

(Mr. BEGICH) were added as cosponsors of S. 801, a bill to amend title 38, United States Code, to waive charges for humanitarian care provided by the Department of Veterans Affairs to family members accompanying veterans severely injured after September 11, 2001, as they receive medical care from the Department and to provide assistance to family caregivers, and for other purposes.

S. 812

At the request of Mr. BAUCUS, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 812, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 819

At the request of Mr. DURBIN, the names of the Senator from Vermont (Mr. SANDERS), the Senator from Michigan (Ms. STABENOW) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 819, a bill to provide for enhanced treatment, support, services, and research for individuals with autism spectrum disorders and their families.

S. CON. RES. 11

At the request of Ms. COLLINS, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. Con. Res. 11, a concurrent resolution condemning all forms of anti-Semitism and reaffirming the support of Congress for the mandate of the Special Envoy to Monitor and Combat Anti-Semitism, and for other purposes.

S. RES. 71

At the request of Mr. WYDEN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. Res. 71, a resolution condemning the Government of Iran for its state-sponsored persecution of the Baha'i minority in Iran and its continued violation of the International Covenants on Human Rights.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself and Mr. BROWN):

S. 829. A bill to provide a Federal income tax credit for Patriot employers, and for other purposes; to the Committee on Finance.

Mr. DURBIN. Mr. President, when companies make headlines today it is often for all the wrong reasons: outrageous bonuses, tax avoidance, fraud, profiteering, etc. Yet many of the companies that provide jobs are conscientious corporate citizens that try to treat workers fairly and at the same time create good products that consumers want and maximize profits for their shareholders. I believe that we should reward such companies for providing good jobs to American workers and create incentives to encourage more companies to do the same. The Patriot Employers Act does just that.

This legislation, which I am introducing today along with Senator

BROWN, would provide a tax credit to reward the companies that treat American workers best. Companies that provide American jobs, pay decent wages, provide good benefits, and support their employees when they are called to active duty should enjoy more favorable tax treatment than companies that are unwilling to make the same commitment to American workers. The Patriot Employers tax credit would put the tax code on the side of those deserving companies by acknowledging their commitments.

The Patriot Employers legislation would provide a tax credit equal to 1 percent of taxable income to employers that meet the following criteria.

First, invest in American jobs. Maintain or increase the number of full-time workers in America relative to the number of full-time workers outside of America, maintain corporate headquarters in America if the company has ever been headquartered in America, and maintain neutrality in union organizing drives.

Second, pay decent wages. Pay each worker an hourly wage that would ensure that a full-time worker would earn enough to keep a family of three out of poverty, at least \$8.50 per hour.

Third, prepare workers for retirement. Either provide a defined benefit plan or provide a defined contribution plan that fully matches at least 5 percent of worker contributions for every employee.

Fourth, provide health insurance. Pay at least 60 percent of each worker's health care premiums.

Fifth, support our troops. Pay the difference between the regular salary and the military salary of all National Guard and Reserve employees who are called for active duty, and continue their health insurance coverage.

In recognition of the different business circumstances that small employers face, companies with fewer than 50 employees could achieve Patriot Employer status by fulfilling a smaller number of these criteria.

There is more to the story of corporate American than the widely-publicized wrongdoing. Patriot Employers should be publicly recognized for doing right by their workers even while they do well for their customers and shareholders. I urge my colleagues to join Senator BROWN and me in supporting this effort. Our best companies, and our American workers, deserve nothing less.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 829

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Patriot Employers Act".

#### SEC. 2. REDUCED TAXES FOR PATRIOT EMPLOYERS.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

#### "SEC. 45R. REDUCTION IN TAX OF PATRIOT EMPLOYERS.

"(a) IN GENERAL.—In the case of any taxable year with respect to which a taxpayer is certified by the Secretary as a Patriot employer, the Patriot employer credit determined under this section for purposes of section 38 shall be equal to 1 percent of the taxable income of the taxpayer which is properly allocable to all trades or businesses with respect to which the taxpayer is certified as a Patriot employer for the taxable year.

