

Forces and certain other Federal employees, and for other purposes.

## AMENDMENT NO. 2895

At the request of Mr. BROWN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of amendment No. 2895 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

## AMENDMENT NO. 2905

At the request of Mr. BAUCUS, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of amendment No. 2905 proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

## AMENDMENT NO. 2921

At the request of Ms. STABENOW, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of amendment No. 2921 intended to be proposed to H.R. 3590, a bill to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 2924. Mr. CASEY (for himself and Mr. SPECTER) submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table.

SA 2925. Ms. STABENOW submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 2926. Mr. BAUCUS (for Mr. KERRY) proposed an amendment to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra.

SA 2927. Mr. ENSIGN (for himself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra.

SA 2928. Mr. CASEY (for himself and Mr. KOHL) submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 2929. Mr. CASEY (for himself, Mr. DURBIN, and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 2930. Ms. STABENOW submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 2931. Mr. LAUTENBERG (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 2932. Mr. LAUTENBERG submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 2933. Mr. LAUTENBERG submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 2934. Mr. INOUE (for himself and Mr. AKAKA) submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 2935. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 2923 submitted by Mr. DORGAN (for himself, Mr. WHITEHOUSE, Mr. UDALL of New Mexico, Mr. BEGICH, Mr. JOHNSON, Mr. FRANKEN, Ms. CANTWELL, Mr. UDALL of Colorado, Mr. TESTER, and Mr. INOUE) and intended to be proposed to the amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 2936. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 2922 submitted by Mr. DORGAN and intended to be proposed to the amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 2937. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 2938. Mrs. GILLIBRAND (for herself, Ms. STABENOW, Mr. BROWN, Mr. KERRY, Mr. MENENDEZ, Mr. SCHUMER, and Mr. LEVIN) submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

SA 2939. Mr. PRYOR submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, supra; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 2924.** Mr. CASEY (for himself and Mr. SPECTER) submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table.

was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

## SEC. \_\_\_\_\_. GRANTS FOR FUNDING OF NEWLY ACCREDITED MEDICAL SCHOOLS.

(a) IN GENERAL.—The Secretary of Health and Human Services (in this section referred to as the “Secretary”) shall establish a program of grants to newly accredited allopathic and osteopathic medical schools for the purpose of increasing the supply of physicians.

(b) USE OF GRANTS.—Amounts provided under grants under this section may be used to support scholarships, develop residencies, build infrastructure, recruit and retain faculty, and develop research programs for the purpose described in subsection (a).

(c) ALLOCATION.—The Secretary shall allocate funds appropriated under this section among newly accredited medical schools based on the following criteria:

(1) First priority shall be given to allopathic and osteopathic medical schools accredited to admit students from 2009 through 2014.

(2) Medical schools that enroll larger classes, while maintaining competitive faculty to student ratios, shall receive increased funding based on their size.

(3) Funds shall only be allocated to medical schools that provide accountability and transparency in expending such funds.

(d) REPORTS.—Each medical school receiving a grant under this section shall submit to the Secretary such reports as the Secretary may require on the specific uses of the funds provided under the grant and on how the grant benefitted the region and the Nation as a whole.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$500,000,000 for the 5-fiscal-year period beginning with fiscal year 2010.

**SA 2925.** Ms. STABENOW submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title I, insert the following:

## SEC. \_\_\_\_\_. STATE HEALTH ACCESS PROGRAM GRANTS.

(a) IN GENERAL.—The Secretary of Health and Human Services (in this section referred to as the “Secretary”) shall award grants to States (as defined for purposes of title XIX of the Social Security Act) to establish programs to expand access to affordable health care coverage for the uninsured populations in that State in a manner consistent with reforms to take effect under this title (and the amendments made by this title) in 2014.

(b) TYPES OF PROGRAMS.—The types of programs for which grants are available under subsection (a) include the following:

(1) STATE INSURANCE EXCHANGES.—State insurance Exchanges that develop new, less expensive, portable benefit packages for small employers and part-time and seasonal workers.

(2) COMMUNITY COVERAGE PROGRAM.—Community coverage with shared responsibility between employers, governmental or non-profit entities, and the individual.

(3) REINSURANCE PLAN PROGRAM.—Reinsurance plans that subsidize a certain share of carrier losses within a certain risk corridor health insurance premium assistance.

(4) TRANSPARENT MARKETPLACE PROGRAM.—Transparent marketplace that provides an organized structure for the sale of insurance products such as a web-based exchange or portal.

(5) AUTOMATED ENROLLMENT PROGRAM.—Statewide or automated enrollment systems for public assistance programs.

(6) INNOVATIVE STRATEGIES.—Innovative strategies to insure low-income childless adults.

(7) PURCHASING COLLABORATIVES.—Business and consumer collaboratives that provides direct contract health care service purchasing options for group plan sponsors.

(c) ELIGIBILITY AND ADMINISTRATION.—

(1) IMPLEMENTATION OF KEY STATUTORY OR REGULATORY CHANGES.—To be eligible to receive a grant under this section for a program, a State shall demonstrate that—

(A) it has achieved the key State and local statutory or regulatory changes required to begin implementing the new program within 1 year after the initiation of funding under the grant; and

(B) it will be able to sustain the program without Federal funding after the end of the period of the grant.

(2) INELIGIBILITY.—A State that has developed a comprehensive health insurance access program prior to the date of enactment of this Act shall not eligible for a grant under this section.

(3) APPLICATION REQUIRED.—No State shall receive a grant under this section unless the State has approved by the Secretary such an application, in such form and manner as the Secretary specifies.

(4) ADMINISTRATION BASED ON CURRENT PROGRAM.—The program under this section is intended to build on the State Health Access Program funded under the Omnibus Appropriations Act, 2009 (Public Law 111-8).

(d) FUNDING LIMITATIONS.—

(1) IN GENERAL.—A grant under this section shall—

(A) only be available for expenditures before 2014; and

(B) only be used to supplement, and not supplant, funds otherwise provided.

(2) MATCHING FUND REQUIREMENT.—

(A) IN GENERAL.—Subject to subparagraph (B), no grant may be awarded to a State under this section unless the State demonstrates the seriousness of its effort by matching at least 20 percent of the grant amount through non-Federal resources, which may be a combination of State, local, and private dollars from insurers, providers, and other private organizations.

(B) WAIVER.—The Secretary may waive the requirement of subparagraph (A) if the State demonstrates to the Secretary financial hardship in complying with such requirement.

(e) STUDY.—The Secretary shall review, study, and benchmark the progress and results of the programs funded under this section.

(f) REPORT.—Each State receiving a grant under this section shall submit to the Secretary a report on best practices and lessons learned through the grant to inform the health reform coverage expansions under this title beginning in 2014.

(g) FUNDING.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

**SA 2926.** Mr. BAUCUS (for Mr. KERRY) proposed an amendment to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr.

DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; as follows:

On page 869, between lines 14 and 15, insert the following:

**SEC. 3143. PROTECTING HOME HEALTH BENEFITS.**

Nothing in the provisions of, or amendments made by, this Act shall result in the reduction of guaranteed home health benefits under title XVIII of the Social Security Act.

**SA 2927.** Mr. ENSIGN (for himself and Mr. INHOFE) submitted an amendment to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. . LIMITATION ON AMOUNT OF ATTORNEYS' CONTINGENCY FEES.**

(a) IN GENERAL.—An attorney who represents, on a contingency fee basis, a plaintiff in a medical malpractice liability action may not charge, demand, receive, or collect for services rendered in connection with such action (including the resolution of the claim that is the subject of the action under any alternative dispute resolution system) in excess of—

(1) 33½ percent of the first \$150,000 of the total amount recovered by judgment or settlement in such action; plus

(2) 25 percent of any amount recovered in excess of the first \$150,000 recovered by such judgment or settlement,

unless otherwise determined under State law. Such amount shall be computed after deductions are made for all the expenses associated with the claim other than those attributable to the normal operating expenses of the attorney.

