese still exists and is now 117 years old.

Sixty-five years after the Holocaust, the number of Jewish Holocaust survivors and those who lived during that time is decreasing. Like many events in our history, both good and bad, we must ensure the fundamental nature of the Holocaust is passed along to future generations. There must never again be such

a display of intolerance towards any group of people. Thank you Clare Burson for giving us such beautiful music set to your family's memories and our shared history.

CONGRATULATING THE WESTERN
WASHINGTON UNIVERSITY VEHI-
CLE RESEARCH INSTITUTE

HON. RICK LARSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 2010

Mr. LARSEN of Washington. Madam Speaker, I rise today to congratulate the Western Washington University Vehicle Research Institute for their outstanding achievements in the X Prize Automotive competition.

The X Prize Competition challenged our best scientists and engineers to develop a new car that could achieve fuel efficiency of over 100 miles per gallon in real world driving. To win, the car had to be safe, affordable and potentially desirable to consumers.

Western Washington's team, comprised entirely of undergraduate students, developed and entered a 2-seat car, the Viking 45, in the "alternative" class. Their car successfully navigated several rounds of testing, becoming the only American university team to reach the finals of the competition.

The success of the Viking 45 continues the long tradition of excellence at the Vehicle Research Institute. I commend them for their success in the X Prize competition and their continuing outstanding work to develop the next generation of passenger vehicles.

RECOGNIZING THE 175TH ANNIVER-
SARY OF THE FOUNDING OF
NUESTRA SEÑORA DE LOS DOLO-
RES DE LAS VEGAS GRANDES,
NEW MEXICO 1835–2010

HON. BEN RAY LUJÁN

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 2010

Mr. LUJÁN. Madam Speaker, I rise today to commemorate the 175th anniversary of Las Vegas, New Mexico.

Established by a land grant from the Government of Mexico, the City of Las Vegas was founded on the Gallinas River on April 6th, 1835. Las Vegas soon found prosperity as a trading hub on the Sante Fe Trail, and later as a stop on the railroad between Atchison, Topeka, and Santa Fe.

Throughout its 175 years, Las Vegas has flourished; becoming a regional center for cultural and social diversity; seeing the establishment of theaters, schools, newspapers, and libraries. As many historic towns in America have experienced, the people of Las Vegas have seen challenges throughout their storied history including epidemics, economic depressions, and political turmoil.

However, with over 900 buildings recognized by the National Register of Historic Places, and the claim to forming the New Mexico Militia and the 1st United States Volunteer Calvary, Las Vegas can point to a strong and proud history of perseverance and dedication that is worthy of admiration.

I urge my colleagues to join me in recognizing the celebration of the people of Las Vegas as they celebrate their city's anniversary. The longevity of Las Vegas is a testament to the communal bonds established there, and it is an inspirational achievement.

RECOGNIZING TAIWAN ON THE
OCCASION OF NATIONAL DAY

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 2010

Mr. BUTTERFIELD. Madam Speaker, I rise to salute Taiwan on its forthcoming National Day on October 10, 2010.

Taiwan is a model of success in Asia. Through hard work and ingenuity, Taiwan has become one of the strongest economies in the Asia Pacific.

Two years ago, Taiwan was in the midst of a global economic crisis. After taking some notable economic measures, Taiwan is expected to bring its unemployment rate below 5 percent, and GDP is expected to grow by 4.72 percent this year.

Taiwan is also a showcase democracy and continues to strengthen its democratic institution. The accomplishments of Taiwan, whether economic or political, are truly remarkable.

On the occasion of Republic of China's National Day, I ask my colleagues to join me in wishing new era of peace and prosperity between Taiwan and mainland China. There have been many agreements between the two sides, including direct air and sea links, increased mutual investments, and exchanges of peoples.

Also, my congratulations to Taiwan for its continued participation in the World Health Assembly meetings last May in Geneva. We should also acknowledge Taiwan's humanitarian assistance to Haiti and Taiwan's medical and public health missions to Pacific island countries in recent years.

Madam Speaker, I ask my colleagues to join me in congratulating Taiwan.

A TRIBUTE TO STEPHEN B. FALEK

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 2010

Ms. MOORE of Wisconsin. Madam Speaker, I rise today to recognize Stephen B. Falek, Associate Director for the Housing Authority of the City of Milwaukee, who will retire in October, 2010, after 38 years of distinguished service.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

He has been a tireless advocate to provide affordable housing opportunities to my constituency. Families in my district and throughout the state have benefited from his efforts to create “green” facilities, develop homeownership programs, provide resources to serve low-income families, and expand programs to serve our veterans, homeless, elderly and disabled, and mentally challenged.

As Assistant Director, Mr. Falek is responsible for the day-to-day operation of a multitude of public housing units, multi-family market rate rental housing, and a Section 8 Housing Choice Voucher Program.

His advocacy can be seen on the local and national levels. His particular interest in addressing the needs of often overlooked populations led to the development of a Single Room Occupancy facility for the homeless. Mr. Falek reunited families by securing a number of housing opportunities for homeless or transitional parents who would have otherwise lost custody of their children if they did not have a home. In addition, in the aftermath of Hurricane Katrina, he ensured that Milwaukee opened its doors to evacuees. He created a task force with various government agencies to make sure that these evacuees were assisted quickly.

In 2009, he received the National Association of Housing and Redevelopment Officials (NAHRO) M. Justin Herman Award for Lifetime Achievement, which honors an exceptional individual who has made outstanding contributions to the quality of life through service in the field of housing or community development. He continued his noteworthy role as a leader by participating on boards and committees. His contributions are well known within NAHRO, the North Central Regional Council of NAHRO, and the State of Wisconsin Association of Housing Authorities (WAHA). Mr. Falek was a key figure in creating the WAHA State Chapter and made Wisconsin one of the strongest chapters.

Madam Speaker, for these reasons, I am honored to pay tribute to Stephen B. Falek who leaves behind a wonderful legacy of leadership and community building in the Fourth Congressional District and State of Wisconsin.

A TRIBUTE TO JUSTICE ARTHUR
G. SCOTLAND IN RECOGNITION
OF HIS LIFE OF SERVICE

HON. DANIEL E. LUNGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 2010

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I rise today to recognize and honor Justice Arthur G. Scotland for his life of service to our California judicial system.

Justice Scotland is a native Californian born in Sacramento on October 19, 1946. He graduated from the University of California, Davis, and became a law enforcement officer with the California Department of Justice. He later graduated with honors from the University of Pacific, McGeorge School of Law in 1974.

After serving as a Deputy District Attorney, Sacramento County, 1974–76, California Deputy Attorney General, 1976–83, and Cabinet Secretary to the Governor, 1983–87, he was appointed as a Superior Court Judge by Governor George Deukmejian in 1987. Since

1989, he has served on the Courts of Appeal, appointed by Governor Deukmejian. In 1998, he became the Presiding Justice, appointed to the position by Governor Pete Wilson.

In 2004, Justice Scotland was named Judge of the Year by the Sacramento County Bar Association.

Active in his community, Justice Scotland was named Humanitarian of the Year in 2002 by the Sacramento County Bar Association for his volunteer work on behalf of the Sacramento Children’s Home—a residential and treatment facility for abused and neglected children. He also received a community Service Award from the Center for Youth Citizenship for his volunteer work helping educate school children about our legal system about their rights and responsibilities as Americans.

