of S. 476, a bill to amend title 10, United States Code, to reduce the minimum distance of travel necessary for reimbursement of covered beneficiaries of the military health care system for travel for specialty health care.

S. 482

At the request of Mr. FEINGOLD, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 482, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 487

At the request of Mr. HARKIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 487, a bill to amend the Public Health Service Act to provide for human embryonic stem cell research.

S. 491

At the request of Mr. WEBB, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 491, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 500

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 500, a bill to amend the Truth in Lending Act to establish a national usury rate for consumer credit transactions.

S. 559

At the request of Mr. WYDEN, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 559, a bill to provide benefits under the Post-Deployment/Mobilization Respite Absence program for certain periods before the implementation of the program.

S. 614

At the request of Mrs. HUTCHISON, the names of the Senator from Kansas (Mr. ROBERTS), the Senator from North Dakota (Mr. CONRAD), the Senator from Montana (Mr. TESTER) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 614, a bill to award a Congressional Gold Medal to the Women Airforce Service Pilots (''WASP'').

S. 634

At the request of Mr. HARKIN, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 634, a bill to amend the Elementary and Secondary Education Act of 1965 to improve standards for physical education.

S. 693

At the request of Mr. HARKIN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 693, a bill to amend the Public Health Service Act to provide grants for the training of graduate medical residents in preventive medicine.

S. 700

At the request of Mr. BINGAMAN, the names of the Senator from California (Mrs. BOXER) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 700, a bill to amend title II of the Social Security Act to phase out the 24-month waiting period for disabled individuals to become eligible for Medicare benefits, to eliminate the waiting period for individuals with life-threatening conditions, and for other purposes.

S. 701

At the request of Mr. KERRY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 701, a bill to amend title XVIII of the Social Security Act to improve access of Medicare beneficiaries to intravenous immune globulins (IVIG).

S. 738

At the request of Ms. LANDRIEU, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 738, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes.

S. 775

At the request of Mr. VOINOVICH, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 775, a bill to amend title 10, United States Code, to authorize the availability of appropriated funds for international partnership contact activities conducted by the National Guard, and for other purposes.

S. 781

At the request of Mr. ROBERTS, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 781, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 787

At the request of Mr. FEINGOLD, the name of the Senator from Delaware (Mr. KAUFMAN) was added as a cosponsor of S. 787, a bill to amend the Federal Water Pollution Control Act to clarify the jurisdiction of the United States over waters of the United States.

S. 797

At the request of Mr. DORGAN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 797, a bill to amend the Indian Law Enforcement Reform Act, the Indian Tribal Justice Act, the Indian Tribal Justice Technical and Legal Assistance Act of 2000, and the Omnibus Crime Control and Safe Streets Act of 1968 to improve the prosecution of, and response to, crimes in Indian country, and for other purposes.

S. RES. 11

At the request of Mr. REID, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. Res. 11, a resolution to authorize production of documents to the Department of Defense Inspector General.

S. RES. 89

At the request of Mr. BAYH, his name was added as a cosponsor of S. Res. 89, a resolution expressing support for designation of a ''Welcome Home Vietnam Veterans Day''.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. SNOWE (for herself and Ms. COLLINS):

S. 899. A bill to establish an assistance program for the construction of digital TV translators to fill coverage gaps that are created from the transition from analog to digital signals; to the Committee on Commerce, Science, and Transportation.

Ms. SNOWE. Mr. President, on June 12, television broadcasters will finally transition from analog TV signals to an all-digital system and in doing so begin a new chapter of innovation. In addition to providing higher quality video and sound, the DTV Transition will allow broadcasters to offer new services such as interactive TV and content multicasting.

The benefits consumers will reap will be significant so we must make sure that they are clearly aware of this transition and the steps necessary to be prepared. Delaying the switchover till June has afforded us the opportunity to improve these efforts. However, there are several geographic areas across this nation that will be plagued by a particular problem that isn't a result of lack of consumer awareness or availability of converter boxes but because they will receive a weak digital signal or no signal at all.

The DTV ''cliff effect'' occurs when the broadcast signal is so weak that all that appears on a viewer's TV is a blank screen. Unlike an analog broadcast, where a weak signal means a viewer would receive a grainy or snowy picture, a weak digital broadcast would mean no picture at all—you either get it or you don't.

The DTV cliff effect occurs because of the different propagation characteristics that the new digital broadcast signals have compared to traditional analog signals. The terrain, distance from the broadcast tower, and the sensitivity of existing antennas, and even the weather all play a part in the strength of a broadcast signal and contribute to the cliff effect.

Recently, a market-research firm estimated that more than 9 million households could experience some digital TV reception problems. In addition, many households in Wilmington, North Carolina, which participated in a DTV Transition trial run last fall, and about a thousand homes in Hawaii, which transitioned early, experienced reception and cliff effect problems, so this is a very real threat that will disrupt a significant number of households.

That is why I rise today with my colleague Senator COLLINS to introduce legislation to directly address this problem by creating an assistance program for the construction of new digital translators to fill the gaps in the digital coverage of full-power stations. Specifically, the bill would provide $125 million in reimbursements for the construction of digital repeater or translator towers, which run approximately $80,000 to $100,000 each to build. These repeaters are essential in filling the dead zones that will result from the switchover.

The FCC recently released a report estimating that ''approximately 18 percent of stations—319—are predicted to lose coverage of 2 percent or more of the existing population they reached with their analog signals.'' One of the recommendations the Commission suggested to alleviate this problem was for affected stations to build translators. The FCC also provided a partial remedy in releasing a Notice of Proposed Rulemaking that would allow stations to install digital translators immediately under Special Temporary Authority. However, in this poor economic climate many broadcasters do not have the resources to construct these expensive towers.

This legislation supplies some of the funding necessary to meet the challenges posed by this significant problem. It also should be noted that these towers can be used to co-locate wireless broadband facilities or other advanced communications services, which means an easier expansion of broadband in many areas that currently are without.

Fully addressing the DTV cliff effect problem will ensure the transition in June is as seamless and undisruptive as possible for all Americans. That is why I hope my colleagues will join Senator COLLINS and me in supporting this legislation.

By Mr. WYDEN:

S. 900. A bill to require the establishment of a credit card safety star rating system for the benefit of consumers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. WYDEN. Mr. President, as the credit crisis has gripped the nation, more and more families are relying on their credit cards to help them weather the storm. Unfortunately, as more folks use their credit cards, many more consumers are falling victim to the industry's abusive practices.

I am pleased that my colleagues in both the Senate and House are working hard to swiftly fix some of the most egregious existing practices. Like many of my colleagues, I agree that some of the credit card industry's practices are unconscionable. For example some provisions today allow issuers to raise the interest on a consumer to astronomical rates just because of a drop in their credit score or a missed payment on another, unrelated credit card. That's like having your home mortgage go into default because you missed a payment on your car loan. It is not fair and it's predatory.