(b) CALCULATION OF PERIODIC PAYMENTS.—In the event that a judgment or settlement includes periodic or future payments of damages, the amount recovered for purposes of calculating the limitation on the contingency fee under subsection (a) may, in the discretion of the court, be based on the cost of the annuity or trust established to make the payments. In any case in which an annuity or trust is not established to make such payments, such amount shall be based on the present value of the payments.

(c) DEFINITIONS.—In this section:

(1) CONTINGENCY FEE.—The term “contingency fee” means any fee for professional legal services which is, in whole or in part, contingent upon the recovery of any amount of damages, whether through judgment or settlement.

(2) HEALTH CARE PROFESSIONAL.—The term “health care professional” means any individual who provides health care services in a State and who is required by the laws or regulations of the State to be licensed or certified by the State to provide such services in the State.

(3) HEALTH CARE PROVIDER.—The term “health care provider” means any organization or institution that is engaged in the delivery of health care services in a State and

that is required by the laws or regulations of the State to be licensed or certified by the State to engage in the delivery of such services in the State.

(4) MEDICAL MALPRACTICE LIABILITY ACTION.—The term “medical malpractice liability action” means a cause of action brought in State or Federal court against a health care provider or health care professional by which the plaintiff alleges a medical malpractice claim.

**SA 2928.** Mr. CASEY (for himself and Mr. KOHL) submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

On page 1289, between lines 11 and 12, insert the following:

“(VII) Direct care workforce capacity at all levels.”

**SA 2929.** Mr. CASEY (for himself, Mr. DURBIN, and Mr. MENENDEZ) submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; as follows:

At the appropriate place, insert the following:

**SEC. . NATIONAL TRAINING INITIATIVES ON AUTISM SPECTRUM DISORDERS.**

Title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15001 et seq.) is amended by adding at the end the following:

**Subtitle F—National Training Initiative on Autism Spectrum Disorders**

**“SEC. 171. NATIONAL TRAINING INITIATIVE.**

“(a) GRANTS AND TECHNICAL ASSISTANCE.—

“(1) GRANTS.—

“(A) IN GENERAL.—The Secretary, in consultation with the Interagency Autism Coordinating Committee, shall award multiyear grants to eligible entities to provide individuals (including parents and health, allied health, vocational, and educational professionals) with interdisciplinary training, continuing education, technical assistance, and information for the purpose of improving services rendered to children and adults with autism, and their families, to address unmet needs related to autism.

“(B) ELIGIBLE ENTITY.—To be eligible to receive a grant under this subsection, an entity shall be—

“(i) a University Center for Excellence in Developmental Disabilities Education, Research, and Service; or

“(ii) a comparable interdisciplinary education, research, and service entity.

“(C) APPLICATION REQUIREMENTS.—An entity that desires to receive a grant for a program under this paragraph shall submit to the Secretary an application—

“(i) demonstrating that the entity has capacity to—

“(I) provide training and technical assistance in evidence-based practices to evaluate, and provide effective interventions, services,

treatments, and supports to, children and adults with autism and their families;

“(II) include individuals with autism and their families as part of the program to ensure that an individual- and family-centered approach is used;

“(III) share and disseminate materials and practices that are developed for, and evaluated to be effective in, the provision of training and technical assistance; and

“(IV) provide training, technical assistance, interventions, services, treatments, and supports under this subsection statewide.

“(ii) providing assurances that the entity will—

“(I) provide trainees under this subsection with an appropriate balance of interdisciplinary academic and community-based experiences; and

“(II) provide to the Secretary, in the manner prescribed by the Secretary, data regarding the number of individuals who have benefitted from, and outcomes of, the provision of training and technical assistance under this subsection;

“(iii) providing assurances that training, technical assistance, dissemination of information, and services under this subsection will be—

“(I) consistent with the goals of this Act, the Americans with Disabilities Act of 1990, the Individuals with Disabilities Education Act, and the Elementary and Secondary Education Act of 1965; and

“(II) conducted in coordination with relevant State agencies, institutions of higher education, and service providers; and

“(iv) containing such other information and assurances as the Secretary may require.

“(D) USE OF FUNDS.—A grant received under this subsection shall be used to provide individuals (including parents and health, allied health, vocational, and educational professionals) with interdisciplinary training, continuing education, technical assistance, and information for the purpose of improving services rendered to children and adults with autism, and their families, to address unmet needs related to autism. Such training, education, assistance, and information shall include each of the following:

“(i) Training health, allied health, vocational, and educational professionals to identify, evaluate the needs of, and develop interventions, services, treatments, and supports for, children and adults with autism.

“(ii) Developing model services and supports that demonstrate evidence-based practices.

“(iii) Developing systems and products that allow for the interventions, services, treatments, and supports to be evaluated for fidelity of implementation.

“(iv) Working to expand the availability of evidence-based, lifelong interventions; educational, employment, and transition services; and community supports.

“(v) Providing statewide technical assistance in collaboration with relevant State agencies, institutions of higher education, autism advocacy groups, and community-based service providers.

“(vi) Working to develop comprehensive systems of supports and services for individuals with autism and their families, including seamless transitions between education and health systems across the lifespan.

“(vii) Promoting training, technical assistance, dissemination of information, supports, and services.

“(viii) Developing mechanisms to provide training and technical assistance, including for-credit courses, intensive summer institutes, continuing education programs, distance based programs, and Web-based information dissemination strategies.

“(ix) Promoting activities that support community-based family and individual services and enable individuals with autism and related developmental disabilities to fully participate in society and achieve good quality-of-life outcomes.

“(x) Collecting data on the outcomes of training and technical assistance programs to meet statewide needs for the expansion of services to children and adults with autism.

“(E) AMOUNT OF GRANTS.—The amount of a grant to any entity for a fiscal year under this section shall be not less than \$250,000.

“(2) TECHNICAL ASSISTANCE.—The Secretary shall reserve 2 percent of the amount appropriated to carry out this subsection for a fiscal year to make a grant to a national organization with demonstrated capacity for providing training and technical assistance to—

“(A) assist in national dissemination of specific information, including evidence-based best practices, from interdisciplinary training programs, and when appropriate, other entities whose findings would inform the work performed by entities awarded grants;

“(B) compile and disseminate strategies and materials that prove to be effective in the provision of training and technical assistance so that the entire network can benefit from the models, materials, and practices developed in individual centers;

“(C) assist in the coordination of activities of grantees under this subsection;

“(D) develop a Web portal that will provide linkages to each of the individual training initiatives and provide access to training modules, promising training, and technical assistance practices and other materials developed by grantees;

“(E) serve as a research-based resource for Federal and State policymakers on information concerning the provision of training and technical assistance for the assessment, and provision of supports and services for, children and adults with autism;

“(F) convene experts from multiple interdisciplinary training programs, individuals with autism, and the families of such individuals to discuss and make recommendations with regard to training issues related to assessment, interventions, services, treatment, and supports for children and adults with autism; and

“(G) undertake any other functions that the Secretary determines to be appropriate.

“(3) AUTHORIZATION OF APPROPRIATIONS.—To carry out this subsection, there are authorized to be appropriated \$17,000,000 for fiscal year 2011 and such sums as may be necessary for fiscal years 2012 through 2015.

“(b) EXPANSION OF THE NUMBER OF UNIVERSITY CENTERS FOR EXCELLENCE IN DEVELOPMENTAL DISABILITIES EDUCATION, RESEARCH, AND SERVICE.—

“(1) GRANTS.—To provide for the establishment of up to 4 new University Centers for Excellence in Developmental Disabilities Education, Research, and Service, the Secretary shall award up to 4 grants to institutions of higher education.

“(2) APPLICABLE PROVISIONS.—Except for subsection (a)(3), the provisions of subsection (a) shall apply with respect to grants under this subsection to the same extent and in the same manner as such provisions apply with respect to grants under subsection (a).

“(3) PRIORITY.—In awarding grants under this subsection, the Secretary shall give priority to applicants that—

“(A) are minority institutions that have demonstrated capacity to meet the requirements of this section and provide services to individuals with autism and their families; or

“(B) are located in a State with one or more underserved populations.