Presiding Justice Scotland has served with distinction on the Court of Appeal, Third Appellate District, since 1989—serving 9 years as associate justice and 12 years as presiding justice. During his tenure, Justice Scotland has participated in deciding more than 6,000 appeals and thousands of writ petitions, authoring 2,744 majority opinions, 48 concurring opinions, and 40 dissenting opinions.

I am pleased to recognize and congratulate Justice Scotland on his retirement and for his dedication to our community.

TRIBUTE TO MARY TREVIÑO

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 2010

Mr. GONZALEZ. Madam Speaker, today I would like to recognize a woman who has reached a milestone in her life that few have had the opportunity to reach. Most individuals are lucky to see 80 years of life. Few have ever reached the age of 90. But fewer still have had the blessing of living on this earth for 100 years, the course of an entire century. That is why it is with great honor I come to you today to recognize the 100th birthday of Mrs. Mary Treviño, on this day, the 26th of September, year 2010.

Mrs. Treviño has spent the last one hundred years growing in wisdom, her work ethic, and her love for others. Like all people, her life is marked with both times of testing and times of celebration. What makes Mrs. Treviño an outstanding woman, however, is that she has gone through her trials with great perseverance, and through her times of celebration with great joy.

As a woman that embodies the entrepreneurial spirit, one of Mrs. Treviño’s greatest accomplishments in her life is the founding of El Mirador Restaurant. This restaurant has been the means by which Mrs. Treviño’s passions for sharing great food and good company have had a way to express themselves. El Mirador is a place that has contributed to the community of Texas’ 20th District for more than 40 years, and like Mrs. Treviño, it is still going strong.

Madam Speaker, that is why I would like to ask my colleagues to join me in honoring and celebrating the 100th birthday of Mrs. Mary Treviño; for a life well lived and years more to live well. I wish Mrs. Treviño all the best and hope that our nation’s great City of San Antonio can be blessed by her presence for many

more years to come. May her days be filled with life, liberty, and the pursuit of happiness, for her and her loved ones.

CARLOS GUERRA DAY IN SAN
ANTONIO, TEXAS

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 2010

Mr. ORTIZ. Madam Speaker, I rise today to recognize a constituent, friend, supporter, community activist and long-time columnist for the San Antonio Express-News, Carlos Guerra. On Friday, September, 24, 2010, friends, family members and loved ones will gather at El Tropicano Riverwalk Hotel in San Antonio, Texas, to pay respect and honor to a man who has done so much for so many of us. On this day, Texas A&M University—Kingsville has designated September 24 as “Carlos Guerra Day in San Antonio.”

Guerra grew up in Robstown, Texas, which happens to be my hometown, too. His parents were educators and owned a family restaurant. After graduating from Robstown High School, Guerra enrolled at then-Texas A&I University in Kingsville where he quickly became involved in the rising civil rights movement for Mexican Americans. In 1969, he earned his bachelor’s degree in history. While enrolled at Texas A&I University in Kingsville, Guerra was a member of the debate team as well as on the staff of the student newspaper.

He helped found the Mexican American Youth Organization (MAYO) and Raza Unida Party, two of the primary civil rights organizations for Mexican Americans. Guerra’s civil rights activist days lasted from the 1960s through the 1980s, and he was a pallbearer in the funeral of United Farm Workers founder and civil rights icon Cesar Chavez in 1993.

Guerra started his newspaper career in 1991 when he was a front-page columnist for the San Antonio Light. When that newspaper ceased publication, he moved to the San Antonio Express-News where he was a metro columnist for more than 18 years.

Guerra has worked for several philanthropic foundations on the East Coast and has traveled extensively throughout the United States and Latin America. He has led all by example and continues to be a leading voice in the Hispanic movement.

During his time as a columnist for the San Antonio Express-News, Guerra’s opinion columns were syndicated in other newspapers throughout the country.

In 2009, Guerra retired from the San Antonio Express-News. Today, he is a communications consultant and continues to be involved in civic engagement. Most recently, he helped launch a scholarship at Texas A&M University—Kingsville in the Communications Theater Arts Department.

I ask my colleagues to join me in recognizing the work, dedication, vision, leadership and commitment of a respected role model, friend and mentor, Carlos Guerra.

HONORING SUE PALKA

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 2010

Mr. VAN HOLLEN. Madam Speaker, on Monday, September 27, 2010, one of my constituents will be celebrating 25 years of outstanding service to the Washington, DC metropolitan region.

WTTG Fox 5 News weather forecaster Sue Palka has been bringing Washingtonians their weather reports for decades. For those of you who have seen her, you know her for her irrepressible enthusiasm and good humor. I am proud that Sue, a resident of Gaithersburg, Maryland, is a constituent of mine.

Sue is a six-time Emmy award winner for outstanding weather forecasting and has been with Fox 5 since 1985. In 1997, she was named Broadcaster of the Year by the National Weather Association. She was featured on the cover of Washingtonian Magazine in March 2004, and on the cover of the Washington Post TV Week in July 1997 with an extensive article profiling her career. Sue received the Distinguished Alumnae Award from Edinboro University of Pennsylvania in 2005.

Sue has an undying passion for weather forecasting. From taking on Hurricane Bertha when it made landfall, to flying into the eye of category 4 Hurricane Edouard with the famed Hurricane Hunters, to tornado chasing in Texas and Oklahoma, Sue loves to be in the middle of the action and to share its excitement with her viewers.

I am delighted to congratulate Sue Palka, her husband Joe and daughters Elizabeth and Nora, for her 25 years of dedicated service to our community and to all visitors to the Nation's Capital.

IN SUPPORT OF H. RES. 1595, RECOGNIZING THE 50TH ANNIVERSARY OF REAL ESTATE INVESTMENT TRUSTS (REITs)

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 2010

Mr. KIND. Madam Speaker, I rise today in support of House Resolution 1595, which recognizes the 50th anniversary of Real Estate Investment Trusts, commonly known as REITs. I am proud to cosponsor this resolution introduced by my colleague, Representative SANDER LEVIN from Michigan and I thank him for introducing this resolution.

For 50 years, REITs have provided a way for average investors to invest in large-scale commercial properties in the same way they invest in other industries, through the purchase of equity. In addition, REITs offer investors distinct advantages such as portfolio diversification, reliable dividends, liquidity, and solid long-term performance.

Fifty years after Congress created REITs, average investors continue to benefit in the same ways as corporate stockowners, as REIT investors earn a pro-rata share of the economic benefits that are derived from the production of income through commercial real estate ownership.

It is important to recognize ways in which average investors of all ages and income levels can access the same benefits as large real estate investors. I stand with my colleague in commending the 50th anniversary of Real Estate Investment Trusts, and 50 years of providing a broad range of investors an opportunity to achieve the investment goals of diversification, strong and reliable dividends, liquidity, solid performance, and transparency.

NATIONAL FLOOD INSURANCE PROGRAM REEXTENSION ACT OF 2010

SPEECH OF

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 23, 2010

Mr. PASCRELL. Madam Speaker, I rise to address the issue of flooding raised by the National Flood Insurance Program Reextension Act of 2010 before us today. Although it is critical that we pass this legislation to ensure that flood insurance remains available to those in flood prone areas, this reextension is not the ultimate solution. Congress has followed a dangerously inconsistent stopgap approach of short-term fixes to the National Flood Insurance Program, or NFIP, for almost 2 years now.

