

Resolved by the Senate of the State of New Mexico, That Congress be requested to expedite the passage of legislation to enact the necessary amendments to the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified states have authority to use payments for non-coal mine reclamation projects; and be it further

Resolved, That copies of this memorial be transmitted to the Speaker of the United States House of Representatives, the President Pro Tempore of the United States Senate and the New Mexico Congressional Delegation.

POM-88. A resolution adopted by the House of the Legislature of the State of West Virginia urging support of West Virginia's coal industry by encouraging measures that protect miners and their families, provide incentives for the development of advanced coal technologies, enhance the energy independence of the State and the nation, protect the environment from which coal is mined, and supply consumers with cleaner and more affordable energy produced from coal; to the Committee on Energy and Natural Resources.

HOUSE RESOLUTION NO. 402

Whereas, the coal industry provides salaries and benefits to thousands of West Virginians; and

Whereas, the coal industry is responsible for millions of dollars of tax revenues that are used to fund important government services and programs; and

Whereas, the coal industry is vitally important to the economic welfare of this State and its citizens; and

Whereas, the Legislature, with the leadership and support of the Governor, has worked to enact legislation to ensure the future of West Virginia coal, including the adoption of sweeping coal mine safety reforms, planning requirements for post-mining land use, an alternative and renewable energy portfolio featuring clean coal technology, and a regulatory framework for carbon capture and sequestration projects; and

Whereas, recent events at the federal level, most notably the debate over "cap and trade" legislation in Congress and obscure regulatory actions by the Environmental Protection Agency, are casting a shadow of doubt and uncertainty over the future of the coal industry in West Virginia; and

Whereas, for the sake of those individuals who depend upon coal to support themselves and their families, the House of Delegates, the Senate, the Governor and West Virginia's congressional delegation must work together to secure the future of the coal industry, and with it the future of the State; therefore, be it

Resolved by the House of Delegates, That the West Virginia House of Delegates will continue to support the West Virginia coal industry by encouraging measures that protect miners and their families, provide incentives for the development of advanced coal technologies, enhance the energy independence of the State and the nation, protect the environment from which coal is mined, and supply consumers with cleaner and more affordable energy produced from coal; and, be it further

Resolved, That the West Virginia House of Delegates requests that West Virginia's congressional delegation resist and oppose efforts at the federal level to undermine the future of West Virginia's coal industry; and, be it further

Resolved, That the Clerk of the House of Delegates forward a certified copy of this resolution to United States Senators Robert C. Byrd and John D. Rockefeller IV and Representatives Nick J. Rahall, Alan B. Molohan and Shelley M. Capito.

POM-89. A memorial from the Public Safety Personnel Retirement System, transmitting, pursuant to Arizona law, a report relative to the Arizona Terrorism Country Divestment act; to the Committee on Banking, Housing, and Urban Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DORGAN, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 1011. A bill to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity (Rept. No. 111-162).

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 400. A resolution urging the implementation of a comprehensive strategy to address instability in Yemen.

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1132. A bill to amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, and for other purposes.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Jane E. Magnus-Stinson, of Indiana, to be United States District Judge for the Southern District of Indiana.

Christopher Tobias Hoye, of Nevada, to be United States Marshal for the District of Nevada for the term of four years.

Kelvin Cornelius Washington, of South Carolina, to be United States Marshal for the District of South Carolina for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. LUGAR (for himself, Mr. KAUFMAN, Mr. FRANKEN, Mr. INOUE, and Mr. RISCH):

S. 3104. A bill to permanently authorize Radio Free Asia, and for other purposes; to the Committee on Foreign Relations.

By Mr. WYDEN:

S. 3105. A bill to expand the scope of the definition of airport planning to include waste management planning; to the Committee on Commerce, Science, and Transportation.

By Mrs. HAGAN (for herself, Mr. BURR, Mr. ISAKSON, Mr. MERKLEY, and Mr. CHAMBLISS):

S. 3106. A bill to authorize States to exempt certain nonprofit housing organizations from the licensing requirements of the S.A.F.E. Mortgage Licensing Act of 2008; to

the Committee on Banking, Housing, and Urban Affairs.