Clearly, competition in the credit card industry is not working for consumers. Card issuers are not competing on the merits of their cards because consumers are still not able to make good comparisons on the overall cost of using their products. Consumers tend to focus on the interest rate and annual fees, not realizing that many of the little disclosures hidden in the legalese of their contracts can make the real cost of credit significantly higher.

Some practices are truly abusive and it may be best for Congress to eliminate those. However, while eliminating these practices would help protect some of the most vulnerable consumers, it would not solve the underlying systematic problem. For each abusive practice that Congress eliminates, another will pop up. That is why there must be a way to arm consumers with the information they need before they sign up for a credit card in order to reject such unfair practices.

With the financial future of so many Americans now dependent upon the unreadable jargon in credit card documents, consumers need to understand what they are getting into.

That is why I am introducing the Credit Card Safety Star Act of 2009. Last Congress, I introduced this legislation with then-Senator Obama because we both agreed that consumers need a simple way to cut through the unreadable jargon in agreements. My bill creates a safety rating system for credit cards, like the five-star crash rating system for new cars. The rating system for cars helps people understand how their car will protect them in a crash; my bill will help people understand if they can expect their card issuer to treat them fairly or kick them when they are down. Five-star cards would be the safest while one-star cards would be the least safe.

Cards are rewarded for terms that are consumer friendly and get knocked for the tricky terms that tend to get consumers in trouble.

For example, card issuers that can change the terms at any time for any reason or those that make consumers go into default based on credit ratings or other accounts would automatically receive a one-star rating.

However, card issuers that innovate new ways to make their agreements more consumer friendly could get points to out-compete others in the industry. For example, credit cards that give 90 days notice before the issuer intends to change terms, with the option for consumers to opt out, would get a point.

Under my system, card issuers would have to display the ratings on all their marketing materials, billing statements, agreement materials and on the back of the card itself. Consumers would also be able to see the ratings for their card and how their card got that rating on a stand-alone Federal Reserve website.

The Federal Reserve will be responsible for updating the star system and making sure that if new terms or practices come to market, those terms or practices are assigned an appropriate rating.

Additionally, my legislation creates a Credit Card Safety Star Advisory Commission which would study the effectiveness of the star rating system. The Commission would also implement a study that would examine whether it would be better to eliminate certain unfair practices rather than simply giving them a rating under my system.

My bill is designed to work in tandem with the other legislation that has already been introduced. While the Credit Card Safety Star Act will not ban any particular practices, it is designed to update if certain practices are banned.

While my legislation is not a silver bullet to solve all the problems in the credit card industry, it can provide a way forward that will arm consumers with usable information about the tricky terms in these agreements.

I believe it is time to put the free market to the test and see whether we can help consumers make better choices while also encouraging issuers to abandon some of these abusive practices and compete for consumers' business by offering them fair terms they can understand.

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. 900

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 ''Credit Card Safety Star Act of 2009''.

SEC. 2. FINDINGS.

Congress finds that—

(1) competition in the credit card market is severely hindered by a lack of transparency, which results in inefficient consumer choices;

(2) such lack of transparency is largely due to confusing terms and overwhelming information for consumers;

(3) the marketplace has not increased competition based on the merits of credit cards;

(4) a Government rating system that would use market forces by encouraging better transparency would increase such competition and assist consumers in making better credit card choices; and

(5) such a rating system would not preclude additional regulation or legislation that may eliminate certain practices considered unfair or abusive.

SEC. 3. TRUTH IN LENDING ACT AMENDMENTS.

The Truth in Lending Act (15 U.S.C. 1601 et seq.) is amended by inserting after section 127A the following new section:

''SEC. 127B. CREDIT CARD SAFETY STAR RATING SYSTEM.

''(a) DEFINITIONS.—In this section—

''(1) the term 'agreement' means the terms and conditions applicable to an open end credit plan offered by an issuer of credit;

''(2) references to a reading grade level shall be as determined by the Board, using available measurements for assessing such reading levels, including those used by the Department of Education;

''(3) the term 'Safety Star System' means the credit card safety star rating system established under this section; and

''(4) the term 'junk mail' means a form of disclosure that does not inform the consumer in a meaningful and significant way about changes in the contract, including small type, using separate pieces of paper for separate disclosures, and mixing disclosure materials with product advertisements.

''(b) RULEMAKING.—

''(1) IN GENERAL.—Not later than 12 months after the date of enactment of this section, the Board shall issue final rules to implement the Safety Star System established under this section, to allow consumers to quickly and easily compare the levels of safety associated with various open end credit plan agreements.

''(2) CONSULTATION.—The Board shall consult with the Comptroller of the Currency, the Office of Thrift Supervision, and the Federal Deposit Insurance Corporation in issuing rules to implement the Safety Star System.

''(c) ELEMENTS OF SAFETY STAR SYSTEM.—The Safety Star System shall consist of a 5-star system for rating the terms and conditions of each open end credit plan agreement between a card issuer and a cardholder, in accordance with this section.

''(d) SAFETY STAR RATINGS.—

''(1) ONE-STAR RATING.—The lowest level of safety for an open end credit plan shall be indicated by a 1-star rating.

''(2) FIVE-STAR RATING.—The highest level of safety in an open end credit plan shall be indicated by a 5-star rating.

''(e) POINT STRUCTURE FOR SAFETY STAR SYSTEM.—

''(1) VALUES.—Each variation of a term in an agreement shall be worth 1 point or –1 point, as applicable.

''(2) STAR SYSTEM.—For purposes of the Safety Star System—

''(A) 5-star credit cards are those with points totaling 7 points or greater;

''(B) 4-star credit cards are those with between 3 points and 6 points;

''(C) 3-star credit cards are those with between –1 point and 2 points;

''(D) 2-star credit cards are those with between –6 points and –2 points; and

''(E) 1-star credit cards are those with –7 points or fewer.

''(f) POINT AWARDS.—One point shall be awarded for each of the terms in an agreement under which—

''(1) no binding or nonbinding arbitration clause applies;

''(2) at least 90 days notice is provided to the cardholder if the card issuer wants to change the terms of the agreement, with the option for the consumer to opt out of the changes, while paying off their previous balance according to the original terms;

''(3) changes are disclosed in a manner that highlights the differences between the current terms and the proposed terms;

''(4) the original card agreement and all original supplementary materials are in 1 document at 1 time, and, when the card issuer discloses changes to the card agreement—

''(A) those materials are not in junk mail form; and

''(B) the changes are disclosed conspicuously, together with the next billing cycle statement, before the changes becomes effective;

''(5) no over-the-limit fees are imposed for the transactions approved at the time of transaction by the card issuer;

''(6) no fees are imposed to pay credit card bills using any method, including over the phone;

''(7) payments are applied to the highest interest rate principal first;

''(8) interest is not accrued on new purchases between the end of the billing cycle and the due date when a balance is outstanding;

''(9) security deposits and fees for credit availability (such as account opening fees or membership fees)—

''(A) are limited to 10 percent of the initial credit limit during the first 12 months; and

''(B) at account opening, are limited to 5 percent of the initial credit limit, and requires any additional amounts (up to 10 percent) to be spread evenly over at least the next 5 billing cycles;

''(10) the terms of the agreement are disclosed in a form that requires at or below an 8th grade reading level;

''(11) any secondary disclosure materials meant to supplement the terms of the agreement are disclosed in a form that requires at or below an 8th grade reading level;

''(12) no late fee may be imposed when a payment is received, whether processed by the issuer or not, within 2 days of the payment due date;

''(13) a copy of the agreement and all supplementary materials are easily available to the cardholder online; or

''(14) a substantial positive financial benefit would be provided to the consumer, as determined by the Board in accordance with subsection (h).

''(g) NEGATIVE POINTS.—One point shall be subtracted for each of the terms in an agreement under which—

''(1) binding or nonbinding arbitration is required to resolve disputes;

''(2) fewer than 30 days notice before the billing statement for which changes in terms take effect are provided to the cardholder when the card issuer wants to change the terms of the card agreement (which shall be assumed if notice of such changes is undisclosed in the agreement materials);

''(3) junk mailer disclosures are used to inform cardholders of changes in their agreements;

''(4) over-the-limit fees are imposed more than once based on the same transaction;

''(5) fees are imposed to pay bills by check, over the Internet, or by an automated phone system;

''(6) interest is accrued on new purchases between the end of the billing cycle and the due date when a balance is outstanding;

''(7) the terms of the agreement are disclosed in a form that requires a reading level that is above a 12th grade reading level;

''(8) any secondary disclosure materials meant to supplement the terms of the agreement are written in a form that requires a reading level above the 12th grade reading level;

''(9) a late fee may be imposed within 2 days of the payment due date;

''(10) the issuer may unilaterally change the terms in the agreement without written consent from the consumer, or the issuer may unilaterally make adverse changes to the terms in the agreement without written consent from the consumer and written notice to the consumer of the precise behavior that provoked the adverse change;

''(11) the issuer charges interest on transaction fees, including late fees; or

''(12) there would be a negative financial impact on the interests of the consumer, as determined by the Board in accordance with subsection (h).

''(h) BOARD CONSIDERATIONS.—For purposes of subsections (f)(15) and (g)(16), the Board may consider—

''(1) the level of difficulty in understanding terms of the subject agreement by an average consumer;

''(2) how such terms will affect consumers who are close to the edge of their credit limits;

''(3) how such terms will affect consumers who do not have a good credit score, history, or rating, using commonly employed credit measurement methods (if it creates greater access to credit by reducing safety, or by other means);

''(4) whether such terms create what would appear to a reasonable consumer to be an arbitrary deadline or limit that may frustrate consumers and result in excess fees or worse financial outcomes for the consumer;

''(5) whether such terms, or the severity of such terms, is not based on the credit risks created by a particular consumer behavior, but rather is designed to solely increase revenue through lack of transparency;

''(6) whether any State has sought to limit such terms or terms that are similar thereto;

''(7) whether provisions of State law relating to unfair and deceptive practices would prohibit any such terms, but for the national bank exclusion from non-home State banking laws;

''(8) whether such terms have an anticompetitive or procompetitive effect on the marketplace; and

''(9) such additional terms or concepts that are not specified in paragraphs (1) through (8) that the Board deems difficult for an average consumer to manage, such as terms that are confusing to the typical consumer or that create a greater risk of negative financial outcomes for the typical consumer, and terms that promote transparency or competition.

''(i) LIMITATIONS.—For purposes of subsection (h), the Board may not consider, with respect to the terms of an open end credit plan agreement, the profitability or impact on the success of any particular business model of such terms.

''(j) AUTOMATIC RATING.—Notwithstanding any other provision of this section, or any other provision of State or Federal law, any open end credit plan that allows the card issuer or a designee thereof to modify the terms of the agreement at any time or periodically for unspecified or unstated reasons, shall automatically give rise to a 1-star rating for such open end credit plan.

''(k) NO POINTS IF TERMS ARE REQUIRED BY LAW.—If a particular term in an agreement becomes required by law or regulation, no points may be awarded under the Safety Star System for that term.

''(l) PROCEDURES FOR RATINGS.—

''(1) CERTIFICATION TO THE BOARD.—Each issuer of credit under an open end credit plan shall certify in writing to the Board, the number of stars to be awarded, separately for each of the card issuer's agreements. Each such certification shall specify which terms in each agreement are subject to the Safety Star System, and how the issuer arrived at the star rating for each agreement based on the Safety Star System in accordance with paragraph (2).

''(2) SUBMISSIONS TO THE BOARD.—Each agreement that is subject to a Safety Star System rating shall be submitted electronically to the Board, together with a written explanation of whether the agreement has or does not have each of the terms specified in subsections (f) and (g), before issuing or marketing a credit card under that agreement.

''(3) BOARD VERIFICATION.—

''(A) IN GENERAL.—The Board shall verify that the terms in the submitted agreement and supporting materials (such as examples of future disclosures or examples of websites with cardholder agreements) comply with the certification submitted to the Board by

the issuer under this subsection, not later than 30 days after the date of submission.

''(B) AVOIDING DUPLICATIVE VERIFICATIONS.—A card issuer may certify to the Board, in writing, that all agreements that it markets include a particular term, or that the issuer will use certain practices (with supporting documents, including showing how future disclosures will be made) so that the Board is required to determine only once, with respect to that term or practice, how that term or practice affects the star ratings of the credit card agreements of the issuer.

''(4) MISREPRESENTATIONS AS VIOLATIONS.—Any certification to the Board under this section that the issuer knew, or should have known, was false or misrepresented to the Board or to a consumer the terms or conditions of a card agreement or of a Safety Star System rating under this section shall be treated as a violation of this title, and shall be subject to enforcement in accordance with section 108.

''(5) MODIFICATIONS BY CARD ISSUERS.—

''(A) IN GENERAL.—After the first annual review by the Board, mentioned in subsection (o), before implementing any new term or concept, or new way of approaching a term or concept, with respect to an open end credit plan, the card issuer shall submit the new term or concept and any supporting materials to the Board, other than with respect to an adjustment to the applicable rate of interest in an existing agreement that clearly specifies that such rate would be adjustable and under what conditions such adjustments could occur.

''(B) DETERMINATION OF THE BOARD.—Not later than 30 days after the date of a submission under subparagraph (A), the Board shall complete a review of the effects on safety of the subject new concept or term, and shall issue a decision on whether it affects the Safety Star System rating for the open end credit plan that will include the term or concept.

''(m) DISPLAY OF AND ACCESS TO RATINGS.—

''(1) DISPLAY OF RATING REQUIRED.—The Safety Star System rating for each credit card shall be clearly displayed on all marketing material, applications, billing statements, and agreements associated with that credit card, as well as on the back of each such credit card, including a brief explanation of the system displayed below each rating (other than on the back of the credit card).

''(2) NEW CARDS REQUIRED FOR LOWER RATINGS.—In any case in which the Safety Star System rating for a credit card is lowered for any reason, the card issuer shall provide new cards to account holders displaying the new rating in accordance with paragraph (1).

''(3) GRAPHIC DISPLAY.—The Safety Star System rating for a credit card shall be represented by a graphic that demonstrates not only the number of stars that the credit card has received, but also the number of stars that the card did not receive.

''(4) DEVELOPMENT OF GRAPHIC BY THE BOARD.—The Board shall determine the graphic and description of the Safety Star System for display on materials and the back of cards for purposes of this section.

''(n) CONSUMER ACCESS TO RATINGS.—

''(1) IN GENERAL.—The Board shall engage in an extensive campaign to educate consumers about the Safety Star System ratings for credit cards, using commonly used and accessible communications media.

''(2) WEBSITE.—Not later than 12 months after the date of enactment of this section, the Board shall establish and shall maintain a stand-alone website—

''(A) to provide easily understandable, in-depth information on the criteria used to assign the ratings, as provided in subsections (f) and (g); and

''(B) to include a listing of the Safety Star System ratings for each open end consumer credit plan, information on how the issuer arrived at that rating, and the number of consumers that have that plan with the issuer.

''(o) ANNUAL REVIEW BY THE BOARD.—

''(1) IN GENERAL.—The Board shall conduct a thorough annual review (of not longer than 6 months in duration) of the Safety Star System, to determine whether the point system is effectively aiding consumers, and shall promptly implement any regulatory changes as are necessary to ensure that the System protects consumers and encourages transparent competition and fairness to consumers, including implementing a system in which terms are weighted to distinguish between different levels of safety, in accordance with the purposes of this section.

''(2) AVAILABILITY OF RESULTS.—Results of the review conducted under this subsection shall be submitted to Congress, and shall be made available to the public.

''(p) PERIODIC REVIEW OF STANDARDS.—Once every 2 years, the Board shall determine whether the requirements to satisfy 2-star standards and above should be raised on the grounds that card issuers have abandoned the most unfair practices. In making such determination, the Board may not consider the profitability of business models, but may consider whether competition in the credit industry will improve consumer protection, and how the change in standards will affect such competition.''.

SEC. 4. SAFETY STAR ADVISORY COMMISSION.

(a) ESTABLISHMENT.—There is established the Credit Card Safety Star Advisory Commission (in this section referred to as the ''Commission'').

(b) DUTIES.—

(1) REVIEW OF THE CREDIT CARD SAFETY STAR SYSTEM AND ANNUAL REPORTS.—The Commission shall—

(A) review the effectiveness of the credit card Safety Star System under this section, including the topics described in paragraph (2);

(B) make recommendations to Congress concerning such system;

(C) study whether it would better protect consumers to ban some practices by creditors rather than use a rating system for those practices, including universal default, unilateral changes without consumer consent, allowing interest charges on fees, or allowing interest rate increases to apply to past debt; and

(D) by not later than March 1 of each calendar year following the date of enactment of this Act, submit a report to Congress containing the results of such reviews and its recommendations concerning such system.

(2) SPECIFIC TOPICS TO BE REVIEWED.—The Commission shall review—

(A) with respect to all credit card users—

(i) the methodology for awarding stars to credit cards under the Safety Star System, and whether there may be a better way to award stars that takes into account unfair or unsafe practices that remain uncaptured in the Safety Star System;

(ii) the consumer awareness of the Safety Star System and what may make the system more useful to consumers; and

(iii) other major issues in implementation and further development of the Safety Star System;

(B) with respect to credit card users who are at or close to their credit limits, whether such consumers are being specifically targeted in credit card agreements, and whether the Safety Star System should incorporate more terms or be revised to encourage more fair terms for such consumers; and

(C) the effects of the Safety Star System on the availability and affordability of credit and the implications of changes in credit availability and affordability in the United States and in the general market for credit services due to the Safety Star System.

(3) COMMENTS ON CERTAIN BOARD REPORTS.—

(A) TRANSMITTAL TO COMMISSION.—If the Board submits to Congress (or a committee of Congress) a report that is required by law and that relates to the Safety Star System, the Board shall transmit a copy of the report to the Commission.

(B) INDEPENDENT REVIEW.—The Commission shall review any report received under subparagraph (A) and, not later than 6 months after the date of submission of the report to Congress, shall submit to the appropriate committees of Congress written comments on such report. Such comments may include such recommendations as the Commission determines appropriate.

(4) AGENDA AND ADDITIONAL REVIEWS.—The Commission shall consult periodically with the chairperson and ranking minority members of the appropriate committees of Congress regarding the agenda of the Commission and progress towards achieving the agenda. The Commission may conduct additional reviews, and submit additional reports to the appropriate committees of Congress, from time to time on such topics relating to the Safety Star System as may be requested by such chairpersons and members, and as the Commission determines appropriate.

(5) AVAILABILITY OF REPORTS.—The Commission shall transmit to the Board a copy of each report submitted under this subsection, and shall make such reports available to the public in an easily accessible format, including operating a website containing the reports.

(6) APPROPRIATE COMMITTEES OF CONGRESS.—For purposes of this subsection, the term ''appropriate committees of Congress'' means the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives.

(7) VOTING AND REPORTING REQUIREMENTS.—With respect to each recommendation contained in a report submitted under paragraph (1), each member of the Commission shall vote on the recommendation, and the Commission shall include, by member, the results of that vote in the report containing the recommendation. The Commission may file a minority report.

(8) EXAMINATION OF BUDGET CONSEQUENCES.—Before making any recommendation that is likely to have a Federal budgetary impact, the Commission shall examine the budget consequences of such recommendation, directly or through consultation with appropriate expert entities.

(c) MEMBERSHIP.—

(1) NUMBER AND APPOINTMENT.—The Commission shall be composed of 15 members appointed by the Comptroller General of the United States, in accordance with this section.

(2) QUALIFICATIONS.—

(A) IN GENERAL.—The membership of the Commission shall include individuals—

(i) who have achieved national recognition for their expertise in credit cards, debt management, economics, credit availability, consumer protection, and other credit card-related issues and fields; or

(ii) who provide a mix of different professions, a broad geographic representation, and a balance between urban and rural representatives.

(B) MAKEUP OF COMMISSION.—The Commission shall be made up of 15 members, of whom—

(i) 4 shall be representatives from consumer groups;

(ii) 4 shall be representatives from credit card issuers or banks;

(iii) 7 shall be representatives from nonprofit research entities or nonpartisan experts in banking and credit cards; and

(iv) no fewer than 1 of the members described in clauses (i) through (iii) shall represent each of—

(I) the elderly;

(II) economically disadvantaged consumers;

(III) racial or ethnic minorities; and

(IV) students and minors.

(C) ETHICS DISCLOSURES.—The Comptroller General shall establish a system for public disclosure by members of the Commission of financial and other potential conflicts of interest relating to such members. Members of the Commission shall be treated as employees of Congress whose pay is disbursed by the Secretary of the Senate for purposes of title I of the Ethics in Government Act of 1978 (Public Law 95–521).

(3) TERMS.—

(A) IN GENERAL.—The terms of members of the Commission shall be for 5 years except that the Comptroller General shall designate staggered terms for the members first appointed.

(B) VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office. A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(4) COMPENSATION.—

(A) MEMBERS.—While serving on the business of the Commission (including travel time), a member of the Commission shall be entitled to compensation at the per diem equivalent of the rate provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code, and while so serving away from home and the regular place of business of the member, the member may be allowed travel expenses, as authorized by the Chairperson.

(B) OTHER EMPLOYEES.—For purposes of pay (other than pay of members of the Commission) and employment benefits, rights, and privileges, all employees of the Commission shall be treated as if they were employees of the United States Senate.

(5) CHAIRPERSON; VICE CHAIRPERSON.—The Comptroller General shall designate a member of the Commission, at the time of appointment of the member as Chairperson and a member as Vice Chairperson for that term of appointment, except that in the case of vacancy in the position of Chairperson or Vice Chairperson of the Commission, the Comptroller General may designate another member for the remainder of that member's term.

(6) MEETINGS.—The Commission shall meet at the call of the Chairperson.

(d) DIRECTOR AND STAFF; EXPERTS AND CONSULTANTS.—Subject to such review as the Comptroller General determines necessary to assure the efficient administration of the Commission, the Commission may—

(1) employ and fix the compensation of an Executive Director (subject to the approval of the Comptroller General) and such other personnel as may be necessary to carry out its duties (without regard to the provisions of title 5, United States Code, governing appointments in the competitive service);

(2) seek such assistance and support as may be required in the performance of its duties from appropriate Federal departments and agencies;

(3) enter into contracts or make other arrangements, as may be necessary for the conduct of the work of the Commission (without regard to section 3709 of the Revised Statutes of the United States (41 U.S.C. 5));

(4) make advance, progress, and other payments which relate to the work of the Commission;

(5) provide transportation and subsistence for persons serving without compensation; and

(6) prescribe such rules and regulations as it determines necessary with respect to the internal organization and operation of the Commission.

(e) POWERS.—

(1) OBTAINING OFFICIAL DATA.—The Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out this section. Upon request of the Chairperson, the head of that department or agency shall furnish that information to the Commission on an agreed upon schedule.

(2) DATA COLLECTION.—In order to carry out its functions, the Commission shall—

(A) utilize existing information, both published and unpublished, where possible, collected and assessed either by its own staff or under other arrangements made in accordance with this section;

(B) carry out, or award grants or contracts for, original research and experimentation, where existing information is inadequate; and

(C) adopt procedures allowing any interested party to submit information for the Commission's use in making reports and recommendations.

(3) ACCESS OF GAO TO INFORMATION.—The Comptroller General shall have unrestricted access to all deliberations, records, and nonproprietary data of the Commission, immediately upon request.

(4) PERIODIC AUDIT.—The Commission shall be subject to periodic audit by the Comptroller General.

(f) ADMINISTRATIVE AND SUPPORT SERVICES.—The Comptroller General shall provide such administrative and support services to the Commission as may be necessary to carry out this section.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Commission, not more than $10,000,000 for each fiscal year to carry out this section.

By Mr. MERKLEY (for himself and Mr. WYDEN):

S. 901. A bill to establish the Oregon Task Force on Sustainable Revenue for Counties, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. MERKLEY. Mr. President, today I am introducing the Sustainable Revenue for Oregon Counties Act, a bill aimed at finding a sustainable long-term solution to the revenue problems faced by Oregon's timber-dependent counties and other timber-dependent counties across our Nation. This bill, which is cosponsored by Senator RON WYDEN, will establish a task force to determine the best way to provide counties with a dependable source of revenue after the current county payments program expires.

Last year I promised that county payments would be the subject of my first bill as a Senator because addressing this issue is essential to the long-term success of Oregon's rural counties. Thanks to the hard work of Senator WYDEN and our congressional delegation, payments are in place for the next 2 years. But we need to start preparing for what happens next.

Let me give some background on this critical issue. Like many Western States, the Federal Government owns much of Oregon's land base. More than half of Oregon's land is federally owned. One class of the Federal lands is the O&C lands. These lands were granted to Oregon & California Railroad in 1866 and later reverted to the Federal Government when the railroad failed to live up to terms of the grant. They also included a class of lands that originated from a similar situation, the Coos Bay Wagon Road lands. These O&C lands make up 2.2 million acres in western and southern Oregon.

Then there are Forest Service lands—timbered lands owned by the Forest Service, managed—that make up 14 million additional acres across our State.

In both cases, the Federal Government has allocated a share of the revenue generated by cutting timber to compensate local counties for their services. Since 1908, in fact, the Federal Government has compensated counties for the revenue lost due to Forest Service lands with a simple formula: 25 percent of the revenue earned by harvesting timber. Since 1937 the Federal Government has sustained a similar commitment on our O&C lands. The O&C Act provided that counties receive 75 percent of the timber harvest revenues, and since 1957 that was reasserted with 50 percent going directly to the counties and 25 percent put into management.

Then along came the 1990s and something happened. What happened is, the Federal Government started saying for other reasons—environmental reasons, stewardship reasons—we were going to change the harvest practices on these lands. That has had a direct impact, a deep, profound impact on our timber counties. A deal was struck. In fact, in 1993, President Clinton proposed and Congress enacted a program to augment timber payments with Federal payments based on the historic harvest levels so the people of Oregon's timber counties will not be paying the price for the environmental goals and other goals that were put forward. This is a deal, this is a core foundation agreement between the Federal Government and our timber counties.

This program was modified in 2000 under the leadership of our senior Senator from Oregon, and the program became the Secure Rural Schools and Community Self-Determination Act. That program, though, had a sunset in 2006 when the program disappeared that started to wreak havoc on our timber-dependent counties.

