

of real property in Houston, Texas, to the Military Museum of Texas, and for other purposes.

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

Mr. BROWN of Ohio. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the measure be printed in the RECORD.

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

The bill (H.R. 6510) was ordered to a third reading, was read the third time, and passed.

#### AIRPORT AND AIRWAY EXTENSION ACT OF 2010

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 6473, which was received from the House and is at the desk.

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

The bill clerk read as follows:

A bill (H.R. 6473) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

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

Mr. BROWN of Ohio. Mr. President, 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 be printed in the RECORD.

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

The bill (H.R. 6473) was ordered to a third reading, was read the third time, and passed.

#### LOCAL COMMUNITY RADIO ACT OF 2010

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 6533, which was received from the House.

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

The bill clerk read as follows:

A bill (H.R. 6533) to implement the recommendations of the Federal Communications Commission report to the Congress regarding low-power FM service, and for other purposes.

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

Mr. LEAHY. Mr. President, I have long argued in favor of greater diversity and localism in broadcasting. Today, Congress takes a positive step by making available more radio broadcast outlets for local content.

I am pleased that Congress has finally passed and sent to the President the Local Community Radio Act, which will increase the number of frequencies available for low power FM,

LPFM, radio stations. I am a cosponsor of the Senate version of this legislation, and have been an original cosponsor of similar legislation in each of the previous two Congresses. I commend Senator CANTWELL for her hard work in reaching an agreement with full power broadcasters that will ensure they are protected.

The rash of nationwide consolidation we have witnessed in the broadcast industry over the last decade has been alarming, if predictable. Low power FM stations offer a valuable counterweight to this trend. By using low power stations, community groups can access underutilized spectrum and provide content tailored to smaller communities. The Local Community Radio Act rolls back unnecessary restrictions that have limited the number of frequencies on which LPFM stations can operate.

This legislation is important because LPFM stations provide opportunities for local organizations to serve local communities. Vermont has 11 LPFM stations serving local communities in Vermont from Hyde Park to Brattleboro to Warren. There is room for more in Vermont and across the country.

Low Power FM provides the opportunity for truly local content to flourish, and today's legislation will make more such stations available.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements related to the bill be printed in the RECORD.

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

The bill (H.R. 6533) was ordered to a third reading, was read the third time, and passed.

#### FEDERAL AVIATION ADMINISTRATION EXTENSION ACT OF 2010

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Finance Committee be discharged from further consideration of H.R. 4915 and the Senate proceed to its consideration.

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

The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 4915) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend authorizations for the airport improvement program, and for other purposes.

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

Mr. BROWN of Ohio. I ask unanimous consent that the Baucus substitute amendment at the desk be considered and agreed to; the bill, as amended, be read a third time, passed, and the motion to reconsider be laid on the table; that the title amendment which is at the desk be considered and agreed to,

and that any statements related thereto be printed in the RECORD.

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

The amendment (No. 4848) was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The amendment (No. 4849) was agreed to, as follows:

(Purpose: To amend the title)

Amend the title so as to read: "An Act to amend the Internal Revenue Code of 1986 to make technical corrections to the pension funding provisions of the Preservation of Access to Care for Medicare Beneficiaries and Pension Relief Act of 2010."

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 4915), as amended, was read the third time and passed.

#### HONORING AMBASSADOR RICHARD HOLBROOKE

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 335 just received from the House and at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

A concurrent resolution (H. Con. Res. 335) honoring the exceptional achievements of Ambassador Richard Holbrooke and recognizing the significant contributions he has made to United States national security, humanitarian causes, and peaceful resolutions of international conflict.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. KERRY. Mr. President, today the Senate has been asked to concur with our colleagues in the House and approve a resolution honoring our friend and a great public servant, Ambassador Richard Holbrooke, who passed away on Monday.

We remember Richard not just as one of America's most distinguished and accomplished statesmen, but as a man who—from Vietnam to his last mission in Afghanistan—really was a warrior for peace. It is fitting that we honor him by approving this resolution.

Richard was an incredible combination of the best qualities of the human spirit—a serious thinker who embraced relentless action; a tough-as-nails negotiator who commanded an enormous and infectious sense of humor; and perhaps above all, a diplomat who knew firsthand just how difficult and frustrating engagement could be, but in his life's legacy reminded all of us just how much engagement could accomplish.

Richard's passing is almost incomprehensible, not just because it was so sudden, but because I cannot imagine Richard Holbrooke in anything but a state of perpetual motion. He was always working. Always hard-charging in the best sense of the word—he had an immense presence—and a brilliance matched only by his perseverance and

his passion. He once complained that the bureaucracy in Washington all too often saw suffering around the world as an abstraction. He took Hannah Arendt's famous phrase and flipped it around, saying that sometimes our biggest battles were against the "evils of banality."