We need a permanent solution for the sake of my constituents and all Americans in flood-prone regions. Too frequently, the NFIP has been allowed to lapse. The House recently passed a bill which would address this issue by providing long-term authorization for the NFIP. This type of solution is necessary to provide certainty in real estate markets and the greater economy, as thousands of potential real estate transactions were stalled every day during the 53 days this year which the program lapsed.

These issues further damage our economy, as homeowners in the flood-prone areas of more than 20,000 communities across the U.S. could not obtain mortgages without the critical flood insurance made available through NFIP. In these regions, homeowners face a one in four chance that their property will suffer flood damage over the life of a 30-year mortgage.

My constituents and I are all too familiar with the issue of flooding. The Passaic River basin in my district is a historically flood-prone region, and the rapid growth of population and industry in that region has made the threat of loss of property and life a serious problem. Since 1900, at least 26 lives have been lost in floods and the total losses over that period are over \$4.5 billion.

Just this March, the residents of the Eighth Congressional District of New Jersey along the Passaic basin suffered some of the most extensive flooding in the region to have occurred in the last quarter century. Approximately 2,500 residents in the district were forced from their homes and the estimated damage to the public sector alone is over \$10 million dollars. These events resulted in a Federal Disaster Declaration issued by President Obama. All across this country, access to flood insurance is an absolute necessity just as it is in the Passaic River basin.

If Congress does not act now, the flood insurance program will expire once again on

September 30, at the peak of hurricane season. Madam Speaker, distinguished colleagues, I ask you today to join me in passing this bill. However, we must dedicate ourselves to finding a permanent solution for those Americans adversely affected by flooding. The people of my district need a long-term extension of the flood insurance program—and they need to know that the flood insurance program will always be there for them. While we are working to mitigate the damage caused by floods, this program remains essential for those tragic times when nature takes over. With homes in my district and in every flood-prone part of the country in harm's way, it is simply too dangerous to risk disaster because we failed once again to extend the National Flood Insurance Program.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 29, 2010

Mr. BECERRA. Madam Speaker, yesterday I was unavoidably detained and missed rollcall votes 534, 535, and 536. If present, I would have voted "yea" on rollcall votes 534, 535, and 536.

RECOGNIZING THE ACHIEVEMENTS OF DOMINIQUE NOTH, EDITOR, MILWAUKEE LABOR PRESS

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 2010

Ms. MOORE of Wisconsin. Madam Speaker, I rise to pay tribute to Dominique Paul Noth and the Milwaukee Labor Press. The Milwaukee Labor Press provides news, features, commentary, and information on important issues and events. In late August, editor Dom Noth and the Labor Press won the most multiple awards in the history of the International Labor Communications Association. The Milwaukee Labor Press has continued its legacy of excellence by proving successful in the most intense and prestigious North American contest for all labor publications.

As the second largest home-delivered newspaper in Wisconsin, the Labor Press consistently speaks honestly to its readers. The ILCA awarded the Labor Press First Place, General Excellence among all state and central council publications. ILCA praised the Labor Press for "Quirky and interesting writing, [. . .] makes points without being preachy."

MilwaukeeLabor.org the website of the Labor Press' publisher, Milwaukee Area Labor Council, received First Place General Excellence Internet. News, Take Action, events, and original content by Dominique Noth are featured on the website. Dominique is an intrepid seeker of newsworthy information, camera at the ready, quotes in context forming in his mind.

Last December's examination of the health care debate in the article, "Heeding the Human Cost," was honored with the First Place Saul Miller Award. Noth attributes this success to diverse opinions of union and community members in a no-holds-barred forum

on health legislation. Judges cited the story as candid and heartfelt writing which “debunks the opposition’s argument attacking the need for health reform.”

Third Place Award for Special Performance (best editorial or column) went to the Labor Press for “City Should Sink Its Own Breed of Water Pirates” which highlighted the privatization of public services. The article shed light on a significant issue for labor unions across the country.

Madam Speaker, I am proud to say the Milwaukee Labor Press provides a significant avenue for discussion for the people of the Fourth Congressional District. Thanks in no small part to Dominique Noth; the Labor Press’ continual excellence is based on its open-minded, intelligent, and relatable examination of pressing labor issues that impact the whole community. I applaud Dominique Noth and the Milwaukee Labor Press for their success in such a competitive and prestigious contest.

HONORING NATIONAL TRUCK
DRIVER APPRECIATION WEEK

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 2010

Mr. OBERSTAR. Madam Speaker, I rise today to recognize America’s professional truck drivers who serve our Nation by delivering the clothes we wear, the food we eat, or the medicine we rely on. This week, September 19–25, has been designated National Truck Driver Appreciation Week, which provides a perfect opportunity to express our appreciation to the 3.4 million professional truck drivers in the United States. I urge my colleagues and all Americans to use this week to reflect on the important role these hard-working and dedicated drivers play in facilitating many aspects of our daily lives.

Trucking serves as the backbone of our economy, responsible for nearly 70 percent of the total U.S. freight tonnage. Over 80 percent of communities rely solely on the trucking industry for their goods and commodities. Across the Nation, the trucking industry allows businesses and manufacturers to connect with consumers in a reliable and efficient manner that allows the free flow of goods to power the American economy every day.

One out of every 15 people across this country is employed in the trucking industry, making it one of our Nation’s largest employers. Most individual long-haul drivers average 100,000 to 110,000 miles driving per year. In doing so, America’s truck drivers sacrifice precious time from their families, all the while, they deliver for ours. This week we pause to say thank you to them and to their families.

I salute the fine professionals of the Nation’s trucking industry and their families for the dedication they continue to demonstrate to America and for delivering life’s essentials safely and securely.

HONORING CHIEF WARRANT OFFICER
THREE MATTHEW WAGSTAFF

HON. JASON CHAFFETZ

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 2010

Mr. CHAFFETZ. Madam Speaker, Americans lost one of our finest early Tuesday morning when the Blackhawk helicopter carrying Chief Warrant Officer Three Matthew Wagstaff of Orem, Utah, went down in Afghanistan.

His family released a statement that reads, in part: “Matt died doing what he loved to do, and that was to fly. He was a tremendous husband, son, brother and uncle, and he served his country well.”

He was just married to his wife Tiffany in January, and was anticipating a visit home next month to Fort Campbell, Kentucky, where he was based. His wife and parents, Ronald and Suzanne Wagstaff, flew to Dover Air Force base in Delaware Wednesday morning to receive him and return him home for burial.

At 34 years old, CW3 Wagstaff had served for ten years as a Blackhawk helicopter pilot and was an active-duty member of the Army’s 101st Airborne Division. He had recently re-enlisted knowing he would most likely be called up for a second tour in Afghanistan, having already served a third overseas tour in Iraq.

A friend of the family shared that CW3 Wagstaff joined the military with a passion to fly helicopters, and that he was one of several pilots asked to fly Blackhawks in the original “Transformers” movie in 2007. He flew his helicopter in the action scenes in Los Angeles over Dodger Stadium, through alleys, and over rooftops. The friend went on to say that CW3 Wagstaff “felt like he was making a difference,” adding that his missions in Afghanistan included bringing injured soldiers out of combat zones.

A graduate of Orem High School and Utah State University, CW3 Wagstaff was among nine NATO service members killed in the crash near the town of Qatal in Zabul province. The soldiers were aboard an International Security Assistance Force helicopter. The cause of Tuesday’s crash was not immediately known.