In Josephine County two-thirds of the county's general fund came from county payments. Loss of county payments meant cutting public safety programs. Overnight, patrols were down to one 10-hour shift split among six deputies covering an area the size of the State of Rhode Island.

In Harney County—where 78 percent of the landmass, an area the size of New Jersey, is federally controlled—70 percent of the road funds come from Federal payments.

In Lake County, Federal land, making up 61 percent of the county, is in anticipation of losing Federal funding, so the county had to cut its Federal Road Department from 42 individuals to 14—14 for a road department for a county the size of Connecticut and Delaware combined.

In Jackson County, where one-third of the general fund comes from Federal payments, Jackson County eliminated 117 jobs in parks, human services, roads, public safety, and closed all of their libraries.

This issue was so substantial that the Oregon Legislature, when I served as speaker, redirected more than $50 million in transportation funds away from counties under the normal formula to a formula based on the loss of the Federal timber dollars.

The good news is that due to the tireless work of the senior Senator from my State, Mr. WYDEN, and our colleagues in the other Chamber, counties received a 1-year reprieve in 2007 and just last fall a 4-year extension. But now we are faced again with expiration of these critical resources in 2011. So today I am here to propose a strategy to develop a coherent plan, a plan for restoring fiscal security and sustainable revenue to our counties so that, despite the crushing economic situation our counties are facing today—and unemployment is second highest in the Nation in Oregon, and in the timber-dependent counties far higher than the average, many with 14, 16, 18 percent unemployment—despite that, we need to provide a foundation for transition in 2011.

There are many elements that can go into this coherent strategy. Our forests, millions of acres of second growth forests are overgrown and need to be thinned to restore forest health and prevent forest fires. Increasing the harvest could generate revenue. The material cleared from the forest could be used to generate biomass energy and cellulosic biofuels, and harvesting that material, that biomass, could generate revenue.

Our forests can be used to sequester carbon, and the forests of the Northwest are potentially the largest carbon sink we have, so management to increase carbon sequestration could be a source of revenue.

Increased use of public lands by visitors brings economic benefit to our counties and these recreational and tourism activities could be a source of revenues.

Certainly, we need to look at the historic deal struck between the Federal Government and the counties and find a way to sustain it into the future—that deal saying, if we are going to put restrictions on the timber harvest under these traditional timberlands that we are going to compensate counties for the lost revenue.

This bill creates a task force with 15 members. Four members come from timber counties. They get their first-hand reports from the front line. One member each represents timber, conservation, recreation, and labor organizations—as well as a member from the Governor's office and a member from Oregon's tribes.

Then the task force will be expanded to include members who are experts on sustainable forestry, on natural resource economics, on biomass energy, on carbon sequestration, and on habitat conservation.

This task force is charged with developing a long-term plan to raise sustainable revenue for Oregon's counties, and it will consider all of the concepts that I have mentioned, as well as others that are proposed or that come up in the course of the task force's work. They are going to report back two strategies for consideration within 9 months of this bill being enacted.

Timberlands are an important part of the national economy and an extremely important part of the Oregon economy. Timber products can be used to help us address next generation biofuels. Timber can be used to sequester carbon. It is a creative, adaptable building material, and our timber counties have been hit particularly hard by the downturn in the national housing market.

So we need to sustain the traditional deal with Oregon's timber counties and with timber counties across this country. That is what this bill is intended to do. I am very proud to introduce it as my first bill as a Senator.

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 placed in the RECORD, as follows:

S. 901

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 ''Sustainable Revenue for Oregon Counties Act of 2009''.

SEC. 2. FINDINGS.

Congress finds that—

(1) more than half of the land in the State of Oregon is owned by the Federal Government;

(2) in many counties of the State, significant portions of the land of the counties (often significantly more than half of the land of the counties) is owned by the Federal Government;

(3) the land described in paragraph (2) includes Forest Service land and Oregon and California grant land;

(4) the counties described in paragraph (2) are unable to derive revenue from property taxes on land owned by the Federal Government;

(5) historically, payments made by the Federal Government based on revenues from harvesting timber (including Oregon and California grant land and Forest Service payments) have provided a revenue substitute for property taxes;

(6) the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 500 note; Public Law 106–393) augmented the payments described in paragraph (5) because of a significant decline in timber harvest revenues;

(7) Congress extended the payments described in paragraph (6) for 1 year in 2007, and for 4 years effective beginning in 2008, to provide time to develop a long-term sustainable alternative to the payments described in paragraph (6);

(8) the prospects for a long-term extension are uncertain because of concerns regarding Federal budget deficits and long-term financial assistance to local governments of the State;

(9) counties of the State that have historically received the payments described in paragraph (5) are in need of a sustainable, long-term revenue source;

(10) there are opportunities for the conduct of activities in the Federal forest land of the counties of the State that could be structured to be economically and environmentally sustainable, including—

(A) the harvesting of timber (including thinning to restore forest health) in a sustainable manner and in sustainable quantities;

(B) the removal of biomass material from the forest land for—

(i) the generation of electricity; and

(ii) the production of cellulosic biofuels;

(C) the conduct of activities that could—

(i) increase the sequestration by the forest land of atmospheric carbon; or

(ii) provide other ecosystem services for communities, such as clean water; and

(D) the conduct of recreational activities;

(11) other sources of revenue, including State and local revenue sources, should also be considered in selecting a sustainable, long-term revenue source; and

(12) payments made by the Federal Government could be continued under a variety of different payment methodologies.

SEC. 3. DEFINITIONS.

In this Act:

(1) SECRETARIES CONCERNED.—The term ''Secretaries concerned'' means—

(A) the Secretary of Agriculture; and

(B) the Secretary of the Interior.

(2) STATE.—The term ''State'' means the State of Oregon.

(3) TASK FORCE.—The term ''Task Force'' means the Oregon Task Force on Sustainable Revenue for Counties established by section 4(a).

SEC. 4. TASK FORCE.

(a) ESTABLISHMENT.—There is established a task force to be known as the ''Oregon Task Force on Sustainable Revenue for Counties''.

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Task Force shall be composed of 15 members, of whom—

(A) 4 members shall be appointed by the Secretaries concerned, of whom—

(i) each shall represent a county of the State; and

(ii) 2 shall represent counties in which there is located Oregon and California grant land;

(B) 1 member shall be appointed by the Governor of the State as the representative of the Governor of the State;

(C) 1 member shall be appointed by the Secretaries concerned from among persons who are experts in economics (including natural resource economics);

(D) 1 member shall be appointed by the Secretaries concerned from among persons who are experts in sustainable forestry practices;

(E) 1 member shall be appointed by the Secretaries concerned from among persons who are experts in scientific and economic aspects of biomass energy;

(F) 1 member shall be appointed by the Secretaries concerned from among persons

who are experts in the scientific aspects of ecosystem services that are provided by temperate forests (including, at a minimum, the scientific aspects of carbon sequestration);

(G) 1 member shall be appointed by the Secretaries concerned from among persons who are experts in fields relating to wildlife habitat, endangered species, and biodiversity;

(H) 1 member shall be appointed by the Secretaries concerned as a representative of the forest products industry located in the State;

(I) 1 member shall be appointed by the Secretaries concerned as a representative of regionally or locally recognized conservation organizations located in the State;

(J) 1 member shall be appointed by the Secretaries concerned as a representative of—

(i) organized labor; or

(ii) nontimber forest product harvester groups;

(K) 1 member shall be appointed by the Secretaries concerned as a representative of persons who participate in or provide recreational activities or are engaged in related activities; and

(L) 1 member shall be appointed by the Secretaries concerned as a representative of Indian tribes that are located in the State.

(2) DATE OF APPOINTMENTS.—The appointment of a member of the Task Force shall be made not later than 60 days after the date of enactment of this Act.

(c) TERM; VACANCIES.—

(1) TERM.—A member shall be appointed for the life of the Task Force.

(2) VACANCIES.—A vacancy on the Task Force—

(A) shall not affect the powers of the Task Force; and

(B) shall be filled in the same manner as the original appointment was made.

(d) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Task Force have been appointed, the Task Force shall hold the initial meeting of the Task Force.

(e) MEETINGS.—

(1) IN GENERAL.—The Task Force shall meet at the call of the Chairperson.

(2) PUBLIC ACCESS.—Each meeting of the Task Force shall be open to the public.

(f) QUORUM.—A majority of the members of the Task Force shall constitute a quorum, but a lesser number of members may hold hearings.

(g) CHAIRPERSON AND VICE CHAIRPERSON.—The Task Force shall select a Chairperson and Vice Chairperson from among the members of the Task Force.

SEC. 5. DUTIES.

(a) CONSIDERATION AND REVIEW OF REVENUE SOURCES.—

(1) IN GENERAL.—The Task Force shall consider and review concepts for the establishment of a long-term revenue source for counties located in the State that have historically received Federal funds.

(2) REVENUE SOURCES.—In conducting the consideration and review under paragraph (1), in accordance with paragraph (3), the Task Force shall consider—

(A) revenue sources proposed by relevant legislation or administrative actions;

(B) payments based on timber harvests (including thinning to restore forest health) carried out at sustainable levels;

(C) payments based on revenues that each county of the State could have received through property taxation if the land owned by the Federal Government located in the county was privately held and subject to a property tax;

(D) revenue based on—

(i) a portion of the proceeds from sales of material collected from public land located in the State for the production of biomass electricity or cellulosic liquid transportation fuels;

(ii) user fees for recreational activities carried out on public land located in the State;

(iii) payments for increases in carbon sequestration; and

(iv) land exchanges or transfers that could provide compensation for nontaxable Federal land located in counties of the State;

(E) local sources of revenue that could be used to reduce or eliminate the reliance of counties of the State on Federal funds (including taxes, user fees, or economic development activities that could increase the revenue base of the counties of the State);

(F) payments made by the Federal Government to the counties of the State, including—

(i) guaranteed payments that are to be established at a reduced level and not based on timber harvest revenues; and

(ii) guaranteed payments that are to be established—

(I) at a level similar to the level of payments reauthorized in 2008;

(II) in part by timber harvest revenues; and

(III) with the use of additional Federal funds to the extent that timber harvest revenues described in subclause (II) do not meet the guaranteed level of payment; and

(G) any other revenue source that the Task Force determines to be appropriate for consideration and review.

(3) FACTORS.—In considering each revenue source under paragraph (2), the Task Force shall take into account—

(A) the long-term sustainability of each revenue source considered under paragraph (2);

(B) the relative value, long-term sustainability, and any other implication of the relative reliance of the counties of the State on revenues arising from Federal forests located in the counties, as compared to other local revenue sources;

(C) the potential long-term effects of each revenue source considered under paragraph (2) on the economies of the counties of the State;

(D) revenue sources that are used by other cities or counties of the State;

(E) the environmental effects of each revenue source considered under paragraph (2);

(F) the effect of each revenue source considered under paragraph (2) on local revenue streams and county services; and

(G) comments submitted to the Task Force by a stakeholder relating to any issue or proposal considered by the Task Force.

(b) HEARINGS.—

(1) IN GENERAL.—The Task Force shall hold such hearings, meet and act at such times and places, take such testimony, and receive such evidence as the Task Force considers advisable to receive the input and determine the opinions of the public and stakeholders with respect to the establishment of a sustainable, long-term revenue source for the counties of the State.

(2) INCORPORATION OF PUBLIC AND STAKEHOLDER INPUT.—In preparing the report required under subsection (c), the Task Force shall incorporate into the recommendations of the Task Force required under subsection (c)(2), to the maximum extent practicable, the public and stakeholder input received under paragraph (1).

(c) REPORT.—Not later than 9 months after the date of enactment of this Act, the Task Force shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that contains—

(1) a detailed statement of the findings and conclusions of the Task Force;

(2) a description of not less than 2 policy scenarios for providing sustainable revenue to the counties of the State that are recommended by not less than ⅗ of the members of the Task force for consideration by the Federal Government, the State, and the counties of the State as the Task Force considers appropriate (including such legislation and administrative actions necessary to implement each policy scenario);

(3) a description of the opinion of each member of the Task Force regarding each policy scenario described in paragraph (2);

(4) a description of the minority views of each member of the Task Force who does not support any policy scenario described in paragraph (2);

(5) a description of each revenue source considered but not recommended by the Task Force under paragraph (2), including—

(A) an explanation of each reason why the Task Force did not recommend the policy scenario; and

(B) a description of the minority views of each member of the Task Force relating to the decision by the Task Force not to recommend the policy scenario; and

(6) a summary of comments received by the Task Force under subsections (a)(3)(G) and (b)(1).

(d) REQUIRED HEARINGS.—Not later than 60 days after the date on which each committee described in subsection (c) receives the report required under that subsection, each committee shall hold a hearing to evaluate the recommendations contained in the report.

SEC. 6. POWERS.

(a) INFORMATION FROM FEDERAL AGENCIES.—

(1) IN GENERAL.—The Task Force may secure directly from a Federal agency such information as the Task Force considers necessary to carry out this Act.

(2) PROVISION OF INFORMATION.—On request of the Chairperson of the Task Force, the head of the agency shall provide the information to the Task Force.

(b) POSTAL SERVICES.—The Task Force may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

(c) GIFTS.—The Task Force may accept, use, and dispose of gifts or donations of services or property.

SEC. 7. TASK FORCE PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—Each member of the Task Force shall serve without compensation.

(b) TRAVEL EXPENSES.—A member of the Task Force shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Task Force.

(c) DETAIL OF FEDERAL GOVERNMENT EMPLOYEES.—

(1) IN GENERAL.—An employee of the Federal Government may be detailed to the Task Force without reimbursement.

(2) CIVIL SERVICE STATUS.—The detail of the employee shall be without interruption or loss of civil service status or privilege.

(d) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Task Force may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act, to remain available until expended.

SEC. 9. TERMINATION OF TASK FORCE.

The Task Force shall terminate 120 days after the date on which the Task Force submits the report of the Task Force under section 5(c).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 114—EXPRESSING SUPPORT FOR DESIGNATION OF APRIL 27, 2009, AS ''NATIONAL HEALTHY SCHOOLS DAY''

Mrs. GILLIBRAND submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 114

Whereas there are approximately 54,000,000 children and 7,000,000 adults who spend their days in the Nation's 120,000 public and private schools;

Whereas over half of all schools in the United States have problems linked to indoor air quality;

Whereas children are more vulnerable to environmental hazards, as they breathe in more air per pound of body weight due to their developing systems;

Whereas children spend an average of 30 to 50 hours per week in school;

Whereas poor indoor environmental quality is associated with a wide range of problems that include poor concentration, respiratory illnesses, learning difficulties, and cancer;

Whereas an average of 1 in every 13 school-age children has asthma, the leading cause of school absenteeism, accounting for approximately 14,700,000 missed school days each year;

Whereas the Nation's schools spend approximately $8,000,000,000 a year on energy costs, causing officials to make very difficult decisions on cutting back on much needed academic programs in their efforts to maintain heat and electricity;

Whereas healthy and high-performance schools that are designed to reduce energy and maintenance costs, provide cleaner air, improve lighting, and reduce exposure to toxic substances provide a healthier and safer learning environment for children and improve academic achievement and well-being;

Whereas new building construction, especially for new school buildings, should be designed to meet energy efficiency standards, including Leadership in Energy and Environmental Design (LEED) standards;

Whereas green and healthy schools save an average of $100,000 per year on energy costs, enough to hire 2 teachers, buy 200 new computers, or purchase 5,000 new textbooks;

Whereas converting all of the Nation's schools to green schools would reduce carbon dioxide emissions by 33,200,000 metric tons;

Whereas Congress has demonstrated its interest in this compelling issue by including the Health High-Performance Schools program in the No Child Left Behind Act and the Energy Independence and Security Act of 2007;

Whereas our schools have the great responsibility of guiding the future of our children and our Nation; and

Whereas April 27, 2009, would be an appropriate date to designate as ''National Healthy Schools Day'': Now, therefore, be it

Resolved, That the Senate supports the designation of April 27, 2009, as ''National Healthy Schools Day''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Monday, April 27, 2009, at 5:30 p.m.

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

UNANIMOUS CONSENT AGREEMENT—S. 386

Mr. BROWN. I ask unanimous consent that at noon Tuesday, April 28, the Senate return to legislative session to resume consideration of S. 386; that upon passage of the bill, the Senate then return to executive session to resume consideration of the Sebelius nomination.

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

TECHNICAL AMENDMENTS AFFECTING JUDICIAL PROCEEDINGS

Mr. BROWN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1626, which was received from the House.

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

The legislative clerk read as follows:

A bill (H.R. 1626) to make technical amendments to laws containing time periods affecting judicial proceedings.

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

Mr. BROWN. I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 1626) was ordered to be read a third time, was read the third time, and passed.

ORDERS FOR TUESDAY, APRIL 28, 2009

Mr. BROWN. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, Tuesday, April 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 proceed to executive session under the previous order; further, I ask consent that the Senate recess from 12:30 until 2:15 p.m. to allow for the weekly caucus luncheons.

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

PROGRAM

Mr. BROWN. Madam President, at 10 a.m. tomorrow the Senate will begin consideration of the nomination of Kathleen Sebelius to be Secretary of Health and Human Services. Under the previous order, there will be up to 8 hours for debate equally divided between the two leaders or designees. Senators should also be prepared for a vote on passage of S. 386, the Fraud Enforcement and Recovery Act, at noon tomorrow.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. BROWN. Madam 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 6:34 p.m., adjourned until Tuesday, April 28, 2009, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF AGRICULTURE

PEARLIE S. REED, OF ARKANSAS, TO BE AN ASSISTANT SECRETARY OF AGRICULTURE, VICE BOYD KEVIN RUTHERFORD.

DEPARTMENT OF DEFENSE

THOMAS R. LAMONT, OF ILLINOIS, TO BE AN ASSISTANT SECRETARY OF THE ARMY, VICE RONALD J. JAMES.

DEPARTMENT OF TRANSPORTATION

JOHN D. PORCARI, OF MARYLAND, TO BE DEPUTY SECRETARY OF TRANSPORTATION, VICE THOMAS J. BARRETT, RESIGNED.

DEPARTMENT OF ENERGY

CATHERINE RADFORD ZOI, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF ENERGY (ENERGY, EFFICIENCY, AND RENEWABLE ENERGY), VICE ALEXANDER A. KARSNER, RESIGNED.

WILLIAM F. BRINKMAN, OF NEW JERSEY, TO BE DIRECTOR OF THE OFFICE OF SCIENCE, DEPARTMENT OF ENERGY, VICE RAYMOND L. ORBACH, RESIGNED.

DEPARTMENT OF THE INTERIOR

ANNE CASTLE, OF COLORADO, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR, VICE MARK A. LIMBAUGH.

DEPARTMENT OF STATE

KURT M. CAMPBELL, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF STATE (EAST ASIAN AND PACIFIC AFFAIRS), VICE CHRISTOPHER R. HILL, RESIGNED.

DANIEL BENJAMIN, OF THE DISTRICT OF COLUMBIA, TO BE COORDINATOR FOR COUNTERTERRORISM, WITH THE RANK AND STATUS OF AMBASSADOR AT LARGE, VICE DELL L. DAILEY, RESIGNED.

ROBERT ORRIS BLAKE, JR., OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE ASSISTANT SECRETARY OF STATE FOR SOUTH ASIAN AFFAIRS, VICE RICHARD A. BOUCHER, RESIGNED.

DEPARTMENT OF LABOR

PHYLLIS CORRINE BORZI, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF LABOR, VICE BRADFORD P. CAMPBELL, RESIGNED.

DEPARTMENT OF HOMELAND SECURITY

DAVID HEYMAN, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF HOMELAND SECURITY, VICE STEWART A. BAKER, RESIGNED.