Well, Richard waged—and won—his share of battles against banality and inertia. He was always a man on a mission, the toughest mission, and that mission was waging peace through never-quit diplomacy—and Richard's life's work saved more lives in more places than we can measure. He simply got up every day knowing that—even in difficult circumstances where history's verdict is yet to be handed down—every ounce of energy and every drop of sweat held the promise of making things better for people.

Yes, Richard had an outsized personality, and it was one that he himself could joke about, even relish. He earned the nickname "The Bulldozer" for a reason. But Richard did not push people away. He drew people to him. He was incredibly appreciative of those who worked with him and was unfailingly loyal to them. I remember last January, when Richard came to the Foreign Relations Committee to testify on the war in Afghanistan, he stopped the hearing to introduce his top staff—some 16 people. More than just colleagues, they were his partners. He knew their families and he knew the names of their children. At the State Department he didn't just create an office for Afghanistan and Pakistan, he built a family.

His staff returned his affection and loyalty many times over. Foggy Bottom is filled with men and women inspired and mentored by Richard. Ever since Richard fell ill last Friday morning, dozens of friends and family and staff gathered in the lobby of George Washington Hospital to show their support and wait for news of his condition. When I stopped by on Sunday night, I couldn't help but be moved by the love and the concern. And when news of his passing spread, people began spontaneously gathering at the hospital. And then—something that Richard would have understood and appreciated—they went out together and shared stories about him.

It was impossible to know Richard and not come away with "Holbrooke stories." Certainly I have my share. Our public careers were intertwined in so many ways, from Vietnam to my Presidential campaign to the conflict in Afghanistan. There were long conference calls, impromptu policy debates when we found ourselves on the same shuttle to LaGuardia, stories shared about our children and lessons learned about being modern Dads, and wonderful wine-filled dinners where we came up with brilliant plans for peace that didn't always seem so brilliant—if they were remembered at all—in the light of day. Richard always made it fun because it is a pleasure to be in the

company of someone who loved the job they were doing for the country they loved. And make no mistake—just shy of 70, with a back-breaking schedule—Richard Holbrooke loved what he was doing.

And so, wherever chaos and violence threatened American interests and human lives for nearly a half century, wherever there was a need for courage and insight, Richard Holbrooke showed up for duty. He spent his formative years as a young Foreign Service officer in Vietnam, where he worked in the Mekong Delta and then on the staffs of two American ambassadors, Maxwell Taylor and Henry Cabot Lodge. Given the storied expanse of his career, people sometimes forget that Richard wrote a volume of the "Pentagon Papers," the seminal work that helped turn the course of the Vietnam war. And as with all of us who served in Vietnam, Richard's experience there informed his every judgment, and left him with the conviction that time spent working even against long odds to see that peace and diplomacy prevailed over war and violence, was time well-invested for the most powerful of nations and the most determined of diplomats.

He was a pragmatist devoted to principle. He believed that the United States could help people around the world at the same time as we defended our interests. Richard once wrote about a meeting he attended in the Situation Room in 1979, when he was Assistant Secretary for East Asia and the Pacific. The South China Sea was being flooded with tens of thousands of refugees from Vietnam. They were fleeing the regime there, looking for safe haven somewhere else. But most of them were not making it. Instead, they were drowning.

The Seventh Fleet was nearby and could divert to rescue them. But there were those in our government who did not want the Navy to be distracted from its other missions. And besides, what would we do with the refugees? And wouldn't our actions just encourage more people to set sail in rickety boats in an attempt to find freedom? Back and forth the debate went. Ultimately, Vice President Mondale made the decision: America would not stand idly by while people drowned. Richard wrote this: "At this time and distance it may be hard to conceive that the decision, so clearly right, was almost not made. There are people who are alive today because of Mondale's decision; of very few actions by a government official can such a thing be said."

Well, we can certainly say that—and more—of Richard Holbrooke. Earlier this week, we marked the 15th anniversary of what was perhaps his greatest legacy. On December 14, 1995, the Dayton Peace Accords brought an end to a 3½ year war in Bosnia that had claimed tens of thousands of lives and displaced millions. It is a war that would have inflicted far more misery if Richard had not tirelessly shuttled be-

tween the Serbs and the Croats and the Bosnians. He laid the groundwork for the peace talks. And then, over 20 days, he charmed, he cajoled, and ultimately he convinced the three principal leaders to end a war. In the years since, "Dayton" has become a byword for the kind of aggressive diplomacy that Richard practiced. At Dayton, Richard Holbrooke brought himself and the Nation he represented great honor.

We loved that energy, we loved that resolve—that is who Richard was, and he died giving everything he had to one last difficult mission for the country he loved. It is almost a bittersweet bookend that a career of public service that began trying to save a war gone wrong, now ends with a valiant effort to keep another war from going wrong. Over the last 2 years, he and I worked closely together on our policy in Afghanistan and Pakistan. His honesty could be bracing, and I loved that about him. He was always solution-seeking—and always so committed to the mission that he never hesitated to leverage the skills of those around him because it was success he sought, not spotlights.

