

“(A) the commercial exploration, extraction, importation, exportation, or sale of columbite-tantalite, cassiterite, or wolframite; or

“(B) the use of such minerals, derivatives of such minerals, components that include such minerals, or components that include derivatives of such minerals in the manufacture of a product for sale.

“(4) REVISIONS AND WAIVERS.—The Commission may revise or temporarily waive the requirements described in paragraph (1) if the Commission determines that such revision or waiver is—

“(A) necessary for the protection of investors; and

“(B) in the public interest.

“(5) TERMINATION OF DISCLOSURE REQUIREMENTS.—The disclosure requirements of this subsection shall terminate if the President—

“(A) determines that—

“(i) no armed party to any ongoing armed conflict in the Democratic Republic of Congo or any other country—

“(I) is involved in an activity described in paragraph (3)(A) with respect to columbite-tantalite, cassiterite, or wolframite; or

“(II) derives benefits from such activity; or

“(i) a regional framework has been established and effectively implemented to monitor and regulate the activities described in paragraph (3)(A) with respect to columbite-tantalite, cassiterite, or wolframite in the Democratic Republic of Congo so that such activities do not finance or benefit illegal armed groups; and

“(B) notifies the Commission of the determination under subparagraph (A).

“(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Commission for fiscal year 2010 such sums as may be necessary for the Commission to carry out the provisions of this subsection.

“(7) DEFINITIONS.—In this subsection, the following definitions shall apply:

“(A) ADJOINING COUNTRY.—The term ‘adjoining country’, with respect to the Democratic Republic of Congo, means a country that shares an internationally recognized border with the Democratic Republic of Congo.

“(B) CONTROL.—The term ‘control’ means—

“(i) in the case of a corporation, ownership of at least 50 percent of the voting stock of the corporation; and

“(ii) in the case of any other entity, ownership of interests representing at least 50 percent of the voting capital of the entity.

“(C) FOREIGN PERSON.—The term ‘foreign person’ means a person—

“(i) in the case of an individual, who is an alien as such term is defined in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)); or

“(ii) in the case of a partnership, corporation, or other entity, that is organized under the laws of a foreign country or that has its principal place of business in a foreign country.

“(D) PERSON.—The term ‘person’ has the meaning given the term in section 3(a) but does not include—

“(i) any foreign nongovernmental organization that—

“(I) has consultative status with the United Nations Economic and Social Council; or

“(II) has been accredited by a department or specialized agency of the United Nations; or

“(ii) a foreign person whose business activities are strictly limited to providing goods and services that are—

“(I) intended to relieve human suffering;

“(II) intended to promote welfare, health, religious, or spiritual activities;

“(III) used for educational or humanitarian purposes;

“(IV) used for journalistic activities; or

“(V) used for such other purposes as the Secretary of State may determine serve the foreign policy interests of the United States.”.

SEC. 605. SENSE OF CONGRESS ON ASSISTANCE FOR AFFECTED COMMUNITIES AND SUSTAINABLE LIVELIHOODS.

(a) SENSE OF CONGRESS ON ASSISTANCE FOR AFFECTED COMMUNITIES.—It is the sense of Congress that the Administrator of the United States Agency for International Development should expand and better coordinate programs to assist and empower communities in the eastern Democratic Republic of Congo whose livelihoods depend on the mineral trade, particularly—

(1) communities affected by sexual and gender-based violence; and

(2) individuals displaced by violence.

(b) SENSE OF CONGRESS ON FUTURE YEAR FUNDING.—It is the sense of Congress that the Secretary of State and the Administrator should work with the appropriate congressional committees to increase assistance in fiscal years beginning after fiscal year 2009 for communities affected by violence in the Democratic Republic of Congo, specifically—

(1) to provide medical treatment, psychological support, and rehabilitation assistance for survivors of sexual and gender-based violence;

(2) to provide humanitarian relief and basic services to people displaced by violence;

(3) to improve living conditions and livelihood prospects for artisanal miners and mine workers; and

(4) to alleviate poverty by reconstructing infrastructure and revitalizing agricultural production.

(c) SENSE OF CONGRESS ON COORDINATION OF ASSISTANCE.—It is the sense of Congress that the United States should work with other countries, on a bilateral and multilateral basis—

(1) to increase protection and services for communities in the eastern Democratic Republic of Congo at risk of human rights violations associated with the mineral trade, particularly women and girls;

(2) to strengthen the management and trade of natural resources in the Democratic Republic of Congo; and

(3) to improve the conditions and livelihood prospects of artisanal miners and mine workers.

SEC. 606. REPORT.

Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that includes the following:

(1) An assessment of the effectiveness of the provisions of this Act and section 13(m) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(m)), as added by section 5, in promoting peace and security in accordance with section 3.

(2) A description of the problems, if any, encountered by the President, officials described in section 4(a), the Securities and Exchange Commission, and the Administrator of the United States Agency for International Development in carrying out the provisions of this Act and such section 13(m).

(3) A description of the adverse impacts of carrying out the provisions of this Act and such section 13(m), if any, on communities in the eastern Democratic Republic of Congo.

(4) Recommendations for legislative or regulatory actions that can be taken—

(A) to improve the effectiveness of the provisions of this Act and such section 13(m) to promote peace and security in accordance with section 3;

(B) to resolve the problems described pursuant to paragraph (2), if any; and

(C) to mitigate the adverse impacts described pursuant paragraph (3), if any.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on October 27, 2009, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on October 27, 2009, at 2:15 p.m.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on October 27, 2009, at 9:30 a.m. in Room 406 of the Dirksen Senate Office Building to hold a hearing entitled, “Legislative Hearing on S. 1733, Clean Energy Jobs and American Power Act.”

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. CARDIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on October 27, 2009, at 2:30 p.m.

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

SUBCOMMITTEE ON DOMESTIC AND FOREIGN MARKETING, INSPECTION AND PLANT AND ANIMAL HEALTH AND THE SUBCOMMITTEE ON PRODUCTION, INCOME PROTECTION, AND PRICE SUPPORT

Mr. CARDIN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition and Forestry, Subcommittee on Domestic and Foreign Marketing, Inspection and Plant and Animal Health and the Subcommittee on Production, Income Protection, and Price Support, be authorized to meet during the session of the Senate on October 27, 2009, at 2:30 p.m. in room 216 of the Hart Senate Office Building.

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

PRIVILEGES OF THE FLOOR

Mr. CARDIN. Mr. President, I ask unanimous consent that privileges of the floor be granted to the following member of my staff during the pendency of this nomination: Troy Ware.

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

NATIONAL HEMANGIOMA TREATMENT AWARENESS DAY

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 324, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: A resolution (S. Res. 324) designating November 1, 2009, as "National Hemangioma Treatment Awareness Day."

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

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

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

The resolution (S. Res. 324) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 324

Whereas hemangiomas are the most common benign tumors that occur in infancy;

Whereas hemangiomas appear at birth, or within the first several months of life;

Whereas, each year, approximately 400,000 children in the United States are born with hemangiomas and other vascular anomalies;

Whereas hemangiomas and other vascular anomalies can have a negative effect on the emotional development of a child;

Whereas awareness of the impact of hemangiomas and vascular anomalies on children, their families, and society will lead to improvements in the care of children with hemangiomas;

Whereas the National Institutes of Health supports research on the treatment of, and cure for, hemangiomas and other vascular anomalies;

Whereas The Hemangioma Treatment Foundation has the unique mission of providing treatment to children affected with hemangiomas and other vascular anomalies; and

Whereas The Hemangioma Treatment Foundation is dedicated to finding a cure for hemangiomas and other vascular anomalies: Now, therefore, be it

Resolved, That the Senate—

(1) designates November 1, 2009, as "National Hemangioma Treatment Awareness Day"; and

(2) respectfully requests that the Secretary of Senate transmit a copy of this resolution to The Hemangioma Treatment Foundation.

NATIONAL HISPANIC MEDIA WEEK

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 325, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 325) designating October 25 through October 31, 2009 as "National Hispanic Media Week" in honor of the Latino Media of America.

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

Mrs. SHAHEEN. 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. 325) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 325

Whereas for almost 470 years the United States has benefitted from the work of Hispanic writers and publishers;

Whereas there are over 800 Hispanic newspapers with a circulation of 17,800,000, and over 550 Hispanic magazines with a circulation of 31,600,000;

Whereas Hispanic television and radio programs respond to the bilingual needs of the United States Latino population;

Whereas market research estimates that the reach of Spanish language television is nearly universal;

Whereas 1 in 8 Americans is served by a Hispanic publication throughout the Nation;

Whereas the Latino print media generated \$1,400,000,000 in revenue last year, despite adverse economic conditions;

Whereas the Hispanic press informs many Americans about significant political, economic, and social issues of our day;

Whereas the Hispanic press in the United States focuses in particular on informing and promoting the well being of our country's Hispanic community; and

Whereas commemorating the achievements of the Hispanic press acknowledges the important role the Hispanic press has played in United States history: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 25 through October 31, 2009, as "National Hispanic Media Week" in honor of the Latino Media of America; and

(2) encourages the people of the United States to observe the week with appropriate programs and activities.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 99-498, as amended by Public Law 110-315, appoints the following individuals to the Advisory Committee on Student Financial Assistance: David Gruen of Wyoming and William Luckey of Kentucky.

Mrs. SHAHEEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

ORDERS FOR WEDNESDAY, OCTOBER 28, 2009

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, Wednesday, October 28; 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, and the Senate then proceed to a period for the transaction of morning business for 2 hours, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; that following morning business, the Senate resume consideration of the motion to proceed to H.R. 3548, the Unemployment Compensation Extension Act of 2009, postcloture; and that time during any period of morning business, recess or adjournment count postcloture.

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

PROGRAM

Mrs. SHAHEEN. Mr. President, cloture was invoked on the motion to proceed to the unemployment extension legislation. It is my hope that some of the postcloture debate time can be yielded back and that we can proceed to the bill tomorrow.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mrs. SHAHEEN. Mr. President, 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 7:10 p.m., adjourned until Wednesday, October 28, 2009, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate Tuesday, October 27, 2009:

THE JUDICIARY

IRENE CORNELIA BERGER, OF WEST VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA.