court applying current law, arbitrators enjoy near complete freedom to ignore the law and even their own rules.

(6) Mandatory arbitration is a poor system for protecting civil rights and consumer rights because it is not transparent. While the American civil justice system features publicly accountable decision makers who generally issue public, written decisions, arbitration often offers none of these features.

(7) Many corporations add to arbitration clauses unfair provisions that deliberately tilt the systems against individuals, including provisions that strip individuals of substantive statutory rights, ban class actions, and force people to arbitrate their claims hundreds of miles from their homes. While some courts have been protective of individuals, too many courts have erroneously upheld even egregiously unfair mandatory arbitration clauses in deference to a supposed Federal policy favoring arbitration over the constitutional rights of individuals.

SEC. 3. ARBITRATION OF EMPLOYMENT, CONSUMER, FRANCHISE, AND CIVIL RIGHTS DISPUTES.

(a) IN GENERAL.—Title 9 of the United States Code is amended by adding at the end the following:

''CHAPTER 4—ARBITRATION OF EMPLOYMENT, CONSUMER, FRANCHISE, AND CIVIL RIGHTS DISPUTES

''Sec.
''401. Definitions.
''402. Validity and enforceability.

''§ 401. Definitions

''In this chapter—

''(1) the term 'civil rights dispute' means a dispute—

''(A) arising under—

''(i) the Constitution of the United States or the constitution of a State; or

''(ii) a Federal or State statute that prohibits discrimination on the basis of race, sex, disability, religion, national origin, or any invidious basis in education, employment, credit, housing, public accommodations and facilities, voting, or program funded or conducted by the Federal Government or State government, including any statute enforced by the Civil Rights Division of the Department of Justice and any statute enumerated in section 62(e) of the Internal Revenue Code of 1986 (relating to unlawful discrimination); and

''(B) in which at least 1 party alleging a violation of the Constitution of the United States, a State constitution, or a statute prohibiting discrimination is an individual;

''(2) the term 'consumer dispute' means a dispute between a person other than an organization who seeks or acquires real or personal property, services (including services relating to securities and other investments), money, or credit for personal, family, or household purposes and the seller or provider of such property, services, money, or credit;

''(3) the term 'employment dispute' means a dispute between an employer and employee arising out of the relationship of employer and employee as defined in section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203);

''(4) the term 'franchise dispute' means a dispute between a franchisee with a principal place of business in the United States and a franchisor arising out of or relating to contract or agreement by which—

''(A) a franchisee is granted the right to engage in the business of offering, selling, or distributing goods or services under a marketing plan or system prescribed in substantial part by a franchisor;

''(B) the operation of the franchisee's business pursuant to such plan or system is substantially associated with the franchisor's trademark, service mark, trade name, logotype, advertising, or other commercial symbol designating the franchisor or its affiliate; and

''(C) the franchisee is required to pay, directly or indirectly, a franchise fee; and

''(5) the term 'predispute arbitration agreement' means any agreement to arbitrate a dispute that had not yet arisen at the time of the making of the agreement.

''§ 402. Validity and enforceability

''(a) IN GENERAL.—Notwithstanding any other provision of this title, no predispute arbitration agreement shall be valid or enforceable if it requires arbitration of an employment, consumer, franchise, or civil rights dispute.

''(b) APPLICABILITY.—

''(1) IN GENERAL.—An issue as to whether this chapter applies to an arbitration agreement shall be determined under Federal law. The applicability of this chapter to an agreement to arbitrate and the validity and enforceability of an agreement to which this chapter applies shall be determined by the court, rather than the arbitrator, irrespective of whether the party resisting arbitration challenges the arbitration agreement specifically or in conjunction with other terms of the contract containing such agreement.

''(2) COLLECTIVE BARGAINING AGREEMENTS.—Nothing in this chapter shall apply to any arbitration provision in a contract between an employer and a labor organization or between labor organizations, except that no such arbitration provision shall have the effect of waiving the right of an employee to seek judicial enforcement of a right arising under a provision of the Constitution of the United States, a State constitution, or a Federal or State statute, or public policy arising therefrom.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Title 9 of the United States Code is amended—

(A) in section 1, by striking ''of seamen,'' and all that follows through ''interstate commerce'';

(B) in section 2, by inserting ''or as otherwise provided in chapter 4'' before the period at the end;

(C) in section 208—

(i) in the section heading, by striking ''**Chapter 1; residual application**'' and inserting ''**Application**''; and

(ii) by adding at the end the following: ''This chapter applies to the extent that this chapter is not in conflict with chapter 4.''; and

(D) in section 307—

(i) in the section heading, by striking ''**Chapter 1; residual application**'' and inserting ''**Application**''; and

(ii) by adding at the end the following: ''This chapter applies to the extent that this chapter is not in conflict with chapter 4.''.

(2) TABLE OF SECTIONS.—

(A) CHAPTER 2.—The table of sections for chapter 2 of title 9, United States Code, is amended by striking the item relating to section 208 and inserting the following:

''208. Application.''.

(B) CHAPTER 3.—The table of sections for chapter 3 of title 9, United States Code, is amended by striking the item relating to section 307 and inserting the following:

''307. Application.''.

(3) TABLE OF CHAPTERS.—The table of chapters for title 9, United States Code, is amended by adding at the end the following:

''4. Arbitration of employment, consumer, franchise, and civil rights disputes ..... 401''.

SEC. 4. EFFECTIVE DATE.

This Act, and the amendments made by this Act, shall take effect on the date of enactment of this Act and shall apply with respect to any dispute or claim that arises on or after such date.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 117—COMMEMORATING THE 80TH ANNIVERSARY OF THE DAUGHTERS OF PENELOPE, A PREEMINENT INTERNATIONAL WOMEN'S ASSOCIATION AND AFFILIATE ORGANIZATION OF THE AMERICAN HELLENIC EDUCATIONAL PROGRESSIVE ASSOCIATION (AHEPA)

Ms. SNOWE (for herself and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 117

Whereas the Daughters of Penelope is a leading international organization of women of Hellenic descent and Philhellenes, founded November 16, 1929, in San Francisco, California, to improve the status and well-being of women and their families and to provide women the opportunity to make significant contributions to their community and country;

Whereas the mission of the Daughters of Penelope is to promote the ideals of ancient Greece, philanthropy, education, civic responsibility, good citizenship, and family and individual excellence, through community service and volunteerism;

Whereas the chapters of the Daughters of Penelope sponsor affordable and dignified housing to the Nation's senior citizen population by participating in the Department of Housing and Urban Development's section 202 housing program (12 U.S.C. 1701q);

Whereas Penelope House, a domestic violence shelter for women and their children sponsored by the Daughters of Penelope, is the first of its kind in the State of Alabama and is recognized as a model shelter for others to emulate throughout the United States;

Whereas the Daughters of Penelope Foundation, Inc. supports the educational objectives of the Daughters of Penelope by providing tens of thousands of dollars annually for scholarships, sponsoring educational seminars, and donating children's books to libraries, schools, shelters, and churches through the ''Open Books'' program;

Whereas the Daughters of Penelope is the first ethnic organization to submit oral history tapes to the Library of Congress, providing an oral history of first generation Greek-American women in the United States;

Whereas the Daughters of Penelope promotes awareness of cancer research, such as thalassemia (Cooley's anemia), lymphangioleiomyomatosis (LAM), Alzheimer's disease, muscular dystrophy, and others;

Whereas the Daughters of Penelope provides financial support for many medical research and charitable organizations such as the University of Miami Sylvester Comprehensive Cancer Center (formerly the Papanicolaou Cancer Center), the Alzheimer's Foundation of America, the American Heart Association, the Special Olympics, the Barbara Bush Foundation for Family Literacy, the Children's Wish Foundation International, the United Nations Children's Fund (UNICEF), Habitat for Humanity, St. Basil Academy, and others; and

Whereas the Daughters of Penelope provides support and financial assistance to victims and communities affected by natural disasters such as hurricanes, earthquakes, and forest fires: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the significant contributions of people of Greek ancestry, and of Philhellenes, to the United States; and

(2) commemorates the 80th anniversary of the Daughters of Penelope in 2009, applauds its mission, and commends the many charitable contributions of its members to organizations and communities around the world.

Ms. SNOWE. Mr. President, this year marks the 80th anniversary of the founding of the Daughters of Penelope. I rise today to introduce with my colleague, Senator MENENDEZ, a resolution honoring their history of selfless service and achievement during these eight historic decades.

Founded November 16, 1929, in San Francisco, CA, the Daughters of Penelope was established to improve the well-being of women and provide them with the opportunity to make significant contributions to American society. Today its mission is to promote the ideals of ancient Greece—education, philanthropy, civic responsibility, family, and individual excellence through community service and volunteerism.

An affiliate organization of the American Hellenic Educational Progressive Association, AHEPA, a leading association of American citizens of Greek heritage and Philhellenes, the Daughters of Penelope have worked both within and beyond the Greek-American community to achieve remarkable accomplishments. Over its history, its members have tirelessly sought to strengthen the status of women in society, shelter the elderly and the abused, educate our youth, promote Hellenic heritage, and raise funds for medical research.

One project adopted by the Daughters of Penelope is particularly near and dear to my heart—its charitable aid to St. Basil Academy, a Greek Orthodox Archdiocese home for children in need, which I attended for several years. Beginning in 1954, the Daughters of Penelope have been providing charitable aid to St. Basil Academy when it embarked on a Christmas Seal Campaign to raise funds to build the new water works for the Academy. Since then, the Daughters of Penelope contributed to the furnishing of new buildings that have been built on campus, built a heated outdoor swimming pool for the children, and has provided funds for ongoing maintenance and renovations to the Academy for such items as replacing outdated appliances and worn-out roofs.

In matching their own personal achievement with the desire to help others also achieve their goals, the Daughters of Penelope exemplify the very best in American and Hellenic values. As they embark on another 8 decades of service and accomplishment, I ask my colleagues to join me in congratulating them on their distinguished past, and wishing them every success in the future.