"(b) PATRIOT EMPLOYER.—For purposes of subsection (a), the term 'Patriot employer' means, with respect to any taxable year, any taxpayer which—

"(1) maintains its headquarters in the United States if the taxpayer has ever been headquartered in the United States,

"(2) pays at least 60 percent of each employee's health care premiums,

"(3) has in effect, and operates in accordance with, a policy requiring neutrality in employee organizing drives,

"(4) if such taxpayer employs at least 50 employees on average during the taxable year—

"(A) maintains or increases the number of full-time workers in the United States relative to the number of full-time workers outside of the United States,

"(B) compensates each employee of the taxpayer at an hourly rate (or equivalent thereof) not less than an amount equal to the Federal poverty level for a family of three for the calendar year in which the taxable year begins divided by 2,080,

"(C) provides either—

"(i) a defined contribution plan which for any plan year—

"(I) requires the employer to make non-elective contributions of at least 5 percent of compensation for each employee who is not a highly compensated employee, or

"(II) requires the employer to make matching contributions of 100 percent of the elective contributions of each employee who is not a highly compensated employee to the extent such contributions do not exceed the percentage specified by the plan (not less than 5 percent) of the employee's compensation, or

"(ii) a defined benefit plan which for any plan year requires the employer to make contributions on behalf of each employee who is not a highly compensated employee in an amount which will provide an accrued benefit under the plan for the plan year which is not less than 5 percent of the employee's compensation, and

"(D) provides full differential salary and insurance benefits for all National Guard and Reserve employees who are called for active duty, and

"(5) if such taxpayer employs less than 50 employees on average during the taxable year, either—

"(A) compensates each employee of the taxpayer at an hourly rate (or equivalent thereof) not less than an amount equal to the Federal poverty level for a family of 3 for the calendar year in which the taxable year begins divided by 2,080, or

"(B) provides either—

"(i) a defined contribution plan which for any plan year—

"(I) requires the employer to make non-elective contributions of at least 5 percent of compensation for each employee who is not a highly compensated employee, or

"(II) requires the employer to make matching contributions of 100 percent of the

elective contributions of each employee who is not a highly compensated employee to the extent such contributions do not exceed the percentage specified by the plan (not less than 5 percent) of the employee's compensation, or

“(ii) a defined benefit plan which for any plan year requires the employer to make contributions on behalf of each employee who is not a highly compensated employee in an amount which will provide an accrued benefit under the plan for the plan year which is not less than 5 percent of the employee's compensation.”

(b) ALLOWANCE AS GENERAL BUSINESS CREDIT.—Section 38(b) of the Internal Revenue Code of 1986 is amended by striking “plus” at the end of paragraph (34), by striking the period at the end of paragraph (35) and inserting “, plus”, and by adding at the end the following:

“(36) the Patriot employer credit determined under section 45R.”

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2009.

By Ms. SNOWE (for herself and Mr. WYDEN):

S. 836. A bill to provide enhanced authority to the Congressional Oversight Panel established pursuant to the Emergency Economic Stabilization Act of 2008; to the Committee on Banking, Housing, and Urban Affairs.

Ms. SNOWE. Mr. President, I rise today to introduce legislation to provide the Congressional Oversight Panel, COP, with subpoena authority so that it can more effectively conduct oversight on behalf of American tax payers. Created as part of last fall's Emergency Economic Stabilization Act, EESA, to be Congress' watchdog over the Troubled Asset Relief Program, TARP, it has become apparent that a lack of subpoena authority is actively preventing the COP from obtaining all necessary information to safeguard rescue fund dollars. I would like to thank Senator WYDEN for cosponsoring this legislation that would grant the COP subpoena power should three of the Panel's five members feel it is appropriate.

One of three organizations charged with overseeing TARP, the COP's role is to “review the current state of the financial markets and the financial regulatory system” and to report to Congress every 30 days. Through regular reports, COP must oversee Treasury's actions; assess the impact of spending to stabilize the economy; evaluate market transparency; ensure effective foreclosure mitigation efforts; and guarantee that Treasury's actions are in the best interest of the American people. Notably, Congress provided the COP in EESA the explicit power to secure information from any government agency upon the request of its Chair.

Unfortunately despite the yeoman efforts of COP Chair Elizabeth Warren and her four colleagues, the Panel is having difficulties discharging its duties. In particular, the Panel appears to be having problems obtaining necessary information from the Treasury Department, which is administering

the TARP. Indeed, Ms. Warren told the Senate Finance Committee on March 31 that she feels as though the Panel and its requests for information are simply not a priority for the Department. Unfortunately, the facts appear to bolster Ms. Warren's conclusion.

Ms. Warren's written testimony before the Finance Committee notes, “The Oversight Panel has repeatedly called on Treasury to articulate a clear strategy for its use of TARP funds; the absence of such a vision hampers effective oversight. In fact, our first report outlined a series of ten basic questions, starting with the question, ‘What is Treasury's strategy?’ Months later, Congress and the American people have no clear answer to that question. The ongoing uncertainty has hindered recovery efforts. I have sent two letters to Treasury Secretary Geithner asking for clarification on this specific point. I am disappointed to report that the Oversight Panel has not received a substantive response.”

In addition to a letter the Panel sent to Secretary Geithner on March 5 asking him to outline a strategy for TARP and respond to questions regarding the approach taken by the recently announced Financial Stability Plan, Ms. Warren asked that Mr. Geithner testify before the COP on March 12 or March 19. Although Ms. Warren reports that Secretary Geithner replied to her March 5 letter on April 2, nearly two weeks after the requested response date of March 20, a COP hearing with Mr. Geithner as a witness will only now take place on April 21, a delay that has only further impeded the Panel's effectiveness.

Furthermore, other COP members have also noticed Treasury's apparent pattern of failing to respond to critical questions. Deputy Chair Damon Silvers testified before the Joint Economic Committee, JEC, on March 11 about the Panel's attempt to answer the critical question of whether taxpayers are receiving assets commensurate in value with TARP dollars being expended. Unfortunately, the Treasury Department appears to have been less than helpful in assisting the Panel in its analysis. In fact, Mr. Silvers told JEC the following:

“Our valuation report relied entirely on publicly available data. The Panel did make a broad document request of the Treasury Department pursuant to our authority under Section 125 of the EESA on December 17, 2008. Our purpose was to obtain any non-public information that Treasury possessed that would go to issues of valuation, in addition to contributing to our general ability to oversee the TARP program. In a letter dated December 24, 2008, the Treasury Department declined to provide the material we requested, and raised concerns about our newly formed Panel's internal controls over the confidential documents. Despite extensive discussions between our staff and the Treasury Department, Treasury has only produced a small number of the documents the Panel requested.”

With \$700 billion in TARP funds at stake, providing the Congressional Oversight Panel with the tools and resources it requires to conduct effective oversight is absolutely essential. The fact is that we in Congress are duty bound to correct TARP inadequacies but can only do so with reliable information from its overseers. Clearly, the examples I have just cited demonstrate that providing the Panel subpoena authority is warranted so that it can compel Treasury and any other entities to provide all requisite information. For this reason, I ask my colleagues to support this legislation that would do just that so that it can be quickly sent to President Obama for his signature.

Mr. President, I ask unanimous Consent that the text of the bill be printed in the RECORD.

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

S. 836

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

#### SECTION 1. SUBPOENA POWER FOR CONGRESSIONAL OVERSIGHT PANEL.

Section 125(e)(1) of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5233(e)(1)) is amended—

(1) by striking “The Oversight” and inserting the following:

“(A) IN GENERAL.—The Oversight”; and

(2) by adding at the end the following:

“(B) SUBPOENA POWER.—For purposes of carrying out this section, upon majority vote of its members, the Oversight Panel may require, by subpoena or otherwise, the attendance and testimony of witnesses and the production of such books, records, correspondence, memoranda, papers, documents, tapes, and materials as the Oversight Panel considers advisable.

“(C) ISSUANCE AND ENFORCEMENT OF SUBPOENAS.—

“(i) ISSUANCE.—A subpoena issued pursuant to subparagraph (B) shall bear the signature of a member of the Oversight Panel, and shall be served by any person or class of persons designated by the Oversight Panel for that purpose.

“(ii) ENFORCEMENT.—In the case of contumacy or failure to obey a subpoena issued under subparagraph (B), the subpoena shall be enforceable by order of any appropriate district court of the United States. Any failure to obey the order of the court may be punished by the court as a contempt of that court.”

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 104—DESIGNATING THE THIRD WEEK OF APRIL 2009 AS “NATIONAL SHAKEN BABY SYNDROME AWARENESS WEEK”

Mr. DODD (for himself, Mr. ALEXANDER, Ms. LANDRIEU, Mr. BAYH, Mr. LIEBERMAN, Mr. CASEY, and Mr. JOHNSON) submitted the following resolution, which was considered and agreed to:

S. RES. 104

Whereas the month of April has been designated “National Child Abuse Prevention