“(4) AUTHORIZATION OF APPROPRIATIONS.—To carry out this subsection, there is authorized to be appropriated \$2,000,000 for each of fiscal years 2011 through 2015.

“(C) DEFINITIONS.—In this section:

“(1) The term ‘autism’ means an autism spectrum disorder or a related developmental disability.

“(2) The term ‘interventions’ means educational methods and positive behavioral support strategies designed to improve or ameliorate symptoms associated with autism.

“(3) The term ‘minority institution’ has the meaning given to such term in section 365 of the Higher Education Act of 1965.

“(4) The term ‘services’ means services to assist individuals with autism to live more independently in their communities.

“(5) The term ‘treatments’ means health services, including mental health services, designed to improve or ameliorate symptoms associated with autism.

“(6) The term ‘University Center for Excellence in Developmental Disabilities Education, Research, and Service’ means a University Center for Excellence in Developmental Disabilities Education, Research, and Service that has been or is funded through subtitle D or subsection (b).”

**SA 2930.** Ms. STABENOW submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

On page 466, between lines 5 and 6, insert the following:

**SEC. 2305. THERAPEUTIC FOSTER CARE.**

(a) RULE OF CONSTRUCTION.—Nothing in this title or an amendment made by this title shall prevent or limit a State from covering therapeutic foster care for eligible children in out-of-home placements under section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)).

(b) THERAPEUTIC FOSTER CARE DEFINED.—For purposes of this section, the term “therapeutic foster care” means a foster care program that provides—

(1) to the child—

(A) structured daily activities that develop, improve, monitor, and reinforce age-appropriate social, communications, and behavioral skills;

(B) crisis intervention and crisis support services;

(C) medication monitoring;

(D) counseling; and

(E) case management services; and

(2) specialized training for the foster parent and consultation with the foster parent on the management of children with mental illnesses and related health and developmental conditions.

**SA 2931.** Mr. LAUTENBERG (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title I, insert the following:

**SEC. 1563. DISCLOSURE OF INSURANCE COMPANY EXECUTIVE COMPENSATION.**

(a) **MANDATORY DISCLOSURE OF EXECUTIVE COMPENSATION INFORMATION.**—Each health care insurance company, including qualified health plans participating in an Exchange established under section 1311 and applicable plans or entities (as defined in section 1128J(f)(2) of the Social Security Act, as added by subsection (g)), shall annually disclose the compensation of the Chief Executive Officer of such health care insurance company for the previous year.

(b) **STANDARDS.**—The Secretary of the Treasury, in consultation with the Secretary of Health and Human Services and the Chairman of the Securities and Exchange Commission, shall develop standards for disclosing the information described in subsection (a) in a manner determined to be understandable by the average health plan enrollee.

(c) **COMPENSATION DEFINED.**—In this section, the term “compensation” means wages, salary, fees, commissions, fringe benefits, deferred compensation, retirement contributions, options, bonuses, property, and any other form of remuneration, as the Secretary of the Treasury determines appropriate.

(d) **EFFECTIVE DATE.**—Beginning on April 1, 2010, each health care insurance company shall annually disclose the information as described in subsection (a) to—

(1) the Secretary of Health and Human Services, for inclusion of data in the internet portal to affordable coverage options established and operated under sections 1103 and 1311(c)(4);

(2) an applicant at the time of application;

(3) an enrollee at the time of enrollment;

(4) a policyholder or certificate holder at the time of issuance of the policy or delivery of the certificate.

(e) **ENFORCEMENT.**—A person that willfully fails to provide the information required under this section shall be subject to a fine of not more than \$1,000 for each such failure. Such failure with respect to each enrollee, applicant, policyholder, or certificate holder shall constitute a separate offense for purposes of this subsection.

(f) **AMENDMENT TO SECTION 1311.**—Section 1311(c)(1) is amended—

(1) in subparagraph (G), by striking “and” at the end; and

(2) by inserting after subparagraph (G) the following:

“(H) annually disclose the compensation of the Chief Executive Officer of the health care insurance company for the previous year, in accordance with the standards developed under section 1563(b); and”.

(g) **APPLICATION TO MEDICARE AND MEDICAID.**—Section 1128J of the Social Security Act, as added by section 6402, is amended by adding at the end the following new subsection:

“(f) **DISCLOSURE OF EXECUTIVE COMPENSATION BY CERTAIN PLANS AND OTHER ENTITIES.**—

“(1) **IN GENERAL.**—An applicable plan or entity shall annually disclose the compensation of the Chief Executive Officer of the applicable plan or entity for the previous year, in accordance with the standards developed under section 1563(b) of the Patient Protection and Affordable Care Act.

“(2) **APPLICABLE PLAN OR ENTITY.**—In this subsection, the term ‘applicable plan or entity’ means the following:

“(A) A Medicare Advantage plan under part C of title XVIII.

“(B) A prescription drug plan under part D of such title.

“(C) A Medicaid managed care organization (as defined in section 1903(m)(1)(A)).

“(D) Any health insurance issuer that contracts with a State to provide medical assistance under a State Medicaid program under title XIX or child health assistance under the State Children’s health insurance program under title XXI.

“(E) Any other plan or entity the Secretary determines appropriate.”.

**SA 2932.** Mr. LAUTENBERG submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_\_. DIABETES RESEARCH, EDUCATION, AND OTHER ACTIVITIES.**

(a) **CENTERS FOR DISEASE CONTROL AND PREVENTION.**—Part B of title III of the Public Health Service Act (42 U.S.C. 243 et seq.) is amended by inserting after section 317T the following section:

**“SEC. 317U. DIABETES IN MINORITY POPULATIONS.**

“(a) DIABETES; HEALTH PROMOTION, PREVENTION ACTIVITIES, AND ACCESS.—

“(1) **IN GENERAL.**—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall carry out culturally appropriate diabetes health promotion and prevention programs for minority populations.

“(2) **CERTAIN ACTIVITIES.**—Activities regarding culturally appropriate diabetes health promotion and prevention programs for minority populations shall include the following:

“(A) Expanding the Diabetes Prevention and Control Program (currently existing in all the States and territories) and providing funds for education and community outreach on diabetes.

“(B) Providing funds to strengthen existing surveillance systems to improve the quality, accuracy, and timeliness of morbidity and mortality diabetes data for such populations.

“(b) **DEFINITION.**—For purposes of this section, the term ‘minority population’ means a racial and ethnic minority group, as defined in section 1707(g).

“(c) **AUTHORIZATION OF APPROPRIATIONS.**—For the purpose of carrying out this section, there are authorized to be appropriated such sums as are necessary for fiscal year 2010 and each subsequent fiscal year.”.

(b) **HEALTH RESOURCES AND SERVICES ADMINISTRATION.**—Part P of title III of the Public Health Service Act is amended—

(1) by redesignating the section 399R inserted by section 2 of Public Law 110-373 as section 399S;

(2) by redesignating the section 399R inserted by section 3 of Public Law 110-374 as section 399T; and

(3) by adding at the end the following new section:

**“SEC. 399U. PROGRAMS TO EDUCATE HEALTH PROVIDERS ON THE CAUSES AND EFFECTS OF DIABETES IN MINORITY POPULATIONS.**

“(a) **IN GENERAL.**—The Secretary, acting through the Director of the Health Resources and Services Administration, shall conduct and support programs described in subsection (b) to educate health professionals on the causes and effects of diabetes in minority populations.

“(b) **PROGRAMS.**—Programs described in this subsection, with respect to education on diabetes in minority populations, shall include the following:

“(1) Making grants for diabetes-focused education classes or training programs on cultural sensitivity and patient care within such populations for health care providers.

“(2) Providing funds to community health centers for programs that provide diabetes services and screenings.

“(3) Developing a diabetes focus within, and providing additional funds for, the National Health Service Corps Scholarship program to place individuals in areas that are disproportionately affected by diabetes and to provide health care services to such areas.”.

**SA 2933.** Mr. LAUTENBERG submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle E of title I, insert the following:

**SEC. \_\_\_\_\_. STUDY OF GEOGRAPHIC VARIATION IN APPLICATION OF FPL.**

(a) **IN GENERAL.**—The Secretary shall conduct a study to examine the feasibility and implication of adjusting the application of the Federal poverty level under this subtitle (and the amendments made by this subtitle) for different geographic areas so as to reflect the variations in cost-of-living among different areas within the United States. If the Secretary determines that an adjustment is feasible, the study should include a methodology to make such an adjustment. Not later than January 1, 2013, the Secretary shall submit to Congress a report on such study and shall include such recommendations as the Secretary determines appropriate.

**(b) INCLUSION OF TERRITORIES.—**

(1) **IN GENERAL.**—The Secretary shall ensure that the study under subsection (a) covers the territories of the United States and that special attention is paid to the disparity that exists among poverty levels and the cost of living in such territories and to the impact of such disparity on efforts to expand health coverage and ensure health care.

(2) **TERRITORIES DEFINED.**—In this subsection, the term “territories of the United States” includes the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, the Northern Mariana Islands, and any other territory or possession of the United States.

**SA 2934.** Mr. INOUYE (for himself and Mr. AKAKA) submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II, insert the following:

**SEC. 2008. 100 PERCENT FMAP FOR MEDICAL ASSISTANCE PROVIDED TO A NATIVE HAWAIIAN THROUGH A FEDERALLY QUALIFIED HEALTH CENTER OR A NATIVE HAWAIIAN HEALTH CARE SYSTEM UNDER THE MEDICAID PROGRAM.**

(a) MEDICAID.—The third sentence of section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)) is amended by inserting “, and with respect to medical assistance provided to a Native Hawaiian (as defined in section 12 of the Native Hawaiian Health Care Improvement Act) through a Federally qualified health center or a Native Hawaiian health care system (as so defined) whether directly, by referral, or under contract or other arrangement between a Federally-qualified health center or a Native Hawaiian health care system and another health care provider” before the period.

(b) EFFECTIVE DATE.—The amendment made by this section applies to medical assistance provided on or after the date of enactment of this Act.

**SA 2935.** Mr. VITTER submitted an amendment intended to be proposed to amendment SA 2923 submitted by Mr. DORGAN (for himself, Mr. WHITEHOUSE, Mr. UDALL of New Mexico, Mr. BEGICH, Mr. JOHNSON, Mr. FRANKEN, Ms. CANTWELL, Mr. UDALL of Colorado, Mr. TESTER, and Mr. INOUYE) and intended to be proposed to the amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

On page 71 of the amendment, between lines 21 and 22, insert the following:

**SEC. 138. LIMIT RELATING TO ABORTION.**

Title II of the Indian Health Care Improvement Act (25 U.S.C. 1621 et seq.) is amended by adding at the end the following:

**“SEC. 227. LIMIT RELATING TO ABORTION.**

(a) DEFINITION OF HEALTH BENEFITS COVERAGE.—In this section, the term ‘health benefits coverage’ means a health-related service or group of services provided pursuant to a contract, compact, grant, or other agreement.

“(b) LIMITATION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), no funds or facilities of the Service may be used—

“(A) to provide any abortion; or

“(B) to provide, or pay any administrative cost of, any health benefits coverage that includes coverage of an abortion.

“(2) EXCEPTIONS.—The limitation described in paragraph (1) shall not apply in any case in which—

“(A) a pregnancy is the result of an act of rape, or an act of incest against a minor; or

“(B) the woman suffers from a physical disorder, physical injury, or physical illness that, as certified by a physician, would place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself.”.

**SA 2936.** Mr. VITTER submitted an amendment intended to be proposed to amendment SA 2922 submitted by Mr. DORGAN and intended to be proposed to the amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other

purposes; which was ordered to lie on the table; as follows:

On page 4 of the amendment, strike line 5 and insert the following: “as the ‘Buy Indian Act’.”

**“SEC. 827. LIMIT RELATING TO ABORTION.**

“(a) DEFINITION OF HEALTH BENEFITS COVERAGE.—In this section, the term ‘health benefits coverage’ means a health-related service or group of services provided pursuant to a contract, compact, grant, or other agreement.

“(b) LIMITATION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), no funds or facilities of the Service may be used—

“(A) to provide any abortion; or

“(B) to provide, or pay any administrative cost of, any health benefits coverage that includes coverage of an abortion.

“(2) EXCEPTIONS.—The limitation described in paragraph (1) shall not apply in any case in which—

“(A) a pregnancy is the result of an act of rape, or an act of incest against a minor; or

“(B) the woman suffers from a physical disorder, physical injury, or physical illness that, as certified by a physician, would place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself.”.

**SA 2937.** Mr. VITTER submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

On page 1703, between lines 4 and 5, insert the following:

**SEC. 6303. RULE OF CONSTRUCTION.**

Nothing in the provisions of or amendments made by this subtitle shall be construed to allow any employee of the Federal government or any political appointee to dictate the manner in which a health care provider practices medicine.

**SA 2938.** Mrs. GILLIBRAND (for herself, Ms. STABENOW, Mr. BROWN, Mr. KERRY, Mr. MENENDEZ, Mr. SCHUMER, and Mr. LEVIN) submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R. 3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

On page 1996, between lines 3 and 4, insert the following:

**SEC. 9001A. INCREASED THRESHOLDS ON HIGH COST EMPLOYER-SPONSORED HEALTH COVERAGE SUBJECT TO EXCISE TAX.**

Section 4980I of the Internal Revenue Code of 1986, as added by section 9001(b), is amended—

(1) by striking “\$8,500” in subsection

(b)(3)(C)(i)(I) and inserting “\$9,500”, and

(2) by striking “\$23,000” in subsection

(b)(3)(C)(i)(II) and inserting “\$25,000”.

**SA 2939.** Mr. PRYOR submitted an amendment intended to be proposed to amendment SA 2786 proposed by Mr. REID (for himself, Mr. BAUCUS, Mr. DODD, and Mr. HARKIN) to the bill H.R.

3590, to amend the Internal Revenue Code of 1986 to modify the first-time homebuyers credit in the case of members of the Armed Forces and certain other Federal employees, and for other purposes; which was ordered to lie on the table; as follows:

On page 134, between lines 10 and 11, insert the following:

(4) ENROLLEE SATISFACTION SYSTEM.—The Secretary shall develop an enrollee satisfaction survey system that would evaluate the level of enrollee satisfaction with qualified health plans offered through an Exchange, for each such qualified health plan that had more than 500 enrollees in the previous year. The Exchange shall include enrollee satisfaction information in the information provided to individuals and employers through the Internet portal established under paragraph (5) in a manner that allows individuals to easily compare enrollee satisfaction levels with comparable plans.

**PRIVILEGES OF THE FLOOR**

**Mr. COBURN.** Mr. President, I ask unanimous consent that Josh Trent of my staff be granted the privilege of the floor for the duration of the debate on H.R. 3590.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

**ORDERS FOR SUNDAY, DECEMBER 6, 2009**

**Mr. PRYOR.** Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12:30 p.m., Sunday, December 6; that following the prayer and the 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 resume consideration of H.R. 3590, the health care reform legislation, as provided for under the previous order, with the majority controlling the first 60 minutes and the Republicans controlling the next 60 minutes.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

**PROGRAM**

**Mr. PRYOR.** Madam President, Senators should expect at least two roll-call votes tomorrow to begin at approximately 3:15 p.m. The first two votes will be in relation to the Lincoln amendment No. 2905 regarding executive compensation, to be followed by a vote in relation to the Ensign amendment No. 2927 regarding attorneys fees. We are also working on the next amendments that will be offered, and we are hopeful we will be able to vote on those tomorrow after the 3:15 p.m. votes. Senators will be notified when any additional votes are scheduled.

**ADJOURNMENT UNTIL 12:30 P.M. TOMORROW**

**Mr. PRYOR.** Madam President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate adjourn under the previous order.

There being no objection, the Senate, at 6:29 p.m., adjourned until Sunday, December 6, 2009, at 12:30 p.m.