The legislative clerk read as follows:

A bill (H.R. 3808) to require any Federal or State court to recognize any notarization made by a notary public licensed by a State other than the State where the court is located when such notarization occurs in or affects interstate commerce.

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

Mr. CASEY. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The bill (H.R. 3808) was ordered to a third reading, was read the third time, and passed.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2010

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2701, the Intelligence Authorization Act, received from the House and at the desk.

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

The legislative clerk read as follows:

A bill (H.R. 2701) 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.

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

Mr. BOND. Mr. President, I rise today to join the distinguished Chair of the Select Committee on Intelligence in supporting the passage of H.R. 2701, the Intelligence Authorization Act for Fiscal Year 2010, with a Senate substitute amendment. This substitute amendment is very similar to S. 3611, which the Senate passed by unanimous consent nearly 2 months ago in an effort to encourage House Speaker NANCY PELOSI to allow consideration of an intelligence authorization bill.

It is often said that the third time is the charm. I certainly hope so. Last summer, we passed our intelligence authorization bill through the Senate in time for the Intelligence Committee to impact fiscal year spending. Unfortunately, our bill got held up in the House for political reasons. So, in August of this year, we tried again. Still, our bill was held up. Now, here we are, on the eve of a new fiscal year, and it looks like we finally have a compromise that will allow Congress to pass an intelligence authorization bill once again.

Why does passing an authorization bill matter at this late date in the fiscal year? This bill does more than just authorize funding for intelligence activities—a vital purpose in and of itself. By providing current congressional guidance and statutory authorities, we can ensure that the intelligence community has the maximum flexibility and capability it needs to function effectively, spend taxpayer funds wisely, and keep our Nation safe.

The intelligence authorization bill before us is a good bill. It will give the intelligence community much-needed flexibility and authority and will ensure appropriate intelligence oversight by this committee.

Two months ago, the Senate confirmed a new Director of National Intelligence. I have often said that in creating the DNI, we gave him an awful lot of responsibility without all the authority he needed. Well, our bill attempts to address that problem by giving the DNI clearer authority and greater flexibility in overseeing the intelligence community. As Director Clapper takes on his new assignment, I expect these provisions will play a big part in helping him lead the intelligence community—and ensuring the rest of the intelligence community recognizes his role, too.

There are also a number of provisions in this bill that I believe are essential for promoting good government and smarter spending. Too often, we have seen programs or acquisitions of major systems balloon in cost and decrease in performance. That is unacceptable. We are in difficult economic times and the taxpayers are spending substantial sums of their hard-earned money to ensure that the intelligence community has the tools it needs to keep us safe. If we do not demand accountability for how these tools are operated or created, we are failing the intelligence community and, ultimately, we are failing the American people.

So, for the past several years, I have sponsored amendments that require the intelligence community to perform vulnerability assessments of major systems and to keep track of excessive cost growth of major systems. This latter provision is modeled on the Nunn-McCurdy provision which has guided Defense Department acquisitions for years. I am happy to say that these provisions are part of this bill. I believe that these, and other good-government provisions, will encourage earlier identification and solving of problems relating to the acquisition of major systems. Too often, such problems are not identified until exorbitant sums of money have been spent—and, unfortunately, at that point, bureaucratic inertia takes over and there is often reluctance to cancel the project.

Similarly, the intelligence community must get a handle on its personnel levels. In these tough economic times, it is more important than ever to make sure that the intelligence community is appropriately resourced so it can effectively perform its national security missions.

This is not, however, an open invitation for more contractors. Far too many times, contractors are used by the intelligence community to perform functions better left to government employees. There are some jobs that demand the use of contractors—for example, certain technical jobs or short-term functions—but the easy, quick fix has been to just hire contractors, not long-term support. And so, our bill includes a provision calling for annual personnel level assessments for the intelligence community. These assessments will ensure that, before more people are brought in, there are adequate resources to support them and enough work to keep them busy.

These are just a few of the provisions in this bill that I believe are important for the success of our intelligence collection efforts and equally important for ensuring sound oversight by the Intelligence Committee.

Now, the substitute amendment does not change any of these provisions. It does make some minor technical changes, and because the fiscal year will be over before the bill becomes law, some of the authorizing provisions have been removed.

The most significant changes in the substitute reflect the compromise reached by Speaker PELOSI with the Senate and the administration on the issues of congressional notification and the relationship between the intelligence community and the Government Accountability Office.

This new version of the congressional notification provision revives language similar to the first fiscal year 2010 intelligence authorization bill that passed the Senate by unanimous consent last year. This language provides that the executive branch will be required to provide a ''general description'' to all of the members of the congressional intelligence committees regarding a covert action finding or congressional notification that has been limited to the ''Gang of Eight.'' This provision is limited to a description that is consistent with the reasons for not yet fully informing all the members of the intelligence committees, so the provision is somewhat weaker than our original language.

Another change to the congressional notification provision is the insertion of a requirement that the decision to limit access to ''Gang of Eight'' findings and notifications be reviewed within the executive branch every 180 days. If the President determines that such limitations are no longer necessary, then all the members of the congressional intelligence committees will be provided access to such findings and notifications.

These limitations are often revisited periodically by the executive branch, so this time period should not cause difficulty for the administration. We have seen in the past the benefits that come from bringing the full committees into the loop as soon as possible. Moreover, operational sensitivities can change over time. By requiring a periodic review, this provision ensures that highly sensitive matters will remain protected as long as necessary, while also promoting a full cooperative relationship between the two branches.

The substitute amendment contains only one real new provision, section 348, which requires the DNI to issue a written directive governing GAO access to information in the possession of the intelligence community. This provision does not change the underlying law with respect to GAO access to intelligence information, but will allow Congress to study this issue more closely in the future.

It is well past time that Congress sent an intelligence authorization bill to the President for his signature. Only by fulfilling our legislative function will we get back on track with performing effective and much-needed intelligence oversight.

I commend Senator FEINSTEIN for her leadership in shepherding this bill through the committee and the Senate. I appreciate her willingness to work through the countless issues raised throughout this process. I also thank my colleagues for supporting this bill.

This 2010 intelligence authorization bill has the full support of the Senate. Senior administration officials have said they will recommend that the President sign this compromise text into law. I urge the House of Representatives to pass this bill as soon as possible so that we can get back on track with our intelligence oversight.

Mr. CASEY. I ask unanimous consent the Feinstein-Bond substitute amendment which is at the desk be considered and agreed to, the bill as amended be read a third time, that after the reading of the Conrad pay-go letter into the RECORD the Senate bill be passed, as amended, that any statements be printed in the RECORD.

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

The clerk will read the pay-go letter.

The legislative clerk read as follows:

Statement of Budgetary Effects of PAYGO Legislation for H.R. 2701, as amended.

Total Budgetary Effects of H.R. 2701 for the 5-year Statutory PAYGO Scorecard: $0.

Total Budgetary Effects of H.R. 2701 for the 10-year Statutory PAYGO Scorecard: $0.

Also submitted for the RECORD as part of this statement is a table prepared by the Congressional Budget Office, which provides additional information on the budgetary effects on this Act, as follows:

CBO ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR THE AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR H.R. 2701, THE INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2010, AS PROVIDED TO CBO ON SEPTEMBER 24TH, 2010

	By fiscal year, in millions of dollars—												
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010–2015	2010–2020
Net Increase or Decrease (−) in the Deficit													
Statutory Pay-As-You-Go Impact[a]	0	0	0	0	0	0	0	0	0	0	0	0	0

[a] The legislation would authorize appropriations for fiscal year 2010 for intelligence and intelligence-related activities of the United States Government and establish additional intelligence-related offices and programs within the federal government.

The amendment (No. 4665) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

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

The bill (H.R. 2701), as amended, was read the third time and passed.

ACCREDITATION OF ENGLISH LANGUAGE

Mr. CASEY. I ask unanimous consent the Judiciary Committee be discharged from further consideration S. 1338 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

A bill (S. 1338) to require the accreditation of English language training programs, and for other purposes.

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

Mr. CASEY. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The bill, (S. 1338) was read ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1338

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

SECTION 1. ACCREDITATION OF ENGLISH LANGUAGE TRAINING PROGRAMS.

(a) IN GENERAL.—Section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended—

(1) in paragraph (15)(F)(i), by striking ''a language'' and inserting ''an accredited language''; and

(2) by adding at the end the following:

''(52) The term 'accredited language training program' means a language training program that is accredited by an accrediting agency recognized by the Secretary of Education.''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by subsection (a) shall—

(A) take effect on the date that is 180 days after the date of the enactment of this Act; and

(B) apply with respect to applications for a nonimmigrant visa under section 101(a)(15)(F)(i) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)(i)) that are filed on or after the effective date described in subparagraph (A).

(2) TEMPORARY EXCEPTION.—

(A) IN GENERAL.—Notwithstanding section 101(a)(15)(F)(i) of the Immigration and Nationality Act, as amended by subsection (a), during the 3-year period beginning on the date of the enactment of this Act, an alien seeking to enter the United States to pursue a course of study at a language training program that has been certified by the Secretary of Homeland Security and has not been accredited or denied accreditation by an entity described in section 101(a)(52) of such Act may be granted a nonimmigrant visa under such section 101(a)(15)(F)(i).

(B) ADDITIONAL REQUIREMENT.—An alien may not be granted a nonimmigrant visa under subparagraph (A) if the sponsoring institution of the language training program to which the alien seeks to enroll does not—

(i) submit an application for the accreditation of such program to a regional or national accrediting agency recognized by the Secretary of Education within 1 year after the date of the enactment of this Act; and

(ii) comply with the applicable accrediting requirements of such agency.

MOUNT STEVENS AND TED STEVENS ICEFIELD DESIGNATION ACT

Mr. CASEY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be discharged from further consideration of S. 3802 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 3802) to designate a mountain, and icefield in the State of Alaska as the ''Mount Stevens'' and ''Ted Stevens Icefield,'' respectively.

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

Mr. CASEY. Mr. President, I ask unanimous consent that the substitute amendment which is at the desk be agreed to, the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The amendment (No. 4666) 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 ''Mount Stevens and Ted Stevens Icefield Designation Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) Theodore ''Ted'' Fulton Stevens, who began serving in the Senate 9 years after Alaska was admitted to Statehood, represented the people of the State of Alaska with distinction in the Senate for over 40 years from 1968 to 2009 and played a significant role in the transformation of the State