

Senate on December 16, 2009; to the Committee on Banking, Housing, and Urban Affairs.

EC-4125. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report relative to the national emergency with respect to Belarus; to the Committee on Banking, Housing, and Urban Affairs.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HARKIN, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 510. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply.

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

S. 1739. A bill to promote freedom of the press around the world.

#### 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. CANTWELL (for herself and Mrs. MURRAY):

S. 2906. A bill to amend the Act of August 9, 1955, to modify a provision relating to leases involving certain Indian tribes; to the Committee on Indian Affairs.

By Ms. MURKOWSKI (for herself, Mr. BEGICH, and Mr. UDALL of Colorado):

S. 2907. A bill to establish a coordinated avalanche protection program, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KOHL (for himself, Mr. CORKER, and Mr. FEINGOLD):

S. 2908. A bill to amend the Energy Policy and Conservation Act to require the Secretary of Energy to publish a final rule that establishes a uniform efficiency descriptor and accompanying test methods for covered water heaters, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SANDERS (for himself, Mr. LEAHY, Mr. BROWN, and Mr. MENENDEZ):

S. 2909. A bill to provide State programs to encourage employee ownership and participation in business decisionmaking throughout the United States, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SANDERS:

S. 2910. A bill to increase wages and benefits of blue collar workers by strengthening labor provisions in the H-2B program, to provide for labor recruiter accountability, and for other purposes; to the Committee on the Judiciary.

By Mr. SESSIONS (for himself, Mr. BUNNING, Mr. VITTER, Mr. LEMIEUX, Mr. ENZI, Mr. CORNYN, Mr. BARRASSO, and Mr. HATCH):

S. 2911. A bill to reduce the deficit by establishing 5-year discretionary spending caps and strengthened Pay-As-You-Go procedures; to the Committee on the Budget.

By Mr. NELSON of Florida:

S. 2912. A bill to require lenders of loans with Federal guarantees or Federal insurance to consent to mandatory mediation; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. COLLINS (for herself and Mr. CARPER):

S. 2913. A bill to establish a national mercury monitoring program, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SANDERS (for himself, Mr. LEAHY, Mr. BROWN, and Mr. MENENDEZ):

S. 2914. A bill to provide for the establishment of the United States Employee Ownership Bank, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CORKER (for himself, Mr. ALEXANDER, Mr. CRAPO, and Mr. VITTER):

S. 2915. A bill to provide that employment-related arbitration agreements shall not be enforceable with respect to any claim related to a tort arising out of rape; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BUNNING:

S. 2916. A bill to provide that Internal Revenue Service Notice 2010-2 shall have no force and effect and to amend the Internal Revenue Code of 1986 to restrict the authority of the Secretary of the Treasury to prescribe regulations under section 382 of such Code; to the Committee on Finance.

By Mr. BAUCUS (for himself, Mr. GRASSLEY, Mr. NELSON of Nebraska, Ms. LANDRIEU, Mr. BOND, Mr. LUGAR, Mr. BROWNBACK, Mr. ROBERTS, Mr. HATCH, and Mr. CRAPO):

S. 2917. A bill to amend the Internal Revenue Code of 1986 to modify the penalty for failure to disclose certain reportable transactions and the penalty for submitting a bad check to the Internal Revenue Service, to modify certain rules relating to Federal vendors, and for other purposes; to the Committee on Finance.

By Mr. CORNYN (for himself, Mr. ALEXANDER, Mr. BARRASSO, Mr. BENNETT, Mr. BOND, Mr. BROWNBACK, Mr. BURR, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CORKER, Mr. CRAPO, Mr. DEMINT, Mr. ENSIGN, Mr. ENZI, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mr. INHOFE, Mr. ISAKSON, Mr. KYL, Mr. LEMIEUX, Mr. LUGAR, Mr. McCAIN, Mr. McCANNELL, Ms. MURKOWSKI, Mr. RISCH, Mr. ROBERTS, Mr. SESSIONS, Mr. THUNE, Mr. VITTER, and Mr. WICKER):

S.J. Res. 24. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Labor relating to financial disclosure and transparency by labor union management; 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. McCAIN (for himself, Mr. KERRY, Mrs. LINCOLN, Mr. INOUE, Mr. BEGICH, Mr. FEINGOLD, Mr. SPECTER, Mr. GRASSLEY, Mr. BURR, Ms. COLLINS, Ms. MURKOWSKI, and Mr. COCHRAN):

S. Res. 380. A resolution designating January 2010 as "National Mentoring Month"; to the Committee on the Judiciary.

By Mrs. MURRAY (for herself and Ms. COLLINS):

S. Res. 381. A resolution designating the week of February 1 through February 5, 2010, as "National School Counseling Week"; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 144

At the request of Mr. KERRY, the names of the Senator from Virginia (Mr. WARNER) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 144, a bill to amend the Internal Revenue Code of 1986 to remove cell phones from listed property under section 280F.

S. 416

At the request of Mrs. FEINSTEIN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 416, a bill to limit the use of cluster munitions.

S. 538

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 538, a bill to increase the recruitment and retention of school counselors, school social workers, and school psychologists by low-income local educational agencies.

S. 634

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 634, a bill to amend the Elementary and Secondary Education Act of 1965 to improve standards for physical education.

