

## 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:

“(1) not more than 15 percent of the cost of increasing the availability or provision of supportive services, which may include the financing of service coordinators and congregate services, except that upon the request of the non-profit owner, sponsor, or organization and determination of the Secretary, such 15 percent limitation may be waived to ensure that the use of unexpended amounts better enables seniors to age in place;”;

(4) in paragraph (2), by inserting before the semicolon the following: “, including reducing the number of units by reconfiguring units that are functionally obsolete, unmarketable, or not economically viable”;

(5) in paragraph (3), by striking “or” at the end;

(6) in paragraph (4), by striking “according to a pro rata allocation of shared savings resulting from the refinancing.” and inserting a semicolon; and

(7) by adding at the end the following new paragraphs:

“(5) rehabilitation of the project to ensure long-term viability; and

“(6) the payment to the project owner, sponsor, or third party developer of a developer's fee in an amount not to exceed or duplicate—

“(A) in the case of a project refinanced through a State low income housing tax credit program, the fee permitted by the low income housing tax credit program as calculated by the State program as a percentage of acceptable development cost as defined by that State program; or

“(B) in the case of a project refinanced through any other source of refinancing, 15 percent of the acceptable development cost.

For purposes of paragraph (6)(B), the term ‘acceptable development cost’ shall include, as applicable, the cost of acquisition, rehabilitation, loan prepayment, initial reserve deposits, and transaction costs.”.

#### SEC. 203. USE OF PROJECT RESIDUAL RECEIPTS.

Paragraph (1) of section 811(d) of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note) is amended—

(1) by striking “not more than 15 percent of”; and

(2) by inserting before the period at the end the following: “or other purposes approved by the Secretary”.

#### SEC. 204. ADDITIONAL PROVISIONS.

Section 811 of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note) is amended by adding at the end the following new subsections:

“(e) SENIOR PRESERVATION RENTAL ASSISTANCE CONTRACTS.—Notwithstanding any other provision of law, in connection with a prepayment plan for a project approved under subsection (a) by the Secretary or as otherwise approved by the Secretary to prevent displacement of elderly residents of the project in the case of refinancing or recapitalization and to further preservation and affordability of such project, the Secretary shall provide project-based rental assistance for the project under a senior preservation rental assistance contract, as follows:

“(1) Assistance under the contract shall be made available to the private nonprofit organization owner—

“(A) for a term of at least 20 years, subject to annual appropriations; and

“(B) under the same rules governing project-based rental assistance made available under section 8 of the Housing Act of 1937 or under the rules of such assistance as may be made available for the project.

“(2) Any projects for which a senior preservation rental assistance contract is provided shall be subject to a use agreement to ensure continued project affordability having a term of the longer of (A) the term of the senior preservation rental assistance contract, or (B) such term as is required by the new financing.

“(f) SUBORDINATION OR ASSUMPTION OF EXISTING DEBT.—In lieu of prepayment under this

section of the indebtedness with respect to a project, the Secretary may approve—

“(1) in connection with new financing for the project, the subordination of the loan for the project under section 202 of the Housing Act of 1959 (as in effect before the enactment of the Cranston-Gonzalez National Affordable Housing Act) and the continued subordination of any other existing subordinate debt previously approved by the Secretary to facilitate preservation of the project as affordable housing; or

“(2) the assumption (which may include the subordination described in paragraph (1)) of the loan for the project under such section 202 in connection with the transfer of the project with such a loan to a private nonprofit organization.

“(g) FLEXIBLE SUBSIDY DEBT.—The Secretary shall waive the requirement that debt for a project pursuant to the flexible subsidy program under section 201 of the Housing and Community Development Amendments of 1978 (12 U.S.C. 1715z–1a) be prepaid in connection with a prepayment, refinancing, or transfer under this section of a project if the financial transaction or refinancing cannot be completed without the waiver.

“(h) TENANT INVOLVEMENT IN PREPAYMENT AND REFINANCING.—The Secretary shall not accept an offer to prepay the loan for any project under section 202 of the Housing Act of 1959 unless the Secretary—

“(1) has determined that the owner of the project has notified the tenants of the owner's request for approval of a prepayment; and

“(2) has determined that the owner of the project has provided the tenants with an opportunity to comment on the owner's request for approval of a prepayment, including on the description of any anticipated rehabilitation or other use of the proceeds from the transaction, and its impacts on project rents, tenant contributions, or the affordability restrictions for the project, and that the owner has responded to such comments in writing.

“(i) DEFINITION OF PRIVATE NONPROFIT ORGANIZATION.—For purposes of this section, the term ‘private nonprofit organization’ has the meaning given such term in section 202(k) of the Housing Act of 1959 (12 U.S.C. 1701q(k)).”.

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

#### SEC. 301. AMENDMENTS TO THE GRANTS FOR CONVERSION OF ELDERLY HOUSING TO ASSISTED LIVING FACILITIES.

(a) TECHNICAL AMENDMENT.—The section heading for section 202b of the Housing Act of 1959 (12 U.S.C. 1701q–2) is amended by inserting “AND OTHER PURPOSES” after “ASSISTED LIVING FACILITIES”.

(b) EXTENSION OF GRANT AUTHORITY.—Section 202b(a)(2) of the Housing Act of 1959 (12 U.S.C. 1701q–2(a)(2)) is amended—

(1) by striking “(2) CONVERSION.—Activities” and inserting the following:

“(2) CONVERSION.—

“(A) ASSISTED LIVING FACILITIES.—Activities”; and

(2) by adding at the end the following:

“(B) SERVICE-ENRICHED HOUSING.—Activities designed to convert dwelling units in the eligible project to service-enriched housing for elderly persons.”.

(c) AMENDMENT TO APPLICATION PROCESS.—Section 202b(c)(1) of the Housing Act of 1959 (12 U.S.C. 1701q–2(c)(1)) is amended by inserting “for either an assisted living facility or service-enriched housing” after “activities”.

(d) REQUIREMENTS FOR SERVICES.—Section 202b(d) of the Housing Act of 1959 (12 U.S.C. 1701q–2(d)) is amended to read as follows:

“(d) REQUIREMENTS FOR SERVICES.—

“(1) SUFFICIENT EVIDENCE OF FIRM FUNDING COMMITMENTS.—The Secretary may not make a grant under this section for conversion activities unless an application for a grant submitted pursuant to subsection (c) contains sufficient evidence, in the determination of the Secretary, of

firm commitments for the funding of services to be provided in the assisted living facility or service-enriched housing, which may be provided by third parties.

“(2) REQUIRED EVIDENCE.—The Secretary shall require evidence that each recipient of a grant for service-enriched housing under this section provides relevant and timely disclosure of information to residents or potential residents of such housing relating to—

“(A) the services that will be available at the property to each resident, including—

“(i) the right to accept, decline, or choose such services and to have the choice of provider;

“(ii) the services made available by or contracted through the grantee;

“(iii) the identity of, and relevant information for, all agencies or organizations providing any services to residents, which agencies or organizations shall provide information regarding all procedures and requirements to obtain services, any charges or rates for the services, and the rights and responsibilities of the residents related to those services;

“(B) the availability, identity, contact information, and role of the service coordinator; and

“(C) such other information as the Secretary determines to be appropriate to ensure that residents are adequately informed of the services options available to promote resident independence and quality of life.”.

(e) AMENDMENTS TO SELECTION CRITERIA.—Section 202b(e) of the Housing Act of 1959 (12 U.S.C. 1701q–2(e)) is amended—

(1) in paragraph (2)—

(A) by inserting “or service-enriched housing” after “facilities”; and

(B) by inserting “service-enriched housing” after “facility”;

(2) in paragraph (5), by inserting “or service-enriched housing” after “facility”; and

(3) in paragraph (6), by inserting “or service-enriched housing” after “facility”.

(f) AMENDMENTS TO SECTION 8 PROJECT-BASED ASSISTANCE.—Section 202b(f) of the Housing Act of 1959 (12 U.S.C. 1701q–2(f)) is amended—

(1) in paragraph (1), by inserting “or service-enriched housing” after “facilities” each time that term appears; and

(2) in paragraph (2), by inserting “or service-enriched housing” after “facility”.

