

Whereas active consideration is being given to increasing the emphasis of the Fulbright Program in southern Thailand, including through the Fulbright English Teaching Assistantship Program; and

Whereas the United States Government supports additional programs in Thailand in the areas of education, democracy promotion, good governance, and public diplomacy: Now, therefore, be it

*Resolved*, That the Senate encourages the President to maintain and expand interaction with the Kingdom of Thailand in ways which facilitate close coordination and partnership in the areas of education and cultural exchange throughout all of Thailand, including the southern provinces.

#### SENATE RESOLUTION 470—RECOGNIZING THE 40TH ANNIVERSARY OF THE DATE OF ENACTMENT OF THE FEDERAL COAL MINE HEALTH AND SAFETY ACT OF 1969

Mrs. MURRAY (for herself, Mr. BYRD, and Mr. HARKIN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 470

Whereas the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. 801 et seq.), when enacted, provided more comprehensive protections for the health and safety of coal miners than any previous Federal legislation governing the mining industry;

Whereas the Federal Coal Mine Health and Safety Act of 1969—

(1) increased the Federal oversight powers for coal mines in the United States;

(2) included inspection provisions for surface and underground coal mines that required—

(A) 2 inspections of each surface coal mine each year; and

(B) 4 inspections of each underground coal mine each year;

(3) required the development of stronger health and safety standards for coal mines;

(4) provided compensation for coal miners permanently disabled by black lung disease, the progressive respiratory disease caused by the inhalation of fine coal dust; and

(5) held employers of coal miners accountable for health and safety violations in the workplace through—

(A) monetary penalties for all violations of health and safety standards in the workplace; and

(B) criminal penalties for knowing and willful violations of health and safety standards in the workplace;

Whereas, as a direct result of the Federal Coal Mine Health and Safety Act of 1969—

(1) health standards for coal mines were adopted; and

(2) safety standards for coal mines were strengthened;

Whereas the Federal Coal Mine Health and Safety Act of 1969 is the foundation for the mine and workplace safety standards in place in the United States as of the date of agreement to this resolution;

Whereas the Federal Coal Mine Health and Safety Act of 1969 stands as a tribute and a memorial to the workers and families who have lost loved ones in the mining industry; and

Whereas the people of the United States should not only remember the historic enactment of the Federal Coal Mine Health and Safety Act of 1969, but also commemorate the role of the Federal Coal Mine Health and Safety Act of 1969 in the establishment of

the mining and workplace safety standards in place as of the date of agreement to this resolution: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the 40th anniversary of the date of enactment of the Federal Coal Mine Health and Safety Act of 1969 (30 U.S.C. 801 et seq.);

(2) observes and celebrates the 40th anniversary of the Federal Coal Mine Health and Safety Act of 1969;

(3) remains committed to advancing and updating mining and workplace safety and health standards as—

(A) industry technologies advance; and

(B) advancements in technology make resources that have been difficult to access more accessible; and

(4) encourages all people of the United States to reflect upon the sacrifices that miners have made—

(A) to provide power and resources to the industry and economy of the United States; and

(B) to assist the United States in growing and thriving.

#### SENATE CONCURRENT RESOLUTION 56—CONGRATULATING THE COMMANDANT OF THE COAST GUARD AND THE SUPERINTENDENT OF THE COAST GUARD ACADEMY AND ITS STAFF FOR 100 YEARS OF OPERATION OF THE COAST GUARD ACADEMY IN NEW LONDON, CONNECTICUT, AND FOR OTHER PURPOSES

Mr. LIEBERMAN (for himself, Mr. DODD, Ms. COLLINS, and Mr. LEMIEUX) submitted the following concurrent resolution; which was referred to the Committee on Commerce, Science, and Transportation.

S. CON. RES. 56

Whereas the School of Instruction to the U.S. Revenue Cutter Academy was established at Fort Trumbull in New London, Connecticut, in 1910, which later became known as the Coast Guard Academy after the consolidation of the Life Saving Service and the Revenue Cutter Service in 1915;

Whereas the Coast Guard Academy moved to its present location along the banks of the Thames River in 1932;

Whereas in 1946, the former German Navy training vessel HORST WESSEL was acquired by the United States for use by the Coast Guard and renamed EAGLE, which today travels around the world each year;

Whereas for 100 years, the Coast Guard Academy has called New London, Connecticut, home, where it has trained and shaped the leadership of the Coast Guard;

Whereas today, the Coast Guard Academy is a highly competitive educational institution that attracts driven, committed leaders who go on to serve our Nation in the many diverse roles played by our Coast Guard;

Whereas the rigorous academic program of the Coast Guard Academy provides a holistic education that includes academics, physical fitness, character, and leadership, and that trains cadets in the multiple roles of the Coast Guard's multimission responsibilities;

Whereas the Coast Guard Academy is an integral part of the southeastern Connecticut community and its cadets participate in many community service projects throughout the region, working with school systems and serving as mentors for children;

Whereas the Coast Guard Academy is a vital link to the maritime legacy of Con-

necticut and our Nation, and an important part of our Nation's defense; and

Whereas in 2010, in honor of its 100th year in New London, Connecticut, the Coast Guard Academy will open its gates to the public for events highlighting this milestone, including concerts, art exhibits, an open house, and other events to allow Americans to learn more about this unique educational institution: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That Congress—

(1) congratulates the Commandant of the Coast Guard and the Superintendent of the Coast Guard Academy and its staff for 100 years of operation of the Coast Guard Academy in New London, Connecticut;

(2) honors the countless men and women who have graduated from the Coast Guard Academy and served on behalf of our Nation over the last 100 years; and

(3) encourages all Americans to learn more about the Coast Guard Academy, its mission, and its long history of training the men and women of the Coast Guard.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 3700. Mr. COBURN proposed an amendment to the bill H.R. 4872, supra.

SA 3701. Mr. SESSIONS proposed an amendment to the bill H.R. 4872, supra.

SA 3702. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill H.R. 4872, supra; which was ordered to lie on the table.

SA 3703. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill H.R. 4872, supra; which was ordered to lie on the table.

SA 3704. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill H.R. 4872, supra; which was ordered to lie on the table.

SA 3705. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill H.R. 4872, supra; which was ordered to lie on the table.

SA 3706. Mr. CRAPO submitted an amendment intended to be proposed by him to the bill H.R. 4872, supra; which was ordered to lie on the table.

SA 3707. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 4872, supra; which was ordered to lie on the table.

SA 3708. Ms. MURKOWSKI submitted an amendment intended to be proposed by her to the bill H.R. 4872, supra; which was ordered to lie on the table.

SA 3709. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 4872, supra; which was ordered to lie on the table.

SA 3710. Mr. ENSIGN (for himself and Mr. BROWN of Massachusetts) proposed an amendment to the bill H.R. 4872, supra.

SA 3711. Ms. MURKOWSKI proposed an amendment to the bill H.R. 4872, supra.

SA 3712. Mr. CORNYN proposed an amendment to the bill H.R. 4872, supra.

SA 3713. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 4872, supra; which was ordered to lie on the table.

SA 3714. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 4872, supra; which was ordered to lie on the table.

SA 3715. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 4872, supra; which was ordered to lie on the table.

SA 3716. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 4872, supra; which was ordered to lie on the table.

SA 3717. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 4872, *supra*; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 3700.** Mr. COBURN proposed an amendment to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); as follows:

At the end, add the following:

#### TITLE III—SECOND AMENDMENT PROTECTION

##### SEC. 3001. VETERANS SECOND AMENDMENT PROTECTION.

(a) **SHORT TITLE.**—This section may be cited as the “Veterans 2nd Amendment Protection Act”.

(b) **CONDITIONS FOR TREATMENT OF CERTAIN PERSONS AS ADJUDICATED MENTALLY INCOMPETENT FOR CERTAIN PURPOSES.**—

(1) **IN GENERAL.**—Chapter 55 of title 38, United States Code, is amended by adding at the end the following:

#### “§5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes

“In any case arising out of the administration by the Secretary of laws and benefits under this title, a person who is mentally incapacitated, deemed mentally incompetent, or experiencing an extended loss of consciousness shall not be considered adjudicated as a mental defective under subsection (d)(4) or (g)(4) of section 922 of title 18 without the order or finding of a judge, magistrate, or other judicial authority of competent jurisdiction that such person is a danger to himself or herself or others.”.

(2) **CLERICAL AMENDMENT.**—The table of sections at the beginning of chapter 55 of such title is amended by adding at the end the following new item:

“5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes.”.

(c) **SEVERABILITY.**—Notwithstanding any other provision of this Act, if any provision of this section, or any amendment made by this section, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, this section and amendments made by this section and the application of such provision or amendment to other persons or circumstances shall not be affected thereby.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of enactment of this Act.

**SA 3701.** Mr. SESSIONS proposed an amendment to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); as follows:

At the end of subtitle A of title I, insert the following:

#### SEC. 1006. PROVISIONS TO ENSURE EFFECTIVE ELIGIBILITY VERIFICATION SYSTEM.

(a) **ELIGIBILITY FOR CREDITS AND COST-SHARING REDUCTIONS.**—

(1) **CREDITS.**—Section 36B of the Internal Revenue Code of 1986, as added by section 1401 of the Patient Protection and Affordable Care Act, is amended—

(A) in subsection (c) (1), by striking subparagraph (B) and by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively, and

(B) by striking paragraph (3) of subsection (e).

(2) **REDUCED COST-SHARING.**—Section 1402 of the Patient Protection and Affordable Care Act is amended—

(A) by striking the last sentence of subsection (b),

(B) by striking paragraph (3) of subsection (e), and

(C) by adding at the end of subsection (f) the following:

“(4) **SUBSIDIES TREATED AS PUBLIC BENEFIT.**—Notwithstanding any other provision of this Act or any other provision of law, for purposes of section 403 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1613), the following shall be considered a Federal means-tested public benefit:

“(A) The ability of an individual to purchase a qualified health plan offered through an Exchange.

“(B) The premium tax credit established under section 1401 of this Act (and any advance payment thereof).

“(C) The cost sharing reductions established under this section (and any advance payment thereof).”.

(b) **ELIGIBILITY DETERMINATIONS.**—Section 1411 of the Patient Protection and Affordable Care Act is amended—

(1) in subsection (a)—

(A) by striking so much of such subsection as precedes paragraph (1) and inserting:

“(a) **VERIFICATION PROCESS.**—The Secretary shall ensure that eligibility determinations required by this Act are conducted in accordance with the following requirements, including requirements for determining:”, and

(B) by inserting “eligible” before “alien” in paragraph (1),

(2) in subsection (b)(1)—

(A) by inserting “the Exchange with the following” after “provide”,

(B) by striking “and” at the end of subparagraph (A), by redesignating subparagraph (B) as subparagraph (C) and by inserting after subparagraph (A) the following:

“(B) a sworn statement, under penalty of perjury, specifically attesting to the fact that each enrollee is either a citizen or national of the United States or an eligible lawful permanent resident meeting the requirements of section 1402(f)(3) of this Act and identifying the applicable eligibility status for each enrollee; and”, and

(C) by inserting “and documentation” after “information” in subparagraph (C) (as so redesignated),

(3) by striking subparagraphs (A) and (B) of subsection (b)(2) and inserting the following:

“(A) In the case of an enrollee whose eligibility is based on attestation of citizenship of the enrollee, the enrollee shall provide satisfactory evidence of citizenship or nationality (within the meaning of section 1903(x) of the Social Security Act (42 U.S.C. 1396b)).

“(B) In the case of an individual whose eligibility is based on attestation of the enrollee’s immigration status—

“(i) such information as is necessary for the individual to demonstrate they are in ‘satisfactory immigration status’ as defined and in accordance with the Systematic Alien Verification for Entitlements (SAVE) program established by section 1137 of the Social Security Act (42 U.S.C. 1320b-7), and

“(ii) any other additional identifying information as the Secretary, in consultation with the Secretary of Homeland Security, may require in order for the enrollee to demonstrate satisfactory immigration status.”.

(4) by striking so much of subsection (c) as precedes paragraph (3) and inserting the following:

“(c) **VERIFICATION OF ELIGIBILITY THROUGH DOCUMENTATION.**—

“(1) **IN GENERAL.**—Each Exchange shall conduct eligibility verification, using the information provided by an applicant under subsection (b), in accordance with this subsection.

“(2) **VERIFICATION OF CITIZENSHIP OR IMMIGRATION STATUS.**—

“(A) **VERIFICATION OF ATTESTATION OF CITIZENSHIP.**—Each Exchange shall verify the eligibility of each enrollee who attests that they are a citizen or national of the United States, as required by subsection (b)(1)(A) of this section, in accordance with the provisions of section 1903(x) of the Social Security Act.

“(B) **VERIFICATION OF ATTESTATION OF ELIGIBLE IMMIGRATION STATUS.**—Each Exchange shall verify the eligibility of each enrollee who attests that they are eligible to participate in the exchange by virtue of having been a lawful permanent resident for not less than 5 years, as required by subsection (b)(1)(B) of this section, in accordance with the provisions of section 1137 of the Social Security Act.”.

(5) by striking subparagraph (B) of subsection (c)(4),

(6) by striking subsection (d) and redesignating subsections (e) through (i) as subsections (d) through (h), respectively, and

(7) by striking “under section 1902(ee) of the Social Security Act (as in effect on January 1, 2010)” in subsection (d)(3) (as redesignated under paragraph (6)) and inserting “in accordance with the secondary verification process established consistent with section 1137 of the Social Security Act (as is in effect as of January 1, 2009)”.

**SA 3702.** Mr. CRAPO submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

At the end of section 1002, insert the following:

(c) **EXEMPTION FOR INDIVIDUALS WHO ARE UNEMPLOYED.**—Section 5000A(e) of the Internal Revenue Code of 1986, as so added and amended, is amended by adding at the end the following:

“(6) **INDIVIDUALS WHO ARE UNEMPLOYED.**—Any applicable individual for any month if such individual is receiving unemployment compensation for any week during such month under any Federal or State unemployment compensation.”.

**SA 3703.** Mr. CRAPO submitted an amendment intended to be proposed by him to the bill H.R. 4872, to provide for reconciliation pursuant to Title II of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13); which was ordered to lie on the table; as follows:

Strike section 1002 and insert the following:

#### SEC. 1002. REPEAL OF INDIVIDUAL MANDATE.

Sections 1501 and 1502 and subsections (a), (b), (c), and (d) of section 10106 of the Patient Protection and Affordable Care Act (and the amendments made by such sections and subsections) are repealed and the Internal Revenue Code of 1986 shall be applied and administered as if such provisions and amendments had never been enacted.

**SA 3704.** Mr. CRAPO submitted an amendment intended to be proposed by