Our hearts and prayers as Americans go out to the Wagstaff family for their willingness to send their husband, son, and brother to serve us all. We honor and appreciate him for his service, and his unselfishness in offering the ultimate sacrifice for his country and those whose lives he blessed both in and out of uniform. May God bless him, his family, and all those who join us now in mourning his passing.

A TRIBUTE TO ANNETTE YOUNG

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 2010

Mr. TOWNS. Madam Speaker, I rise today to recognize a woman who had a tremendous impact on her community and the lives of countless individuals.

Annette Young was born on August 15, 1925 in Norfolk, Virginia. In 1944, she moved to New York and married Winfield Young, the love of her life, on March 21, 1944. They were later blessed with a son, Steven. Annette took great pride in family and was a devoted wife and mother.

Annette had a love for God and sought his guidance throughout her life. She understood that the power within us could evolve into something great if we trusted in the Lord. Annette joined the church family at the Berean Baptist Church in 1998.

Although Annette had a great sense of family, she also had a great sense of community. For more than 30 years, she was a resident of Ocean-Hill Brownsville and she served as president of the Council of Block Associations, organizing over 80 block and tenant associations. Additionally, she founded the Council of Block Associations Gazette, and was a member of the Board of Directors of the Daniel Hale Williams Housing Corp.

Through her roles as former district co-leader and legislative assistant, president of the Vanguard Political Club, honorary co-chair of Brooklyn C.O.R.E., Frank Edward Cook Scholarship Foundation and the N.A.A.C.P., Annette was a force that helped to empower others.

Annette worked in various industries and eventually became the Executive Secretary to the Vice President of International Banking at Chase Manhattan Bank. Following her retirement from Chase, she pursued a second career as a film promoter and as President of International Cinema. She also managed the musical group “Elegante.”

Annette utilized her acting ability and appeared in a number of productions. In 1996 she received the Unity Music and Arts Award for Outstanding Professional Achievement as an actress from the Unity Democratic Club.

In December 1991, Annette completed a certification from the NY State School of Industrial and Labor relations from Cornell University. In 2002, she proudly received her Bachelor of Arts Degree from the College of New Rochelle. This was a monumental achievement and demonstrates that age is not a limit to learning.

She was extremely proud to be a long time member of the Jefferson Democratic Club of Brooklyn, NY.

Madam Speaker, Annette’s grace, poise, professionalism, witty nature and natural ability to “live life to the fullest” will be remembered by all who knew her.

HONORING THE ABILITYONE
PROGRAM

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 2010

Mr. BUTTERFIELD. Madam Speaker, I rise today in recognition of the more than three years of service provided by the Marine Corps Air Station Cherry Point Base Supply Center (BSC) and to applaud the 15th anniversary of the AbilityOne BSC Program.

AbilityOne BSCs are retail stores located on military installations and in federal buildings. Operated through the AbilityOne Program, BSCs fulfill a dual purpose: supporting training and employment opportunities for people who

have significant disabilities and meeting the procurement needs of military and federal consumers.

The AbilityOne Program is administered by the Committee for Purchase from People Who Are Blind or Severely Disabled ("the Committee"). Each BSC is added to the Committee's Procurement List as an AbilityOne Program "service" project, which ensures that the establishment of a BSC helps accomplish the AbilityOne Program's employment mission.

AbilityOne BSCs harness the collective resources of a nationwide network of providers to supply superior products and services to government customers through a commercial retail-type setting. Since the launch of the first BSC in 1995, government customers have appreciated convenient access to thousands of high-quality, competitively priced SKILCRAFT® and other name brand products as well as Hazmat, Individual Equipment Element, and other services.

Purchases from AbilityOne BSCs support the employment of qualified professionals who are blind or have other severe disabilities. These employees produce and ship products, provide services, and staff the BSCs. Furthermore, service-disabled veterans and military dependents have the opportunity to join the AbilityOne team, where they continue to play a valuable role in the military communities that are significant to their lives.

BSCs partner with the leadership at each location to satisfy the specific needs of base and installation personnel. Today, BSCs are located on over 138 federal installations nationwide.

The AbilityOne Program works with two Central Nonprofit Agencies, National Industries for the Blind (NIB) and NISH. NIB and NISH operate under the direction of the Committee and oversee a network of over six hundred associated nonprofit agencies to provide employment opportunities for people who are blind or have other severe disabilities. AbilityOne purchases from federal government and military consumers generate revenue used to fund training and employment programs for people with severe disabilities. Employing over 45,000 people with disabilities, the AbilityOne Program is the largest employer of people with disabilities in the country.

I am proud to represent the Marine Corps Air Station Cherry Point BSC. On this 15th anniversary of the AbilityOne BSC Program, we should all take a moment to visit our local BSC or associated agency to better understand the good work they are doing in our communities.

IN RECOGNITION OF AMERICAN
GOLD STAR MOTHERS

HON. JERRY McNERNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 2010

Mr. McNERNEY. Madam Speaker, I rise today and ask my colleagues to join me in honoring Gold Star Mothers, whose sacrifices and service to our country are recognized on the last Sunday of September.

The organization known today as American Gold Star Mothers was begun by Grace Seibold, whose son was killed in aerial combat over France in 1918. Mrs. Seibold worked tire-

lessly in veterans hospitals both before and after her son's tragic death. It is this spirit of generosity and selflessness which lead to the eventual establishment of the American Gold Star Mothers as a national organization.

The Gold Star Mothers embody the spirit of love, duty, patriotism, and charity that compels people to serve their country. The ultimate sacrifice of sons and daughters in war is reflected in the tremendous energy and time given by Gold Star Mothers to support men and women who return from service. By volunteering at veterans hospitals and commemorating the lives of those who has passed away, Gold Star Mothers support one another and our brave men and women serving overseas.

As a father whose son served in the Air Force, I take great comfort in the thought that such an organization exists to provide comfort and aid to the young men and women returning home from abroad. On Gold Star Mothers Day, it is important to recognize the sacrifices that are borne by the families of our men and women in uniform. It is with profound respect that I ask my colleagues to join me in recognizing the tireless efforts of Gold Star Mothers across our country who honor the memories of their children and support our nation with unceasing acts of charity, service, and compassion.

HONORING MIKE WIEDEMAN

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 2010

Mr. WALDEN. Madam Speaker, I rise today to recognize the accomplishments and contributions of a great American, a life-long Oregonian and logger, Mike Wiedeman, of Enterprise, Oregon. Mike has been a leader and an innovator for over four decades in one of Oregon's most important and historic industries: the logging industry.

Tomorrow I will have the privilege of tipping my hat to Mike as he concludes his service as the president of the American Loggers Council at its 16th annual meeting in Pendleton, Oregon. The American Loggers Council is a coalition of 30 state logging associations from throughout the United States. I can personally attest to the effectiveness of the American Loggers Council, Mike and his predecessors at bringing to Congress's attention the issues, concerns and challenges facing their industry and the health of our forests and rural forested communities.

Madam Speaker, Mike Wiedeman also has a long and distinguished record of service to his state association, the Associated Oregon Loggers. He was recognized as the association's Logger of the Year in 1990. He served as the association's president from 1997-1998 and was one of the founding board members of the association's Friends of Paul Bunyan Foundation, a philanthropic organization that has contributed hundreds of thousands of dollars to education and public service organizations. He was one of the first organizers and leaders of the Log A Load For Kids program to raise funds for Oregon hospitals that specialize in the treatment of children with special needs. And finally, Mike currently serves as the chairman of the association's Wallowa County chapter.

After beginning his career in the coastal town of Powers, Oregon, Mike has logged from northern California to Alaska and back to Oregon. While in Alaska he met his bride Sandy who was working in a logging camp. They have three children they adore and whom I have had the pleasure of meeting and are now experiencing the joy of being grandparents to two grandkids.

For the past 32 years Mike has been a partner and owner of BTO Logging, Inc. in Enterprise, Oregon. This small, rural community surrounded by federal forest lands, not unlike many in Oregon's second congressional district, is arguably one of the most beautiful places in my state, if not in the entire country. The timbered lands in the surrounding Wallowa-Whitman National Forest suffer from some of the worst forest health issues of any in the intermountain West. Consistent with his human nature in assessing a serious problem, Mike saw a highly productive opportunity to utilize the dead and dying overstocked forest stands to generate renewable energy. As a member and subsequent chairman of the Enterprise School Board, Mike recently led the charge to build and install a woody biomass heating system at the local school. This system now utilizes wood material removed from forest health projects on nearby forests.

Madam Speaker, Mr. Wiedeman's logging operation utilizes a system that allows logs to be removed by fully suspending them on up to nearly 4,000 feet of cable above the ground protecting the soil and remaining plant life. His method, which is considered one of the most dangerous in logging, allows him to treat forest stands in difficult terrain, often flying logs over deep and normally inaccessible canyons.

Madam Speaker, on the eve of completing his term as president of the American Loggers Council, I would like our colleagues to join me in thanking Mike Wiedeman for his exemplary service to his community, the industry that he loves and the associations that represent it both here in the nation's capital and in the state of Oregon. It's my honor to call Mike a good friend, and to represent him in the U.S. Congress. Mike is a hard charging and dedicated individual and the kind of guy you're lucky to find as a neighbor. He has been quoted as saying, "My whole philosophy in life is you can't get anywhere standing still." And I can assure you, Madam Speaker, Mike is not standing still.

A TRIBUTE TO DAN HAVERTY IN
RECOGNITION OF HIS 27 YEARS
OF FIRE SERVICE

HON. DANIEL E. LUNGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 24, 2010

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I rise today to recognize and honor Fire Chief Dan Haverty for his 27 years of service to our California communities.

Chief Haverty began his career with the Meeks Bay Fire Protection District in Tahoma, CA. He entered the Fire Service 27 years ago after experiencing the unselfish acts of compassion given to his family by volunteer firefighters following an airplane accident in Ketchikan, Alaska, which took the lives of his sister and her four children.

Haverty has served Sacramento County since 1987 when he joined the Sacramento Metropolitan Fire District (SMFD) as a firefighter and ended his tenure in the position of Assistant Fire Chief. While serving as Assistant Fire Chief at SMFD, he also served as Chief Assistant Deputy Director for the Training and Exercises Division within the Governor's Office of Homeland Security. Haverty joined the Folsom Fire Department in July 2007 as its Fire Chief.

Chief Haverty belongs to many professional and community organizations including: the

International Association of Fire Chiefs, American Society for Public Administration Sacramento Chapter, Golden State Donor Services, Folsom Lake Rotary, and Holy Trinity Parish.

In April 2005, Chief Haverty donated a portion of his liver to former Sacramento Roman Catholic Bishop William Weigand. For his humanitarian acts, Haverty was awarded the Venerable Cross "Pro Ecclesia et Pontifice" from His Holiness Pope Benedict XVI in 2005.

Chief Haverty most recently participated as a member of the Team Donate Life support

crew in the Race Across America. The Race Across America was a 3,005 mile-long bike ride across the United States. The purpose of Team Donate Life's participation was to promote organ donation and transplantation.

I am pleased to recognize and honor Chief Dan Haverty for his dedication to fire safety, his service to the City of Folsom, and his protection of the citizens of Sacramento County.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S7437–S7454

Measures Introduced: Two bills and three resolutions were introduced, as follows: S. 3839–3840, and S. Res. 644–646. **Page S7446**

Measures Reported:

S. Res. 573, urging the development of a comprehensive strategy to ensure stability in Somalia, with an amendment in the nature of a substitute and with an amended preamble. **Page S7442**

Measures Passed:

Pre-Election Presidential Transition Act: Senate passed S. 3196, to amend the Presidential Transition Act of 1963 to provide that certain transition services shall be available to eligible candidates before the general election, after agreeing to the following amendment proposed thereto: **Pages S7450–52**

Brown (OH) (for Kaufman/Voinovich) Amendment No. 4658, in the nature of a substitute. **Pages S7450–52**

Small Business Act and the Small Business Investment Act: Senate passed S. 3839, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958. **Page S7452**

National Wildlife Refuge Week: Senate agreed to S. Res. 644, designating the week beginning October 10, 2010, as “National Wildlife Refuge Week”. **Pages S7452–54**

Airport and Airway Trust Fund: Senate passed H.R. 6190, to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program. **Page S7454**

Measures Considered:

Creating American Jobs and Ending Offshoring Act—Agreement: Senate began consideration of the motion to proceed to consideration of S. 3816, to amend the Internal Revenue Code of 1986 to create American jobs and to prevent the offshoring of such jobs overseas. **Page S7438**

A motion was entered to close further debate on the motion to proceed to consideration of the bill and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, and pursuant to the unanimous-consent agreement of Friday, September 24, 2010, a vote on cloture will occur at 11:30 a.m., on Tuesday, September 28, 2010.

Page S7438

Subsequently, the motion to proceed was withdrawn. **Page S7438**

A unanimous-consent agreement was reached providing that at 3 p.m., on Monday, September 27, 2010, Senate resume consideration of the motion to proceed to consideration to the bill. **Page S7454**

Department of State, Foreign Operations, and Related Programs Appropriations Act—Agreement: Senate began consideration of the motion to proceed to consideration of H.R. 3081, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2010. **Page S7454**

A motion was entered to close further debate on the motion to proceed to consideration of the bill, and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur upon disposition of S. 3816, Creating American Jobs and Ending Offshoring Act.

Page S7454

Executive Reports of Committees: Senate received the following executive report of a committee:

Report to accompany Treaty with United Kingdom Concerning Defense Trade Cooperation (Treaty Doc. 110–7) and Treaty with Australia Concerning Defense Trade Cooperation (Treaty Doc. 110–10) (Ex. Rept. 111–5). **Pages S7442–46**

Messages from the House: **Pages S7441–42**

Measures Referred: **Page S7442**

Executive Reports of Committees: **Pages S7442–46**

Additional Cosponsors: **Page S7446**

Statements on Introduced Bills/Resolutions: **Pages S7447–48**

Additional Statements: **Page S7441**

Amendments Submitted: **Pages S7448–50**

Notices of Hearings/Meetings: **Page S7450**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 12:15 p.m., until 2 p.m. on Monday, September 27, 2010. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S7454.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: There were no public bills or resolutions introduced today.

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein she appointed Representative Mitchell to act as Speaker pro tempore for today. **Page H6993**

Chaplain: The prayer was offered by the guest chaplain, Reverend Kurt Gerhard, St. Patrick's Episcopal Church, Washington, DC. **Page H6993**

Quorum Calls—Votes: There were no yeas-and-nays votes, and there were no recorded votes. There were no quorum calls.

Adjournment: The House met at 9 a.m. and adjourned at 9:04 a.m.