SENATE RESOLUTION 118—TO PROVIDE INTERNET ACCESS TO CERTAIN CONGRESSIONAL RESEARCH SERVICE PUBLICATIONS

Mr. LIEBERMAN (for himself, Mr. MCCAIN, Mr. HARKIN, Ms. COLLINS, Mr. LEAHY, Mr. LUGAR, and Mr. FEINGOLD) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 118

Resolved,

SECTION 1. PUBLIC AVAILABILITY OF INFORMATION.

The Sergeant-at-Arms of the Senate shall make information available to the public in accordance with the provisions of this resolution.

SEC. 2. AVAILABILITY OF CERTAIN CONGRESSIONAL RESEARCH SERVICE INFORMATION.

(a) AVAILABILITY OF INFORMATION.—

(1) IN GENERAL.—The Sergeant-at-Arms of the Senate, in consultation with the Director of the Congressional Research Service, shall make available through a centralized electronic system, for purposes of access and retrieval by the public under section 3 of this resolution—

(A) all information described in paragraph (2) that is available through the Congressional Research Service website; and

(B) an index of all information described in paragraph (2) that is available through the Congressional Research Service website.

(2) INFORMATION TO BE MADE AVAILABLE.—The information to be made available under paragraph (1) is the following:

(A) Congressional Research Service Issue Briefs.

(B) Congressional Research Service Reports that are available to Members of Congress through the Congressional Research Service website.

(C) Congressional Research Service Authorization of Appropriations Products and Appropriations Products.

(b) LIMITATIONS.—

(1) CONFIDENTIAL INFORMATION.—Subsection (a) does not apply to—

(A) any information that is confidential, as determined by—

(i) the Director of the Congressional Research Service; or

(ii) the head of a Federal department or agency that provided the information to the Congressional Research Service; or

(B) any documents that are the product of an individual, office, or committee research request (other than a document described in subsection (a)(2)).

(2) REDACTION AND REVISION.—In carrying out this section, the Sergeant-at-Arms of the Senate, in consultation with the Director of the Congressional Research Service, may—

(A) remove from the information required to be made available under subsection (a) the name and phone number of, and any other information regarding, an employee of the Congressional Research Service;

(B) remove from the information required to be made available under subsection (a) any material for which the Director of the Congressional Research Service, determines that making that material available under subsection (a) may infringe the copyright of a work protected under title 17, United States Code; and

(C) make any changes in the information required to be made available under subsection (a) that the Director of the Congressional Research Service, determines necessary to ensure that the information is accurate and current.

(c) MANNER.—The Sergeant-at-Arms of the Senate, in consultation with the Director of the Congressional Research Service, shall make the information required under this section available in a manner that is practical and reasonable.

SEC. 3. METHOD OF ACCESS.

(a) CRS INFORMATION.—Public access to Congressional Research Service information made available under section 2 shall be provided through the websites maintained by Members and Committees of the Senate. The Sergeant-at-Arms shall ensure that the websites maintained by Members and Committees of the Senate provide the same capability to find information made available under section 2 as the Congressional Research Service website.

(b) EDITORIAL RESPONSIBILITY FOR CRS REPORTS ONLINE.—The Sergeant-at-Arms of the Senate is responsible for maintaining and updating the information made available on the Internet under section 2.

SEC. 4. IMPLEMENTATION.

The Sergeant-at-Arms of the Senate shall establish the database described in section 2(a) within 6 months after the date of adoption of this resolution.

SENATE RESOLUTION 119—COMMENDING THE UNIVERSITY OF GEORGIA GYMNASTICS TEAM FOR WINNING THE 2009 NCAA NATIONAL CHAMPIONSHIP

Mr. ISAKSON (for himself and Mr. CHAMBLISS) submitted the following resolution; which was considered and agreed to:

S. RES. 119

Whereas in 2009, the University of Georgia gymnastics team, the ''Gym Dogs'', won its 10th National Collegiate Athletic Association (NCAA) women's gymnastics championship;

Whereas the University of Georgia gymnastics program has won 16 Southeastern Conference (SEC) championships;

Whereas the University of Georgia gymnastics program has produced 7 Honda Award winners, with Courtney Kupets under consideration as a finalist for the 2009 award;

Whereas the 2009 national title is the Gym Dogs' 5th consecutive national championship;

Whereas the University of Georgia gymnastics team is the most successful gymnastics program in the Nation;

Whereas the Gym Dogs have made 26 consecutive appearances in the NCAA gymnastics championships;

Whereas the 2009 Gym Dogs's overall record was an amazing 32-1;

Whereas the 2009 Gym Dogs also achieved the highest team GPA at the University of Georgia, 3.36;

Whereas the gymnastics team's coach, Suzanne Yoculan, will retire as the most successful collegiate gymnastics coach in NCAA history; and

Whereas Coach Suzanne Yoculan has, in 19 of her 26 years as head coach at the University of Georgia, taken her squad to an SEC title, an NCAA title, or both: Now, therefore, be it

Resolved, That the Senate—

(1) commends the University of Georgia gymnastics team for winning the 2009 NCAA women's national championship;

(2) recognizes that the Gym Dogs have won more national championships than any other gymnastics program in the Nation; and