By Mr. AKAKA (for himself, Mr. BURR, Mr. ROCKEFELLER, Mrs. MURRAY, Mr. SANDERS, Mr. BROWN of Ohio, Mr. TESTER, Mr. BEGICH, Mr. BURRIS, Mr. SPECTER, Mr. ISAKSON, and Mr. GRAHAM):

S. 3107. A bill to amend title 38, United States Code, to provide for an increase, effective December 1, 2010, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MENENDEZ (for himself, Mr. LAUTENBERG, Mr. JOHNSON, Mr. FEINGOLD, Mr. BINGAMAN, Mr. CASEY, and Mr. BROWN of Ohio):

S. 3108. A bill to amend title 31 of the United States Code to require that Federal children's programs be separately displayed and analyzed in the President's budget; to the Committee on the Budget.

By Mr. BAUCUS (for himself and Mr. TESTER):

S. 3109. A bill to require the Secretary of the Army to conduct levee system evaluations and certifications on receipt of requests from non-Federal interests; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BURR (for himself, Mr. INHOFE, Mr. BROWN of Massachusetts, Ms. MURKOWSKI, and Mr. JOHANNES):

S. Res. 451. A resolution expressing support for designation of a "Welcome Home Vietnam Veterans Day"; to the Committee on Veterans' Affairs.

By Mr. JOHANNES (for himself, Mrs. LINCOLN, Mr. CHAMBLISS, Mr. ROBERTS, Mr. BROWNBACK, Mrs. HUTCHISON, Mr. CORNYN, Mr. ENZI, Mr. DORGAN, Mr. CONRAD, Mr. INHOFE, Mr. THUNE, Mr. CRAPO, Mr. PRYOR, Mr. BARRASSO, Mr. BOND, Mr. NELSON of Nebraska, Ms. KLOBUCHAR, Mr. RISCH, Mr. BENNETT, Mr. UDALL of New Mexico, Mr. NELSON of Florida, Mr. VOINOVICH, and Mr. COBURN):

S. Res. 452. A resolution supporting increased market access for exports of United States beef and beef products to Japan; to the Committee on Finance.

By Mr. UDALL of New Mexico (for himself, Mr. BROWN of Ohio, Mr. BURRIS, Mr. WYDEN, Mr. AKAKA, Mr. MENENDEZ, Mr. TESTER, Mr. BEGICH, Mr. DURBIN, and Mr. MERKLEY):

S. Res. 453. A resolution supporting the goals and ideals of "National Public Health Week"; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 148

At the request of Mr. KOHL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 148, a bill to restore the rule that agreements between manufacturers and retailers, distributors, or wholesalers to set the minimum price below which the manufacturer's product or

service cannot be sold violates the Sherman Act.

S. 259

At the request of Mr. BOND, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 259, a bill to establish a grant program to provide vision care to children, and for other purposes.

S. 653

At the request of Mr. CARDIN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 653, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner, and for other purposes.

S. 704

At the request of Mr. HARKIN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 704, a bill to direct the Comptroller General of the United States to conduct a study on the use of Civil Air Patrol personnel and resources to support homeland security missions, and for other purposes.

S. 750

At the request of Mrs. BOXER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 750, a bill to amend the Public Health Service Act to attract and retain trained health care professionals and direct care workers dedicated to providing quality care to the growing population of older Americans.

S. 781

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

S. 904

At the request of Mr. HARKIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 904, a bill to amend the Fair Labor Standards Act of 1938 to prohibit discrimination in the payment of wages on account of sex, race, or national origin, and for other purposes.

S. 987

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 987, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 999

At the request of Mr. BINGAMAN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 999, a bill to increase the number of well-trained mental health service professionals (including those based in schools) providing clinical mental health care to children and adolescents, and for other purposes.

S. 1038

At the request of Mrs. FEINSTEIN, the name of the Senator from Indiana (Mr.

LUGAR) was added as a cosponsor of S. 1038, a bill to improve agricultural job opportunities, benefits, and security for aliens in the United States and for other purposes.

S. 1089

At the request of Mr. BAUCUS, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 1089, a bill to facilitate the export of United States agricultural commodities and products to Cuba as authorized by the Trade Sanctions Reform and Export Enhancement Act of 2000, to establish an agricultural export promotion program with respect to Cuba, to remove impediments to the export to Cuba of medical devices and medicines, to allow travel to Cuba by United States citizens and legal residents, to establish an agricultural export promotion program with respect to Cuba, and for other purposes.

S. 1171

At the request of Mr. PRYOR, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1171, a bill to amend title XVIII of the Social Security Act to restore State authority to waive the 35-mile rule for designating critical access hospitals under the Medicare Program.

S. 1192

At the request of Mr. WYDEN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1192, a bill to restrict any State or local jurisdiction from imposing a new discriminatory tax on mobile wireless communications services, providers, or property.

S. 1516

At the request of Mr. FEINGOLD, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1516, a bill to secure the Federal voting rights of persons who have been released from incarceration.

S. 1612

At the request of Mrs. LINCOLN, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1612, a bill to amend the Internal Revenue Code of 1986 to improve the operation of employee stock ownership plans, and for other purposes.

S. 1652

At the request of Mr. HARKIN, the names of the Senator from Maine (Ms. SNOWE) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 1652, a bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

S. 1700

At the request of Mr. LUGAR, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1700, a bill to require certain issuers to disclose payments to foreign governments for the commercial development of oil, natural gas, and minerals, to express the sense of Congress that the President should disclose any payment

relating to the commercial development of oil, natural gas, and minerals on Federal land, and for other purposes.

S. 1932

At the request of Mr. MCCAIN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1932, a bill to amend the Elementary and Secondary Education Act of 1965 to allow members of the Armed Forces who served on active duty on or after September 11, 2001, to be eligible to participate in the Troops-to-Teachers Program, and for other purposes.

S. 2749

At the request of Mrs. GILLIBRAND, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2749, a bill to amend the Richard B. Russell National School Lunch Act to improve access to nutritious meals for young children in child care.

S. 2750

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2750, a bill to amend the Public Health Service Act to authorize the Secretary of Health and Human Services to make grants to eligible States for the purpose of reducing the student-to-school nurse ratio in public secondary schools, elementary schools, and kindergartens.

S. 2758

At the request of Ms. STABENOW, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 2758, a bill to amend the Agricultural Research, Extension, and Education Reform Act of 1998 to establish a national food safety training, education, extension, outreach, and technical assistance program for agricultural producers, and for other purposes.

S. 2760

At the request of Mr. UDALL of New Mexico, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 2760, a bill to amend title 38, United States Code, to provide for an increase in the annual amount authorized to be appropriated to the Secretary of Veterans Affairs to carry out comprehensive service programs for homeless veterans.

S. 2908

At the request of Mr. KOHL, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 2908, a bill to amend the Energy Policy and Conservation Act to require the Secretary of Energy to publish a final rule that establishes a uniform efficiency descriptor and accompanying test methods for covered water heaters, and for other purposes.

S. 2989

At the request of Ms. LANDRIEU, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 2989, a bill to improve the Small Business Act, and for other purposes.

S. 3018

At the request of Mr. WYDEN, the name of the Senator from Missouri

(Mr. BOND) was added as a cosponsor of S. 3018, a bill to amend the Internal Revenue Code of 1986 to make the Federal income tax system simpler, fairer, and more fiscally responsible, and for other purposes.

S. 3036

At the request of Mr. BAYH, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3036, a bill to establish the Office of the National Alzheimer's Project.

S. 3038

At the request of Mr. INHOFE, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 3038, a bill to amend the Safe Drinking Water Act to prevent the enforcement of certain national primary drinking water regulations unless sufficient funding is available.

S. 3047

At the request of Mr. ISAKSON, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 3047, a bill to terminate the Internal Revenue Code of 1986, and for other purposes.

S. 3056

At the request of Mr. WYDEN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 3056, a bill to amend the Energy Policy Act of 2005 to repeal a section of that Act relating to exportation and importation of natural gas.

S. 3058

At the request of Mr. DORGAN, the names of the Senator from Maine (Ms. SNOWE) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 3058, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 3059

At the request of Mr. BINGAMAN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 3059, a bill to improve energy efficiency of appliances, lighting, and buildings, and for other purposes.

S. 3065

At the request of Mr. LIEBERMAN, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 3065, a bill to amend title 10, United States Code, to enhance the readiness of the Armed Forces by replacing the current policy concerning homosexuality in the Armed Forces, referred to as "Don't Ask, Don't Tell", with a policy of nondiscrimination on the basis of sexual orientation.

S. 3095

At the request of Mr. INHOFE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 3095, a bill to reduce the deficit by establishing discretionary caps for non-security spending.

S. 3098

At the request of Mr. MERKLEY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a co-

sponsor of S. 3098, a bill to prohibit proprietary trading and certain relationships with hedge funds and private equity funds, to address conflicts of interest with respect to certain securitizations, and for other purposes.

S. RES. 409

At the request of Mr. FEINGOLD, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. Res. 409, a resolution calling on members of the Parliament in Uganda to reject the proposed "Anti-Homosexuality Bill", and for other purposes.

S. RES. 432

At the request of Mr. CRAPO, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. Res. 432, a bill supporting the goals and ideals of the Year of the Lung 2010.

AMENDMENT NO. 3453

At the request of Mr. SESSIONS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of amendment No. 3453 proposed to H.R. 1586, a bill to impose an additional tax on bonuses received from certain TARP recipients.

AMENDMENT NO. 3454

At the request of Mr. DEMINT, the names of the Senator from Florida (Mr. LEMIEUX), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Nevada (Mr. ENSIGN), the Senator from Texas (Mr. CORNYN), the Senator from Idaho (Mr. RISCH) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of amendment No. 3454 proposed to H.R. 1586, a bill to impose an additional tax on bonuses received from certain TARP recipients.

AMENDMENT NO. 3458

At the request of Mr. VITTER, the names of the Senator from Texas (Mr. CORNYN), the Senator from Mississippi (Mr. WICKER) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of amendment No. 3458 proposed to H.R. 1586, a bill to impose an additional tax on bonuses received from certain TARP recipients.

AMENDMENT NO. 3463

At the request of Mr. BENNETT, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of amendment No. 3463 intended to be proposed to H.R. 1586, a bill to impose an additional tax on bonuses received from certain TARP recipients.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. AKAKA (for himself, Mr. BURR, Mr. ROCKEFELLER, Mrs. MURRAY, Mr. SANDERS, Mr. BROWN of Ohio, Mr. TESTER, Mr. BEGICH, Mr. BURRIS, Mr. SPECTER, Mr. ISAKSON, and Mr. GRAHAM):

S. 3107. A bill to amend title 38, United States Code, to provide for an increase, effective December 1, 2010, in the rates of compensation for veterans

with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

Mr. AKAKA. Mr. President, today, as Chairman of the Senate Committee on Veterans' Affairs, I introduce the Veterans' Compensation Cost-of-Living Adjustment Act of 2010.

This measure would direct the Secretary of Veterans Affairs to increase, effective December 1, 2010, the rates of veterans' compensation to keep pace with the rising cost-of-living in this country, if such an adjustment is triggered by an increase in the Consumer Price Index. This legislation, commonly referred to as the COLA, would make an increase available to veterans at the same level as a cost-of-living increase, if provided to those who receive Social Security benefits.

My colleagues on the Committee on Veterans' Affairs, including Senators BURR, ROCKEFELLER, MURRAY, SANDERS, BROWN of Ohio, TESTER, BEGICH, BURRIS, SPECTER, ISAKSON, and GRAHAM join me in introducing this important legislation. I appreciate their continued support of the Nation's veterans.

Congress regularly enacts a cost-of-living adjustment for veterans' compensation in order to ensure that inflation does not erode the purchasing power of those veterans and survivors who depend upon this income to meet their daily needs. Last year, Congress passed, and the President signed into law, Public Law 111-37. While there was no cost-of-living increase in 2010 due to a decline in the Consumer Price Index, the 2011 adjustment has not yet been determined.

The COLA affects, among other benefits, veterans' disability compensation and dependency and indemnity compensation for surviving spouses and children. It is projected that over 3.5 million veterans and survivors will be in receipt of compensation benefits in fiscal year 2011. Many of these recipients depend upon these tax-free payments not only to provide for their own basic needs, but those of their spouses and children as well.

It is important that we view veterans' compensation, including the COLA, and indeed all benefits earned by veterans, as a continuing cost of war. It is clear that the ongoing conflicts in Iraq and Afghanistan will continue to result in injuries and disabilities that will yield an increase in claims for compensation.

Payment of disability compensation to those of our Nation's veterans who have an illness or disability related to their service constitutes one of the central missions of the Department of Veterans Affairs. It is a necessary measure of appreciation afforded to those veterans whose lives were forever altered by their service to this country.

I urge our colleagues to work together to ensure this benefit remains