Committee Meetings

EXECUTIVE COMPENSATION OVERSIGHT

Committee on Financial Services: Held a hearing entitled "Executive Compensation Oversight after the Dodd-Frank Wall Street Reform and Consumer Protection Act." Testimony was heard from Scott G. Alvarez, General Counsel, Board of Governors, Federal Reserve System; Meredith Cross, Director, Division of Corporation Finance, SEC; Marc Steckel, Associate Director, Division of Insurance and Research, FDIC; and public witnesses.

NUCLEAR COOPERATION AND NON-PROLIFERATION

Committee on Foreign Affairs: Held a hearing on Nuclear Cooperation and Non-proliferation after Khan and Iran: Are We Asking Enough of Current and Future Agreements? Testimony was heard from Thomas Graham, Jr., former Special Representative to the President for Arms Control, Non-Proliferation, and Disarmament; and public witnesses.

PROTECTING AMERICA'S HARVEST

Committee on the Judiciary: Subcommittee on Immigration, Citizenship, Refugees, Border Security and International Law held a hearing on Protecting America's Harvest. Testimony was heard from public witnesses.

CURRENCY REFORM FOR FAIR TRADE ACT

Committee on Ways and Means: Ordered reported the Chairman's Amendment in the Nature of a Substitute to H.R. 2378, Currency Reform for Fair Trade Act.

Joint Meetings

No joint committee meetings were held.

CONGRESSIONAL PROGRAM AHEAD

Week of September 27 through October 2, 2010

Senate Chamber

On *Monday*, at 3 p.m., Senate will resume consideration of the motion to proceed to consideration of S. 3816, Creating American Jobs and Ending Offshoring Act.

On *Tuesday*, at 11:30 a.m., Senate will vote on the motion to invoke cloture on the motion to proceed to consideration of S. 3816, Creating American Jobs and Ending Offshoring Act; with the possibility of a second vote on the motion to invoke cloture on the motion to proceed to consideration of H.R. 3081, Department of State, Foreign Operations, and Related Programs Appropriations Act.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: September 29, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, to hold hearings to examine, 2:30 p.m., SD-124.

Committee on Armed Services: September 28, to hold hearings to examine the Department of Defense efficiencies initiatives, 10 a.m., SD-G50.

Committee on Banking, Housing, and Urban Affairs: September 29, Subcommittee on Security and International Trade and Finance, to hold hearings to examine a comparison of international housing finance systems, 2:30 p.m., SD-538.

September 30, Full Committee, to hold hearings to examine implementing the Dodd-Frank Wall Street Reform and Consumer Protection Act, 10 a.m., SD-538.

Committee on the Budget: September 28, to hold hearings to examine the outlook for the economy and fiscal policy, 10 a.m., SD-608.

Committee on Commerce, Science, and Transportation: September 28, Subcommittee on Consumer Protection, Product Safety, and Insurance, to hold an oversight hearing to examine the National Highway Traffic Safety Administration (NHTSA), focusing on an examination of the Highway Safety Provisions of SAFETEA-LU, 10:30 a.m., SR-253.

September 28, Subcommittee on Surface Transportation and Merchant Marine, to hold hearings to examine pipeline safety, focusing on assessing the San Bruno, California explosion and other recent accidents, 3 p.m., SR-253.

Committee on Energy and Natural Resources: September 29, Subcommittee on Energy, to hold an oversight hearing to examine the Propane Education and Research Council (PERC) and National Oilheat Research Alliance (NORA), 10 a.m., SD-366.

September 29, Subcommittee on Public Lands and Forests, with the Subcommittee on National Parks, to hold joint hearings to examine S. 3261, to establish the Buffalo Bayou National Heritage Area in the State of Texas, S. 3283, to designate Mt. Andrea Lawrence, S. 3291, to establish Coltsville National Historical Park in the State of Connecticut, S. 3524 and H.R. 4438, to authorize the Secretary of the Interior to expand the boundary of the Park, to conduct a study of potential land acquisitions, S. 3565, to provide for the conveyance of certain Bureau of Land Management land in Mohave County, Arizona, to the Arizona Game and Fish Commission, for use as a public shooting range, S. 3612, to amend the Marsh-Billings-Rockefeller National Historical Park Establishment Act to expand the boundary of the Marsh-Billings-Rockefeller National Historical Park in the State of Vermont, S. 3616, to withdraw certain land in the State of New Mexico, S. 3744, to establish Pinnacles National Park in the State of California as a unit of the National Park System, S. 3778 and H.R. 4773, to authorize the Secretary of the Interior to lease certain lands within Fort Pulaski National Monument, S. 3820, to authorize the Secretary of the Interior to issue permits for a microhydro project in nonwilderness areas within the boundaries of Denali National Park and Preserve, to acquire land for Denali National Park and Preserve from Doyon Tourism, Inc., S. 3822, to adjust the boundary of the Carson National Forest, New Mexico, and H.R. 1858, to provide for a boundary adjustment and land conveyances involving Roosevelt National Forest, Colorado, to correct the effects

of an erroneous land survey that resulted in approximately 7 acres of the Crystal Lakes Subdivision, Ninth Filing, encroaching on National Forest System land, 2:30 p.m., SD-366.

September 30, Subcommittee on Energy, to hold hearings to examine the role of strategic minerals in clean energy technologies and other applications as well as legislation to address the issue, including S. 3521, to provide for the reestablishment of a domestic rare earths materials production and supply industry in the United States, 10 a.m., SD-366.

Committee on Environment and Public Works: September 28, to hold hearings to examine innovative project finance, 10 a.m., SD-406.

September 30, Full Committee, to hold hearings to examine Water Resources Development Act of 2010, focusing on legislative and policy proposals to benefit the economy, create jobs, protect public safety and maintain America's water resources infrastructure, 10 a.m., SD-406.

Committee on Finance: September 28, to hold hearings to examine if private long-term disability policies provide protection as promised, 10 a.m., SD-215.

Committee on Foreign Relations: September 29, to hold hearings to examine the al-Megrahi release, focusing on one year later, 10 a.m., SD-419.

September 29, Full Committee, business meeting to consider S. 2982, to combat international violence against women and girls, S. 3688, to establish an international professional exchange program, an original bill entitled "Naval Vessels Transfer Act of 2010", S. 1633, to require the Secretary of Homeland Security, in consultation with the Secretary of State, to establish a program to issue Asia-Pacific Economic Cooperation Business Travel Cards, S.J. Res. 37, calling upon the President to issue a proclamation recognizing the 35th anniversary of the Helsinki Final Act, and Treaty between the Government of the United States of America and the Government of the Republic of Rwanda Concerning the Encouragement and Reciprocal Protection of Investment, signed at Kigali on February 19, 2008 (Treaty Doc. 110-23), 2:15 p.m., S-116, Capitol.

September 30, Full Committee, to hold hearings to examine Latin America in 2010, focusing on opportunities, challenges, and the future of the United States policy in the hemisphere, 2:30 p.m., SD-419.

Committee on Health, Education, Labor, and Pensions: September 29, business meeting to consider S. 3817, to amend the Child Abuse Prevention and Treatment Act, the Family Violence Prevention and Services Act, the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978, and the Abandoned Infants Assistance Act of 1988 to reauthorize the Acts, and S. 3199, to amend the Public Health Service Act regarding early detection, diagnosis, and treatment of hearing loss, and any pending nominations, 10 a.m., SD-430.

September 30, Full Committee, to hold hearings to examine the Federal investment in for-profit education, focusing on if students are succeeding, 10 a.m., SH-216.

Committee on Homeland Security and Governmental Affairs: September 29, business meeting to consider S. 3806, to

protect Federal employees and visitors, improve the security of Federal facilities and authorize and modernize the Federal Protective Service, H.R. 2142, to require quarterly performance assessments of Government programs for purposes of assessing agency performance and improvement, and to establish agency performance improvement officers and the Performance Improvement Council, S. 3794, to amend chapter 5 of title 40, United States Code, to include organizations whose membership comprises substantially veterans as recipient organizations for the donation of Federal surplus personal property through State agencies, H.R. 4543, to designate the facility of the United States Postal Service located at 4285 Payne Avenue in San Jose, California, as the “Anthony J. Cortese Post Office Building”, H.R. 5341, to designate the facility of the United States Postal Service located at 100 Orndorf Drive in Brighton, Michigan, as the “Joyce Rogers Post Office Building”, H.R. 5390, to designate the facility of the United States Postal Service located at 13301 Smith Road in Cleveland, Ohio, as the “David John Donafee Post Office Building”, H.R. 5450, to designate the facility of the United States Postal Service located at 3894 Crenshaw Boulevard in Los Angeles, California, as the “Tom Bradley Post Office Building”, and the nomination of Maria Elizabeth Raffinan, to be an Associate Judge of the Superior Court of the District of Columbia, 10 a.m., SD-342.

September 29, Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, to hold hearings to examine improving financial accountability at the Department of Defense, 2:30 p.m., SD-342.

September 30, Ad Hoc Subcommittee on State, Local, and Private Sector Preparedness and Integration, to hold hearings to examine earthquake preparedness, focusing on what the United States can learn from the 2010 Chilean and Haitian earthquakes, 10:30 a.m., SD-342.

September 30, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine implementation, improvement, sustainability, focusing on management matters at the Department of Homeland Security, 2:30 p.m., SD-342.

Committee on Indian Affairs: September 28, business meeting to consider S. 3648, to establish a commission to conduct a study and provide recommendations on a comprehensive resolution of impacts caused to certain Indian tribes by the Pick-Sloan Program, H.R. 4445, to amend Public Law 95-232 to repeal a restriction on treating as Indian country certain lands held in trust for Indian pueblos in New Mexico, S. 1264, to require the Secretary of the Interior to assess the irrigation infrastructure of the Pine River Indian Irrigation Project in the State of Colorado and provide grants to, and enter into cooperative agreements with, the Southern Ute Indian Tribe to assess, repair, rehabilitate, or reconstruct existing infrastructure, and S. 2956, to authorize the Pechanga Band of Luiseno Mission Indians Water Rights Settlement; to be immediately followed by a hearing to examine reform in the Indian Health Service’s Aberdeen area, 10 a.m., SD-628.

Committee on the Judiciary: September 28, to hold hearings to examine restoring key tools to combat fraud and corruption after the Supreme Court’s Skilling decision, 10 a.m., SD-226.

September 29, Subcommittee on Crime and Drugs, to hold hearings to examine crimes against America’s homeless, focusing on if the violence is growing, 10 a.m., SD-226.

September 29, Full Committee, to hold hearings to examine the nominations of James E. Graves, Jr., of Mississippi, to be United States Circuit Judge for the Fifth Circuit, Paul Kinloch Holmes III, to be United States District Judge for the Western District of Arkansas, Anthony J. Battaglia, to be United States District Judge for the Southern District of California, Edward J. Davila, to be United States District Judge for the Northern District of California, and Diana Saldana, to be United States District Judge for the Southern District of Texas, 2 p.m., SD-226.

September 30, Full Committee, business meeting to consider S. 3675, to amend chapter 11 of title 11, United States Code, to address reorganization of small businesses, S. 2888, to amend section 205 of title 18, United States Code, to exempt qualifying law school students participating in legal clinics from the application of the general conflict of interest rules under such section, S. 3804, to combat online infringement, and the nominations of Robert Neil Chatigny, of Connecticut, to be United States Circuit Judge for the Second Circuit, and Mark F. Green, to be United States Attorney for the Eastern District of Oklahoma, and Paul Charles Thielen, to be United States Marshal for the District of South Dakota, both of the Department of Justice, 10 a.m., SD-226.

Committee on Rules and Administration: September 29, to resume hearings to examine the filibuster, focusing on ideas to reduce delay and encourage debate in the Senate, 10 a.m., SR-301.

Select Committee on Intelligence: September 28, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH-219.

September 30, Full Committee, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH-219.

House Committees

Committee on Armed Services, September 29, hearing on the Department of Defense’s efficiency initiative, 10 a.m., 2118 Rayburn.

September 29, Subcommittee on Oversight and Investigations, hearing on Fighting Superbugs: DOD’s Response to Multidrug-Resistant Infections in Military Treatment Facilities, 1:30 p.m., 2118 Rayburn.

September 29, Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on small business’ role and opportunities in restoring affordability to the Department of Defense, 2 p.m., 2212 Rayburn.

Committee on the Budget, September 30, hearing on Defense Department Budget initiatives, 10 p.m., 210 Cannon.

Committee on Energy and Commerce, September 30, Subcommittee on Health, hearing on the recently released

discussion draft on drug safety legislation, 10 a.m., 2123 Rayburn.

Committee on Financial Services, September 28, Subcommittee on Oversight and Investigations, hearing entitled “A Review of Current and Evolving Trends in Terrorism Financing,” 4 p.m., 2128 Rayburn.

September 29, full Committee, hearing entitled “The Future of Housing Finance—A Review of Proposals to Address Market Structure and Transition,” 10 a.m., 2128 Rayburn.

September 29, Subcommittee on Housing and Community Opportunity, hearing entitled “The Inclusive Home Design Act,” 4 p.m., 2128 Rayburn.

September 29, Subcommittee on Oversight and Investigations, hearing entitled “Ex-Im Bank Oversight: The Role of Trade Finance in Doubling Exports over Five Years,” 4 p.m., 2220 Rayburn.

Committee on Foreign Affairs, September 29, hearing on PEPFAR: From Emergency to Sustainability and Advances Against HIV/AIDS, 9:30 a.m.; and to mark up H.R. 4645, Travel Restriction Reform and Export Enhancement Act, 12 p.m., 2172 Rayburn.

September 29, Subcommittee on Asia, the Pacific, and the Global Environment, hearing on Renewed Engagement: U.S. Policy Toward Pacific Island Nations, 2 p.m., 2172 Rayburn.

September 29, Subcommittee on Terrorism, Non-proliferation and Trade, hearing on U.S. Strategy for Countering Jihadist Websites, 1:30 p.m., 2255 Rayburn.

September 30, full Committee, hearing on Out of the Shadows: The Global Fight Against Human Trafficking, 10 a.m., 2172 Rayburn.

September 30, Subcommittee on Asia, The Pacific and The Global Environment, hearing on Cambodia’s Small Debt: When Will the U.S. Forgive? 2 p.m., 2172 Rayburn.

September 30, Subcommittee on Europe, hearing on The Balkans: A Progress Report, 2:30 p.m., room to be announced.

September 30, Subcommittee on Western Hemisphere, hearing on Venezuela After the Elections, 2:30 p.m., 2318 Rayburn.

Committee on Homeland Security, September 29, Subcommittee on Emergency Communications, Preparedness and Response, hearing entitled “Emergency Logistics Management: Transforming the Delivery of Disaster Relief for the 21st Century,” 10 a.m., 311 Cannon.

September 29, Subcommittee on Intelligence, Information Sharing and Terrorist Risk Assessment, hearing entitled “Is the Office of Intelligence and Analysis Adequately Connected to the Broader Homeland Communities?” 3:30 p.m., 311 Cannon.

September 30, Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology, hearing entitled “The Domestic Nuclear Detention Office: Can It Overcome Past Problems and Chart a New Direction?” 2 p.m., 311 Cannon.

Committee on the Judiciary, September 28, Subcommittee on Crime, Terrorism and Homeland Security, hearing on Reining in Overcriminalization: Assessing the Problems, Proposing Solutions, 3 p.m., 2141 Rayburn.

September 29, full Committee, hearing on H.R. 5034, Comprehensive Alcohol Regulatory Effectiveness (CARE) Act of 2010, 11 a.m., 2141 Rayburn.

September 29, Subcommittee on Courts and Competition Policy, hearing on Courtroom Use: Access to Justice, Effective Judicial Administration, and Courtroom Security, 3 p.m., 2141 Rayburn.

September 29, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on Reauthorization of the Second Chance Act, 4 p.m., 2237 Rayburn.

September 30, Subcommittee on the Constitution, Civil Rights, and Civil Liberties, hearing on Protecting the American Dream Part IV: The Housing Opportunities Made Equal (HOME) Act, 10:30 a.m., 2237 Rayburn.

September 30, Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law, hearing on the Role of Immigration in Strengthening America’s Economy, 9:30 a.m., 2141 Rayburn.

Committee on Oversight and Government Reform, September 29, Subcommittee on Domestic Policy, hearing entitled, “From Molecules to Minds: The Future of Neuroscience Research and Development,” 2 p.m., 2203 Rayburn.

September 30, full Committee, hearing to examine the circumstances surrounding the recall of over 135 million bottles of infant and children’s medicines produced by Johnson & Johnson/McNeil Consumer Healthcare, 10 a.m., 210–HVC.

September 30, Subcommittee on Domestic Policy, hearing entitled, “Are Superweeds’ an Outgrowth of USDA Biotech Policy? (Part II),” 2 p.m., 2203 Rayburn.

Committee on Science and Technology, September 29, hearing on Averting the Storm: How Investments in Science Will Secure the Competitiveness and Economic Future of the U.S., 10 a.m., 2318 Rayburn.

September 30, Subcommittee on Technology and Innovation, hearing on Standards for Health IT: Meaningful Use and Beyond, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, September 29, hearing on Recovery Act Transportation and Infrastructure Projects: Impacts on Local Communities and Business, 10 a.m., 2167 Rayburn.

September 30, Subcommittee on Economic Development, Public Buildings, and Emergency Management, hearing on The Congressional Workplace; Safety Concerns and Future Plans, 2 p.m., 2167 Rayburn.

September 30, Subcommittee on Water Resources and Environment, hearing on impact of Green Infrastructure and Low Impact Development on the Nation’s Water Quality, Economy and Communities, 10 a.m., 2167 Rayburn.

Committee on Veterans’ Affairs, September 29, Subcommittee on Economic Opportunity, hearing on Federal Contractor Compliance, 1 p.m., 334 Cannon.

September 29, Subcommittee on Health, hearing on the following bills: H.R. 3843, Transparency for America’s Heroes Act; H.R. 4041, To authorize certain improvements in the Federal Recovery Coordinator Programs; H.R. 5428, To direct the Secretary of Veterans Affairs to educate certain staff of the Department of Veterans Affairs and to inform veterans about the Injured

and Amputee Veterans Bill of Rights; H.R. 5543, to amend title 38, United States Code, to repeal the prohibition on collective bargaining with respect to matters and questions regarding compensation of employees of the Department of Veterans Affairs other than rates of basic pay; H.R. 5516, Access to Appropriate Immunizations for Veterans Act of 2010; H.R. 5641, Heroes at Home Act; H.R. 5996, To direct the Secretary of Veterans Affairs to improve the prevention, diagnosis, and treatment of veterans with chronic obstructive pulmonary disease; H.R. 6127, To amend title 38, United States Code, to provide for the continued provision of health care services to certain veterans who were exposed to sodium dichromate while serving as a member of the Armed Forces at or near the water injection plant at Qarmat Ali, Iraq, during operation Iraqi Freedom; and Draft Legislation, 10 a.m., 334 Cannon.

September 30, full Committee, hearing on the True Cost of the War, 10 a.m., 334 Cannon.

Committee on Ways and Means, September 30, Subcommittee on Social Security, to continue hearings on Protecting and Preserving Social Security for Generations, 10 a.m., B-318 Rayburn.

Permanent Select Committee on Intelligence, September 30, to meet to consider a request for access to Committee documents, 10:30 a.m., 304-HVC.

September 30, Subcommittee on Intelligence Community Management, hearing on Security Clearance Reform Update, 1 p.m., 2253 Rayburn.

Joint Meetings

Commission on Security and Cooperation in Europe: September 29, to hold hearings to examine charges against Mikhail Khodorkovsky's Yukos Oil Company, 2 p.m., 1539 Longworth Building.

Joint Economic Committee: September 28, to hold hearings to examine new evidence on the gender pay gap for women and mothers in management, 10 a.m., SD-106.

Next Meeting of the SENATE

2 p.m., Monday, September 27

Next Meeting of the HOUSE OF REPRESENTATIVES

10:30 a.m., Tuesday, September 28

Senate Chamber

Program for Monday: After the transaction of any morning business (not to extend beyond 3 p.m.), Senate will resume consideration of the motion to proceed to consideration of S. 3816, Creating American Jobs and Ending Offshoring Act.

(Senators should expect a live quorum at approximately 7 p.m. Additional live quorums are possible.)

House Chamber

Program for Tuesday: To be announced.

Extensions of Remarks, as inserted in this issue

HOUSE

Becerra, Xavier, Calif., E1745
Butterfield, G.K., N.C., E1743, E1746
Chaffetz, Jason, Utah, E1746
Cohen, Steve, Tenn., E1743
Gonzalez, Charles A., Tex., E1744

Kind, Ron, Wisc., E1745
Larsen, Rick, Wash., E1743
Luján, Ben Ray, N.M., E1743
Lungren, Daniel E., Calif., E1744, E1747
McNerney, Jerry, Calif., E1747
Moore, Gwen, Wisc., E1745
Oberstar, James L., Minn., E1746

Ortiz, Solomon P., Tex., E1744
Pascrell, Bill, Jr., N.J., E1745
Towns, Edolphus, N.Y., E1746
Van Hollen, Chris, Md., E1745
Walden, Greg, Ore., E1747



Congressional Record

printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through the U.S. Government Printing Office at www.fdsys.gov, free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Printing Office. Phone 202-512-1800, or 866-512-1800 (toll-free). E-Mail, contactcenter@gpo.gov. ¶The *Congressional Record* paper and 24x microfiche edition will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, \$252.00 for six months, \$503.00 per year, or purchased as follows: less than 200 pages, \$10.50; between 200 and 400 pages, \$21.00; greater than 400 pages, \$31.50, payable in advance; microfiche edition, \$146.00 per year, or purchased for \$3.00 per issue payable in advance. The semimonthly *Congressional Record Index* may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197-9000, or phone orders to 866-512-1800 (toll-free), 202-512-1800 (D.C. area), or fax to 202-512-2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.