(g) AMENDMENTS TO DEFINITIONS.—Section 202b(g) of the Housing Act of 1959 (12 U.S.C. 1701q–2(g)) is amended to read as follows:

“(g) DEFINITIONS.—For purposes of this section—

“(1) the term ‘assisted living facility’ has the meaning given such term in section 232(b) of the National Housing Act (1715w(bb));

“(2) the term ‘service-enriched housing’ means housing that—

“(A) makes available through licensed or certified third party service providers supportive services to assist the residents in carrying out activities of daily living, such as bathing, dressing, eating, getting in and out of bed or chairs, walking, going outdoors, using the toilet, laundry, home management, preparing meals, shopping for personal items, obtaining and taking medication, managing money, using the telephone, or performing light or heavy housework, and which may make available to residents home health care services, such as nursing and therapy;

“(B) includes the position of service coordinator, which may be funded as an operating expense of the property; ;

“(C) provides separate dwelling units for residents, each of which contains a full kitchen and bathroom and which includes common rooms and other facilities appropriate for the provision of supportive services to the residents of the housing; and

“(D) provides residents with control over health care and supportive services decisions, including the right to accept, decline, or choose such services, and to have the choice of provider; and

“(3) the definitions in section 1701(q)(k) of this title shall apply.”.

**SEC. 302. MONTHLY ASSISTANCE PAYMENT UNDER RENTAL ASSISTANCE.**

Clause (iii) of section 8(o)(18)(B) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(18)(B)(iii)) is amended by inserting before the period at the end the following: “, except that a family may be required at the time the family initially receives such assistance to pay rent in an amount exceeding 40 percent of the monthly adjusted income of the family by such an amount or percentage that is reasonable given the services and amenities provided and as the Secretary deems appropriate.”.

**TITLE IV—NATIONAL SENIOR HOUSING CLEARINGHOUSE**

**SEC. 401. NATIONAL SENIOR HOUSING CLEARINGHOUSE.**

(a) **ESTABLISHMENT.**—Not later than 360 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall establish and operate a clearinghouse to serve as a national repository to receive, collect, process, assemble, and disseminate information regarding the availability and quality of multifamily developments for elderly tenants, including—

(1) the availability of—

(A) supportive housing for the elderly pursuant to section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), including any housing unit assisted with a project rental assistance contract under such section;

(B) properties and units eligible for assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f);

(C) properties eligible for the low-income housing tax credit under section 42 of the Internal Revenue Code of 1986;

(D) units in assisted living facilities insured pursuant to section 221(d)(4) of the National Housing Act (12 U.S.C. 1715l(d)(4));

(E) units in any multifamily project that has been converted into an assisted living facility for elderly persons pursuant to section 202b of the Housing Act of 1959 (12 U.S.C. 1701q-2); and

(F) any other federally assisted or subsidized housing for the elderly;

(2) the number of available units in each property, project, or facility described in paragraph (1);

(3) the number of bedrooms in each available unit in each property, project, or facility described in paragraph (1);

(4) the estimated cost to a potential tenant to rent or reside in each available unit in each property, project, or facility described in paragraph (1);

(5) the presence of a waiting list for entry into any available unit in each property, project, or facility described in paragraph (1);

(6) the number of persons on the waiting list for entry into any available unit in each property, project, or facility described in paragraph (1);

(7) the amenities available in each available unit in each property, project, or facility described in paragraph (1), including—

(A) the services provided by such property, project, or facility;

(B) the size and availability of common space within each property, project, or facility;

(C) the availability of organized activities for individuals residing in such property, project, or facility; and

(D) any other additional amenities available to individuals residing in such property, project, or facility;

(8) the level of care (personal, physical, or nursing) available to individuals residing in any property, project, or facility described in paragraph (1);

(9) whether there is a service coordinator in any property, project, or facility described in paragraph (1); and

(10) any other criteria determined appropriate by the Secretary.

(b) **COLLECTION AND UPDATING OF INFORMATION.**—

(1) **INITIAL COLLECTION.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall conduct a survey requesting information from each owner of a property, project, or facility described in subsection (a)(1) regarding the provisions described in paragraphs (2) through (10) of such subsection.

(2) **RESPONSE TIME.**—Not later than 60 days after receiving the request described under paragraph (1), the owner of each such property, project, or facility shall submit such information to the Secretary of Housing and Urban Development.

(3) **PUBLIC AVAILABILITY.**—Not later than 120 days after the Secretary of Housing and Urban Development receives the submission of any information required under paragraph (2), the Secretary shall make such information publicly available through the clearinghouse.

(4) **UPDATES.**—The Secretary of Housing and Urban Development shall conduct a biennial survey of each owner of a property, project, or facility described in subsection (a)(1) for the purpose of updating or modifying information provided in the initial collection of information under paragraph (1). Not later than 30 days after receiving such a request, the owner of each such property, project, or facility shall submit such updates or modifications to the Secretary. Not later than 60 days after receiving such updates or modifications, the Secretary shall inform the clearinghouse of such updated or modified information.

(c) **FUNCTIONS.**—The clearinghouse established under subsection (a) shall—

(1) respond to inquiries from State and local governments, other organizations, and individuals requesting information regarding the availability of housing in multifamily developments for elderly tenants;

(2) make such information publicly available via the Internet website of the Department of Housing and Urban Development, which shall include—

(A) access via electronic mail; and

(B) an easily searchable, sortable, downloadable, and accessible index that itemizes the availability of housing in multifamily developments for elderly tenants by State, county, and zip code;

(3) establish a toll-free number to provide the public with specific information regarding the availability of housing in multifamily developments for elderly tenants; and

(4) perform any other duty that the Secretary determines necessary to achieve the purposes of this section.

(d) **RELATIONSHIP WITH OTHER DATABASES.**—The Secretary of Housing and Urban Development may make the clearinghouse established under subsection (a) a part of any other multifamily housing database the Secretary is required to establish.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as necessary to carry out this section.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be considered, that a Dodd amendment which is at the desk be agreed to, the committee-substitute amendment, as amended, be agreed to, the bill, as amended, be read a third time, and that a budgetary pay-go statement be read.

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

The amendment (No. 4850) was agreed to, as follows:

(Purpose: To comply with the Statutory Pay-As-You-Go-Act of 2010)

On page 45, strike line 1 and all that follows through page 50, line 8

On page 50, after line 8, insert the following:

**TITLE IV—COMPLIANCE WITH STATUTORY PAY-AS-YOU-GO ACT OF 2010**

**SEC. 401. BUDGETARY EFFECTS.**

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The committee-reported substitute amendment, as amended, was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The clerk will read the pay-go statement.

The bill clerk read as follows:

Mr. Conrad: This is the Statement of Budgetary Effects of PAYGO Legislation for S. 118.

Total Budgetary Effects of S. 118 for the 5-year Statutory PAYGO Scorecard: net increase in the deficit of \$5 million.

Total Budgetary Effects of S. 118 for the 10-year Statutory PAYGO Scorecard: net increase in the deficit of \$5 million.

Also submitted for the RECORD as part of this statement is a table prepared by the Congressional Budget Office, which provides additional information on the budgetary effects of this act, as follows:

CBO ESTIMATE OF THE STATUTORY PAY-AS-YOU-GO EFFECTS FOR S. 118, THE SECTION 202 SUPPORTIVE HOUSING FOR THE ELDERLY ACT OF 2010, AS PROVIDED TO CBO BY THE SENATE COMMITTEE ON THE BUDGET ON DECEMBER 17, 2010

	By fiscal year, in millions of dollars—											
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2011–2015	2011–2020
Net Increase in the Deficit												
Statutory Pay-As-You-Go Impact <sup>a</sup>	5	0	0	0	0	0	0	0	0	0	5	5

Note: The language transmitted to CBO on December 17, 2010 included an amendment that would strike Title IV of S. 118 as ordered reported by the Senate Committee on Banking, Housing, and Urban Affairs on September 20, 2010.  
<sup>a</sup> S. 118 would amend the American Homeownership and Economic Opportunity Act of 2000 to increase the number of properties that are eligible to prepay loans issued under Section 202 of the Housing Act of 1959. The bill also would expand the eligible uses for savings generated by refinancing Section 202 loans.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the bill be passed, and the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The bill (S. 118), as amended, was passed, as follows:

S. 118

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

# **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—COMPLIANCE WITH STATUTORY PAY-AS-YOU-GO ACT OF 2010**

Sec. 401. Budgetary effects.

## **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”; and

(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)”; and

(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”; 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.—”; and

(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:

“(1) not more than 15 percent of the cost of increasing the availability or provision of supportive services, which may include the financing of service coordinators and congregate services, except that upon the request of the non-profit owner, sponsor, or organization and determination of the Secretary, such 15 percent limitation may be waived to ensure that the use of unexpended amounts better enables seniors to age in place;”;

(4) in paragraph (2), by inserting before the semicolon the following: “, including reducing the number of units by reconfiguring units that are functionally obsolete, unmarketable, or not economically viable”; and

(5) in paragraph (3), by striking “or” at the end;

(6) in paragraph (4), by striking “according to a pro rata allocation of shared savings resulting from the refinancing.” and inserting a semicolon; and

(7) by adding at the end the following new paragraphs:

“(5) rehabilitation of the project to ensure long-term viability; and

“(6) the payment to the project owner, sponsor, or third party developer of a developer’s fee in an amount not to exceed or duplicate—

“(A) in the case of a project refinanced through a State low income housing tax credit program, the fee permitted by the low income housing tax credit program as calculated by the State program as a percentage of acceptable development cost as defined by that State program; or

“(B) in the case of a project refinanced through any other source of refinancing, 15 percent of the acceptable development cost.



For purposes of paragraph (6)(B), the term ‘acceptable development cost’ shall include, as applicable, the cost of acquisition, rehabilitation, loan prepayment, initial reserve deposits, and transaction costs.”.

#### SEC. 203. USE OF PROJECT RESIDUAL RECEIPTS.

Paragraph (1) of section 811(d) of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note) is amended—

(1) by striking “not more than 15 percent off”; and

(2) by inserting before the period at the end the following: “or other purposes approved by the Secretary”.

#### SEC. 204. ADDITIONAL PROVISIONS.

Section 811 of the American Homeownership and Economic Opportunity Act of 2000 (12 U.S.C. 1701q note) is amended by adding at the end the following new subsections:

“(e) SENIOR PRESERVATION RENTAL ASSISTANCE CONTRACTS.—Notwithstanding any other provision of law, in connection with a prepayment plan for a project approved under subsection (a) by the Secretary or as otherwise approved by the Secretary to prevent displacement of elderly residents of the project in the case of refinancing or recapitalization and to further preservation and affordability of such project, the Secretary shall provide project-based rental assistance for the project under a senior preservation rental assistance contract, as follows:

“(1) Assistance under the contract shall be made available to the private nonprofit organization owner—

“(A) for a term of at least 20 years, subject to annual appropriations; and

“(B) under the same rules governing project-based rental assistance made available under section 8 of the Housing Act of 1937 or under the rules of such assistance as may be made available for the project.

“(2) Any projects for which a senior preservation rental assistance contract is provided shall be subject to a use agreement to ensure continued project affordability having a term of the longer of (A) the term of the senior preservation rental assistance contract, or (B) such term as is required by the new financing.

“(f) SUBORDINATION OR ASSUMPTION OF EXISTING DEBT.—In lieu of prepayment under this section of the indebtedness with respect to a project, the Secretary may approve—

“(1) in connection with new financing for the project, the subordination of the loan for the project under section 202 of the Housing Act of 1959 (as in effect before the enactment of the Cranston-Gonzalez National Affordable Housing Act) and the continued subordination of any other existing subordinate debt previously approved by the Secretary to facilitate preservation of the project as affordable housing; or

“(2) the assumption (which may include the subordination described in paragraph (1)) of the loan for the project under such section 202 in connection with the transfer of the project with such a loan to a private nonprofit organization.

“(g) FLEXIBLE SUBSIDY DEBT.—The Secretary shall waive the requirement that debt for a project pursuant to the flexible subsidy program under section 201 of the Housing and Community Development Amendments of 1978 (12 U.S.C. 1715z–1a) be prepaid in connection with a prepayment, refinancing, or transfer under this section of a project if the financial transaction or refinancing cannot be completed without the waiver.

“(h) TENANT INVOLVEMENT IN PREPAYMENT AND REFINANCING.—The Secretary shall not accept an offer to prepay the loan for any project under section 202 of the Housing Act of 1959 unless the Secretary—

“(1) has determined that the owner of the project has notified the tenants of the own-

er’s request for approval of a prepayment; and

“(2) has determined that the owner of the project has provided the tenants with an opportunity to comment on the owner’s request for approval of a prepayment, including on the description of any anticipated rehabilitation or other use of the proceeds from the transaction, and its impacts on project rents, tenant contributions, or the affordability restrictions for the project, and that the owner has responded to such comments in writing.

“(i) DEFINITION OF PRIVATE NONPROFIT ORGANIZATION.—For purposes of this section, the term ‘private nonprofit organization’ has the meaning given such term in section 202(k) of the Housing Act of 1959 (12 U.S.C. 1701q(k)).”.

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

#### SEC. 301. AMENDMENTS TO THE GRANTS FOR CONVERSION OF ELDERLY HOUSING TO ASSISTED LIVING FACILITIES.

(a) TECHNICAL AMENDMENT.—The section heading for section 202b of the Housing Act of 1959 (12 U.S.C. 1701q–2) is amended by inserting “AND OTHER PURPOSES” after “ASSISTED LIVING FACILITIES”.

(b) EXTENSION OF GRANT AUTHORITY.—Section 202b(a)(2) of the Housing Act of 1959 (12 U.S.C. 1701q–2(a)(2)) is amended—

(1) by striking “(2) CONVERSION.—Activities” and inserting the following:

“(2) CONVERSION.—

“(A) ASSISTED LIVING FACILITIES.—Activities”; and

(2) by adding at the end the following:

“(B) SERVICE-ENRICHED HOUSING.—Activities designed to convert dwelling units in the eligible project to service-enriched housing for elderly persons.”.

(c) AMENDMENT TO APPLICATION PROCESS.—Section 202b(c)(1) of the Housing Act of 1959 (12 U.S.C. 1701q–2(c)(1)) is amended by inserting “for either an assisted living facility or service-enriched housing” after “activities”.

(d) REQUIREMENTS FOR SERVICES.—Section 202b(d) of the Housing Act of 1959 (12 U.S.C. 1701q–2(d)) is amended to read as follows:

“(d) REQUIREMENTS FOR SERVICES.—

“(1) SUFFICIENT EVIDENCE OF FIRM FUNDING COMMITMENTS.—The Secretary may not make a grant under this section for conversion activities unless an application for a grant submitted pursuant to subsection (c) contains sufficient evidence, in the determination of the Secretary, of firm commitments for the funding of services to be provided in the assisted living facility or service-enriched housing, which may be provided by third parties.

“(2) REQUIRED EVIDENCE.—The Secretary shall require evidence that each recipient of a grant for service-enriched housing under this section provides relevant and timely disclosure of information to residents or potential residents of such housing relating to—

“(A) the services that will be available at the property to each resident, including—

“(i) the right to accept, decline, or choose such services and to have the choice of provider;

“(ii) the services made available by or contracted through the grantee;

“(iii) the identity of, and relevant information for, all agencies or organizations providing any services to residents, which agencies or organizations shall provide information regarding all procedures and requirements to obtain services, any charges or rates for the services, and the rights and responsibilities of the residents related to those services;

“(B) the availability, identity, contact information, and role of the service coordinator; and

“(C) such other information as the Secretary determines to be appropriate to ensure that residents are adequately informed of the services options available to promote resident independence and quality of life.”.

(e) AMENDMENTS TO SELECTION CRITERIA.—Section 202b(e) of the Housing Act of 1959 (12 U.S.C. 1701q–2(e)) is amended—

(1) in paragraph (2)—

(A) by inserting “or service-enriched housing” after “facilities”; and

(B) by inserting “service-enriched housing” after “facility”;

(2) in paragraph (5), by inserting “or service-enriched housing” after “facility”; and

(3) in paragraph (6), by inserting “or service-enriched housing” after “facility”.

(f) AMENDMENTS TO SECTION 8 PROJECT-BASED ASSISTANCE.—Section 202b(f) of the Housing Act of 1959 (12 U.S.C. 1701q–2(f)) is amended—

(1) in paragraph (1), by inserting “or service-enriched housing” after “facilities” each time that term appears; and

(2) in paragraph (2), by inserting “or service-enriched housing” after “facility”.

(g) AMENDMENTS TO DEFINITIONS.—Section 202b(g) of the Housing Act of 1959 (12 U.S.C. 1701q–2(g)) is amended to read as follows:

“(g) DEFINITIONS.—For purposes of this section—

“(1) the term ‘assisted living facility’ has the meaning given such term in section 232(b) of the National Housing Act (1715w(b));

“(2) the term ‘service-enriched housing’ means housing that—

“(A) makes available through licensed or certified third party service providers supportive services to assist the residents in carrying out activities of daily living, such as bathing, dressing, eating, getting in and out of bed or chairs, walking, going outdoors, using the toilet, laundry, home management, preparing meals, shopping for personal items, obtaining and taking medication, managing money, using the telephone, or performing light or heavy housework, and which may make available to residents home health care services, such as nursing and therapy;

“(B) includes the position of service coordinator, which may be funded as an operating expense of the property; ;

“(C) provides separate dwelling units for residents, each of which contains a full kitchen and bathroom and which includes common rooms and other facilities appropriate for the provision of supportive services to the residents of the housing; and

“(D) provides residents with control over health care and supportive services decisions, including the right to accept, decline, or choose such services, and to have the choice of provider; and

“(3) the definitions in section 1701(q)(k) of this title shall apply.”.

#### SEC. 302. MONTHLY ASSISTANCE PAYMENT UNDER RENTAL ASSISTANCE.

Clause (iii) of section 8(o)(18)(B) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(18)(B)(iii)) is amended by inserting before the period at the end the following: “, except that a family may be required at the time the family initially receives such assistance to pay rent in an amount exceeding 40 percent of the monthly adjusted income of the family by such an amount or percentage that is reasonable given the services and amenities provided and as the Secretary deems appropriate.”.

### TITLE IV—COMPLIANCE WITH STATUTORY PAY-AS-YOU-GO ACT OF 2010

#### SEC. 401. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement

titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

# RECOGNIZING AND HONORING BOB FELLER

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 703, submitted earlier today.

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

The bill clerk read as follows:

A resolution (S. Res. 703) recognizing and honoring Bob Feller and expressing the condolences of the Senate to his family on his death.

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

Mr. HARKIN. Mr. President, today I have submitted a resolution honoring Robert "Bob" Feller, who passed away 2 days ago.

Bob Feller was a great Iowan, great baseball player, and most importantly, a great patriot.

He was born and raised in Van Meter, IA. His father ran the family farm, and his mother was a registered nurse and teacher. His father built a baseball diamond on the farm that he named "Oak View Park." Feller attended Van Meter High School, where he was a starting pitcher. Feller recalled his childhood: "What kid wouldn't enjoy the life I led in Iowa? Baseball and farming, and I had the best of both worlds."

Bob Feller went on to have one of the greatest baseball careers ever. His career spanned 16 seasons, during which he had 2,581 strikeouts and 266 wins. He had three no-hitters and 12 one-hitters. It is no surprise that Mr. Feller was inducted into the Hall of Fame in 1962, his first year of eligibility.

But, we do not just honor Feller because of his athletic achievements. We recognize him as a great American and patriot. He served our Nation in the Navy during World War II, enlisting 2 days after the attack on Pearl Harbor. Although he lost four baseball seasons due to his war service, he never regretted his choice.

Feller said recently, "A lot of folks say that had I not missed those almost four seasons to World War II—during what was probably my physical prime—I might have had 370 or even 400 wins. But I have no regrets. None at all. I did what any American could and should do: serve his country in its time of need. The world's time of need. I knew then, and I know today, that winning World War II was the most important thing to happen to this country in the last 100 years."

Mr. President, this week we lost a great American.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be

agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 703) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

## S. RES. 703

Whereas Robert William Andrew ("Bob") Feller was born on November 3, 1918, near Van Meter, Iowa;

Whereas Bob Feller learned to play baseball on his parents' farm in Dallas County, Iowa, and commented that "What kid wouldn't enjoy the life I led in Iowa? Baseball and farming, and I had the best of both worlds";

Whereas Feller attended Van Meter High School where he pitched for the baseball team;

Whereas Feller, at the age of 17, joined the Cleveland Indians, where he played for 18 years, his entire career;

Whereas Feller led the American League in wins 6 times;

Whereas Feller led the American League in strikeouts 7 times;

Whereas Feller pitched 3 no-hitters, including the only Opening Day no-hitter, and shares the major league record with 12 one-hitters;

Whereas Feller was an 8-time All-Star;

Whereas Feller was a key member of the 1948 World Series Champion Cleveland Indians;

Whereas Feller threw the second fastest pitch ever officially recorded, at 107.6 miles per hour;

Whereas Feller ended his career with 266 victories and 2,581 strikeouts;

Whereas Feller remains the winningest pitcher in Cleveland Indians history;

Whereas Feller was elected to the Baseball Hall of Fame in 1962, his first year of eligibility;

Whereas Feller enlisted in the Navy 2 days after the attack on Pearl Harbor in 1941;

Whereas Feller served with valor in the Navy for nearly 4 years, missing almost 4 full baseball seasons;

Whereas Feller was stationed aboard the U.S.S. Alabama as a gunnery specialist;

Whereas Feller earned 8 battle stars and was discharged in late 1945; and

Whereas Bob Feller, one of the greatest baseball players of all time, placed service to his country ahead of all else: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors Bob Feller for transcending the sport of baseball in service to the United States and the cause of democracy and freedom in World War II;

(2) recognizes Bob Feller as one of the greatest baseball players of all time; and

(3) extends its deepest condolences to the family of Bob Feller.

Mr. BROWN of Ohio. Mr. President, I would like to take a moment to speak about this last resolution. Bob Feller was a Clevelander through and through. Senator HARKIN is the prime sponsor of this resolution. I have joined him on it. Senator HARKIN sponsored the resolution because Bob Feller was born in Van Meter, IA.

He was signed by the Cleveland Indians at the age of 16, apparently for \$1 and an autographed baseball. He struck

out 15 batters in his first Major League start. He struck out 17 in a game at the age of 17. He is the only Major League player in history to strike out in one game the number of batters comparable to his age.

His greatness was he was, perhaps, the hardest throwing pitcher ever in Major League Baseball. He pitched three no-hitters, then a record. It has been passed since. He pitched 12 one-hitters also, sharing that Major League record.

He would have shattered, perhaps, all pitching records short of Cy Young's number of career wins, perhaps, and Walter Johnson's, if he had not served his country for almost 4 years in World War II.

He gladly did it. He won eight battle stars. He served on the USS Alabama as a gunnery specialist. He was so proud of his service to his country. He turned down a huge contract with the Indians in 1942—huge in those days—to join the military to serve his country. He spoke about it frequently and was always very proud of that service.

He barnstormed the country with Satchel Page, the great Black pitcher who was not allowed in the Major Leagues in those days before the color line was broken. Feller and he traveled the country in the "White Major League Baseball" offseason and drew huge crowds, with Page and he facing each other in game after game after game.

He was a key member of the last Indians World Championship in 1948.

I saw Bob Feller pitch once. I was 4 years old, so I do not really remember it. My dad took my brothers Bob and Charlie and me to Bob Feller Day at old Cleveland Municipal Stadium in, I believe, 1957.

My dad loved Bob Feller. He was a legend in Cleveland. His statue is the only professional athlete's statue in Cleveland. Right outside Jacobs Field, on East 9th Street, you can see Bob Feller's statue, with his famous wind-up.

When you go to an Indians game in the new ballpark at Progressive Field—new, it is now more than 15 years old—when you go to the ballpark, people always say: I will meet you at the Bob Feller statue. That is sort of the place where you meet up with your friends and get your tickets and all of that.

He brought great joy to so many, such as my father. He was, perhaps, the greatest pitcher who ever lived. He died at the age of 92 in Gates Mill. He is survived by his wife Anne; his children Steve, Martin, and Bruce.

I was proud to have gotten to speak a number of times to Bob Feller. I do not pretend to have known him well. But he was always a major presence in Cleveland baseball and a major presence in Cleveland civic life. We are all grateful to him and indebted to him for his service to his country in World War II and to our community before, during, and after World War II. So I wanted to honor with that resolution, with Senator HARKIN, his name and his life.