S. 663

At the request of Mr. NELSON of Nebraska, the names of the Senator from Montana (Mr. TESTER) and the Senator from Missouri (Mr. BOND) were added as cosponsors of S. 663, a bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish the Merchant Mariner Equity Compensation Fund to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II.

S. 818

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 818, a bill to reauthorize the Enhancing Education Through Technology Act of 2001, and for other purposes.

S. 941

At the request of Mr. CRAPO, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 941, a bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearm laws and regulations, protect the community from criminals, and for other purposes.

S. 1029

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 1029, a bill to create a new incentive fund that will encourage States to adopt the 21st Century Skills Framework.

S. 1052

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 1052, a bill to amend the small, rural school achievement program and the rural and low-income school program under part B of title VI of the Elementary and Secondary Education Act of 1965.

S. 1129

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 1129, a bill to authorize the Secretary of Education to award grants to local educational agencies to improve college enrollment.

S. 1137

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 1137, a bill to amend the Elementary and Secondary Education Act of 1965 to establish a Volunteer Teacher Advisory Committee.

S. 1431

At the request of Mr. NELSON of Florida, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 1431, a bill to amend the Help America Vote Act of 2002 to require a voter-verified permanent paper ballot under title III of such Act, and for other purposes.

S. 1646

At the request of Mr. REED, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1646, a bill to keep Americans working by strengthening and expanding short-time compensation programs that provide employers with an alternative to layoffs.

S. 1652

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 1652, a bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

S. 2847

At the request of Mr. WHITEHOUSE, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2847, a bill to regulate the volume of audio on commercials.

S. 2869

At the request of Ms. LANDRIEU, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2869, a bill to increase loan limits for small business concerns, to provide for low interest refinancing for small business concerns, and for other purposes.

S. 2886

At the request of Ms. CANTWELL, the name of the Senator from Delaware (Mr. KAUFMAN) was added as a cosponsor of S. 2886, a bill to prohibit certain affiliations (between commercial banking and investment banking companies), and for other purposes.

AMENDMENT NO. 2909

At the request of Mr. NELSON of Florida, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of amendment No. 2909 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. 2941

At the request of Mr. SPECTER, the name of the Senator from Michigan

(Ms. STABENOW) was added as a cosponsor of amendment No. 2941 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. 2976

At the request of Mr. VITTER, his name was added as a cosponsor of amendment No. 2976 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. 3046

At the request of Mr. KERRY, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of amendment No. 3046 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. 3185

At the request of Mr. BROWN, the names of the Senator from North Carolina (Mrs. HAGAN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of amendment No. 3185 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. 3256

At the request of Mr. BENNET, the names of the Senator from North Carolina (Mrs. HAGAN) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of amendment No. 3256 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.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. MURKOWSKI (for herself, Mr. BEGICH, and Mr. UDALL of Colorado):

S. 2907. A bill to establish a coordinated avalanche protection program, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise today to reintroduce in the Senate legislation that will help to reduce the Nation's yearly death toll caused by snow and ice avalanches.

As a member of the Congressional Hazards Caucus, I am introducing legislation, the Federal Land Avalanche Protection Act of 2009 to tackle the im-

pacts of one of our Nation's natural hazards, avalanches. I am introducing this bill jointly with Senators MARK BEGICH and MARK UDALL. It is identical to a measure introduced earlier this week in the House of Representatives by Alaska's Congressman DON YOUNG, who was its prime sponsor when first introduced in May 2008 late in the 110th Congress.

The goal of the bill is to better protect people in avalanche zones nationwide and to reduce the growing potential for avalanches to damage properties, as more and more building takes place on mountainsides and in valleys threatened by potential avalanches. Avalanches are a continuing problem in this country. Last year 49 avalanches in 10 States and Canada caused 54 fatalities in North America, 28 in America. The fall-winter-spring of 2008-2009, however, was not unusual.

In the 2007-2008 season, 36 Americans lost their lives as a result of avalanches. Another 16 Canadians died that season in 43 reported avalanches. In the 2002-03 season, 58 people in North America died as a result of 55 reported avalanches. For the past decade 38 people have died on average each year in North America from avalanches. Most occur in the western States of Colorado, Montana, Idaho, Wyoming, Utah, Alaska, California, Oregon, Washington, but deaths certainly have occurred in eastern States such as Vermont and New Hampshire, as well.

Many think that avalanches are just a problem for backcountry skiers, hikers, or snowboarders. But as urbanization spreads the dangers caused by snow and ice buildups on steep slopes will grow and affect more urban populations, and especially more motorists traveling through mountain passes and along valley roads. So far this season, just in the past 2 months, 11 skiers and 1 ice climber have been caught in avalanches in Montana, Utah, and Colorado. Fortunately only one death has so far resulted. But this Nation needs to devote additional resources to warning and battling the impacts of avalanches because there are things that we know how to do to improve forecasts, increase warnings, and take advance actions to reduce the build up of snow loads on steep slopes, thus lessening the danger of larger, deadly avalanches when snow packs release.

The bill I introduce today directs the Secretary of Agriculture, acting through the Chief of the U.S. Forest Service, to establish an avalanche protection program to: identify the potential for avalanches on Federal lands and inform the public about the probability of avalanches and their potential adverse effects; carry out ongoing research to improve avalanche forecasting; and reduce the risks of avalanches and mitigate their effects.

The bill requires the Secretary to coordinate the program to ensure protection for recreational users of public land under the Secretary of the Interior's jurisdiction, using resources of