Through this resolution, we acknowledge his extraordinary public service and we extend our heartfelt sympathy to his family, especially his extraordinary wife Kati; Richard's two sons, David and Anthony; his stepchildren Elizabeth and Chris Jennings; and his daughter-in-law Sarah. We are reminded how much richer all of our lives have been thanks to the intelligence, humor, and warmth that Richard brought to every day of his life. And we mourn your loss with you.

I will miss working with Richard Holbrooke. And I will remember something he said last year about his enduring faith in America despite the many trials we now face. He said, "I still believe in the possibility of the United States . . . persevering against any challenge." It is difficult to imagine wrestling with the challenges of Afghanistan and Pakistan without him, but we are all sustained by the decades-long example Richard set making the possibility of American perseverance more of a reality. And for that our Nation will always be grateful.

Mr. BROWN of Ohio. Mr. President, I thank Ambassador Holbrooke for the Dayton Accords, held in Dayton, OH, in which Ambassador Holbrooke played such a key roll in bringing forward.

I ask unanimous consent that the concurrent resolution and preamble be agreed to en bloc; the motions to reconsider be laid on the table en bloc; and that any statements relating to the concurrent resolution be printed in the RECORD.

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

The concurrent resolution (H. Con. Res. 335) was agreed to.

The preamble was agreed to.

## AUTHORITY TO PRINT

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 704 submitted earlier today.

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

A resolution (S. Res. 704) to authorize the printing of a revised edition of the Senate Election Law Guide book.

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

Mr. BROWN of Ohio. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid on the table, with no intervening action or debate, and any statements related thereto be printed in the RECORD.

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

The resolution (S. Res. 704) was agreed to, as follows:

## S. RES. 704

*Resolved*, That the Committee on Rules and Administration shall prepare a revised edition of the Senate Election Law Guidebook, Senate Document 109-10, and that such document shall be printed as a Senate document.

SEC. 2. There shall be printed, beyond the usual number, 500 additional copies of the document specified in the first section for the use of the Committee on Rules and Administration.

## SECTION 202 SUPPORTIVE HOUSING FOR THE ELDERLY ACT OF 2009

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 657, S. 118.

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

The bill clerk read as follows:

A bill (S. 118) to amend section 202 of the Housing Act of 1959, to improve the program under such section for supportive housing for the elderly, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Banking, Housing, and Urban Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

## SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) *SHORT TITLE*.—This Act may be cited as the “Section 202 Supportive Housing for the Elderly Act of 2010”.

(b) *TABLE OF CONTENTS*.—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.

## TITLE I—NEW CONSTRUCTION REFORMS

Sec. 101. Selection criteria.

Sec. 102. Development cost limitations.

Sec. 103. Owner deposits.

Sec. 104. Definition of private nonprofit organization.

Sec. 105. Nonmetropolitan allocation.

## TITLE II—REFINANCING

Sec. 201. Approval of prepayment of debt.

Sec. 202. Use of unexpended amounts.

Sec. 203. Use of project residual receipts.

Sec. 204. Additional provisions.

## TITLE III—ASSISTED LIVING FACILITIES AND SERVICE-ENRICHED HOUSING

Sec. 301. Amendments to the grants for conversion of elderly housing to assisted living facilities.

Sec. 302. Monthly assistance payment under rental assistance.

## TITLE IV—NATIONAL SENIOR HOUSING CLEARINGHOUSE

Sec. 401. National senior housing clearinghouse.

## TITLE I—NEW CONSTRUCTION REFORMS

## SEC. 101. SELECTION CRITERIA.

Section 202(f)(1) of the Housing Act of 1959 (12 U.S.C. 1701q(f)(1)) is amended—

(1) by redesignating subparagraphs (F) and (G) as subparagraphs (G) and (H), respectively; and

(2) by inserting after subparagraph (E) the following new subparagraph:

“(F) the extent to which the applicant has ensured that a service coordinator will be employed or otherwise retained for the housing, who has the managerial capacity and responsibility for carrying out the actions described in subparagraphs (A) and (B) of subsection (g)(2);”.

## SEC. 102. DEVELOPMENT COST LIMITATIONS.

Section 202(h)(1) of the Housing Act of 1959 (12 U.S.C. 1701q(h)(1)) is amended, in the matter preceding subparagraph (A), by inserting “reasonable” before “development cost limitations”.

## SEC. 103. OWNER DEPOSITS.

Section 202(j)(3)(A) of the Housing Act of 1959 (12 U.S.C. 1701q(j)(3)(A)) is amended by inserting after the period at the end the following: “Such amount shall be used only to cover operating deficits during the first 3 years of operations and shall not be used to cover construction shortfalls or inadequate initial project rental assistance amounts.”.

## SEC. 104. DEFINITION OF PRIVATE NONPROFIT ORGANIZATION.

Section 202(k)(4) of the Housing Act of 1959 (12 U.S.C. 1701q(k)(4)) is amended to read as follows:

“(4) The term ‘private nonprofit organization’ means—

“(A) any incorporated private institution or foundation—

“(i) no part of the net earnings of which inures to the benefit of any member, founder, contributor, or individual;

“(ii) which has a governing board—

“(I) the membership of which is selected in a manner to assure that there is significant representation of the views of the community in which such housing is located; and

“(II) which is responsible for the operation of the housing assisted under this section, except that, in the case of a nonprofit organization that is the sponsoring organization of multiple housing projects assisted under this section, the Secretary may determine the criteria or conditions under which financial, compliance and other administrative responsibilities exercised by a single-entity private nonprofit organization that is the owner corporation responsible for the operation of an individual housing project may be shared or transferred to the governing board of such sponsoring organization; and

“(iii) which is approved by the Secretary as to financial responsibility; and

“(B) a for-profit limited partnership the sole general partner of which is—

“(i) an organization meeting the requirements under subparagraph (A);

“(ii) a for-profit corporation wholly owned and controlled by one or more organizations meeting the requirements under subparagraph (A); or

“(iii) a limited liability company wholly owned and controlled by one or more organizations meeting the requirements under subparagraph (A).”.

## SEC. 105. NONMETROPOLITAN ALLOCATION.

Paragraph (3) of section 202(l) of the Housing Act of 1959 (12 U.S.C. 1701q(l)(3)) is amended by

inserting after the period at the end the following: “In complying with this paragraph, the Secretary shall either operate a national competition for the nonmetropolitan funds or make allocations to regional offices of the Department of Housing and Urban Development.”.

## TITLE II—REFINANCING

## SEC. 201. APPROVAL OF PREPAYMENT OF DEBT.

Subsection (a) of section 811 of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note) is amended—

(1) in the matter preceding paragraph (1), by inserting “, for which the Secretary’s consent to prepayment is required,” after “Affordable Housing Act”);

(2) in paragraph (1)—

(A) by inserting “at least 20 years following” before “the maturity date”; and

(B) by inserting “project-based” before “rental assistance payments contract”; and

(C) by inserting “project-based” before “rental housing assistance programs”; and

(D) by inserting “, or any successor project-based rental assistance program,” after “1701s”);

(3) by amending paragraph (2) to read as follows:

“(2) the prepayment may involve refinancing of the loan if such refinancing results in—

“(A) a lower interest rate on the principal of the loan for the project and in reductions in debt service related to such loan; or

“(B) a transaction in which the project owner will address the physical needs of the project, but only if, as a result of the refinancing—

“(i) the rent charges for unassisted families residing in the project do not increase or such families are provided rental assistance under a senior preservation rental assistance contract for the project pursuant to subsection (e); and

“(ii) the overall cost for providing rental assistance under section 8 for the project (if any) is not increased, except, upon approval by the Secretary to—

“(I) mark-up-to-market contracts pursuant to section 524(a)(3) of the Multifamily Assisted Housing Reform and Affordability Act (42 U.S.C. 1437f note), as such section is carried out by the Secretary for properties owned by nonprofit organizations; or

“(II) mark-up-to-budget contracts pursuant to section 524(a)(4) of the Multifamily Assisted Housing Reform and Affordability Act (42 U.S.C. 1437f note), as such section is carried out by the Secretary for properties owned by eligible owners (as such term is defined in section 202(k) of the Housing Act of 1959 (12 U.S.C. 1701q(k)); and”;

(4) by adding at the end the following:

“(3) notwithstanding paragraph (2)(A), the prepayment and refinancing authorized pursuant to paragraph (2)(B) involves an increase in debt service only in the case of a refinancing of a project assisted with a loan under such section 202 carrying an interest rate of 6 percent or lower.”.

## SEC. 202. USE OF UNEXPENDED AMOUNTS.

Subsection (c) of section 811 of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note) is amended—

(1) by striking “USE OF UNEXPENDED AMOUNTS.” and inserting “USE OF PROCEEDS.”;

(2) by amending the matter preceding paragraph (1) to read as follows: “Upon execution of the refinancing for a project pursuant to this section, the Secretary shall ensure that proceeds are used in a manner advantageous to tenants of the project, or are used in the provision of affordable rental housing and related social services for elderly persons that are tenants of the project or are tenants of other HUD-assisted senior housing by the private nonprofit organization project owner, private nonprofit organization project sponsor, or private nonprofit organization project developer, including—”;

(3) by amending paragraph (1) to read as follows: