

that provides for the rights and responsibilities described in section 4(b) solely because such State law excludes from its coverage employees of a State militia or national guard;

(5) to permit parties in States subject to the regulations and procedures described in section 5 to negotiate provisions that would prohibit an employee from engaging in part-time employment or volunteer activities during off-duty hours;

(6) to prohibit a State from exempting from coverage under this Act a political subdivision of the State that has a population of less than 5,000 or that employs less than 25 full-time employees; or

(7) to preempt or limit the laws or ordinances of any State or political subdivision of a State that provide for the rights and responsibilities described in section 4(b) solely because such law or ordinance does not require bargaining with respect to pension, retirement, or health benefits.

For purposes of paragraph (6), the term "employee" includes each and every individual employed by the political subdivision except any individual elected by popular vote or appointed to serve on a board or commission.

(b) COMPLIANCE.—

(1) ACTIONS OF STATES.—Nothing in this Act or the regulations promulgated under this Act shall be construed to require a State to rescind or preempt the laws or ordinances of any of the State's political subdivisions if such laws provide rights and responsibilities for public safety officers that are comparable to or greater than the rights and responsibilities described in section 4(b).

(2) ACTIONS OF THE AUTHORITY.—Nothing in this Act or the regulations promulgated under this Act shall be construed to preempt—

(A) the laws or ordinances of any State or political subdivision of a State, if such laws provide collective bargaining rights for public safety officers that are comparable to or greater than the rights enumerated in section 4(b);

(B) the laws or ordinances of any State or political subdivision of a State that provide for the rights and responsibilities described in section 4(b) with respect to certain categories of public safety officers covered by this Act solely because such rights and responsibilities have not been extended to other categories of public safety officers covered by this Act; or

(C) the laws or ordinances of any State or political subdivision of a State that provide for the rights and responsibilities described in section 4(b), solely because such laws or ordinances provide that a contract or memorandum of understanding between a public safety employer and a labor organization must be presented to a legislative body as part of the process for approving such contract or memorandum of understanding.

(3) LIMITED ENFORCEMENT POWER.—In the case of a law described in paragraph (2)(B), the Authority shall only exercise the powers provided in section 5 with respect to those categories of public safety officers who have not been afforded the rights and responsibilities described in section 4(b).

(4) EXCLUSIVE ENFORCEMENT PROVISION.—Notwithstanding any other provision of the Act, and in the absence of a waiver of a State's sovereign immunity, the Authority shall have the exclusive power to enforce the provisions of this Act with respect to employees of a State.

**SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

**SUBMITTED RESOLUTIONS**

**SENATE RESOLUTION 476—HONORING THE LIVES OF PRESIDENT OF POLAND LECH KACZYNSKI, HIS WIFE, AND 94 OTHERS WHO PERISHED ON APRIL 10, 2010, IN A PLANE CRASH WHILE EN ROUTE TO MEMORIALIZE THOSE POLISH OFFICERS, OFFICIALS, AND CIVILIANS WHO WERE MASSACRED BY THE SOVIET UNION 70 YEARS AGO**

Mr. LUGAR submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 476

Whereas, on April 10, 2010, the President of the Republic of Poland Lech Kaczynski, his wife Maria, and a cadre of current and former Polish statesmen, family members, and others departed Warsaw by plane to the Russian region of Smolensk;

Whereas the purpose of the delegation's visit was to hold a ceremony in solemn remembrance of the more than 22,000 Polish military officers, police officers, judges, other government officials, and civilians who were executed by the Soviet secret police, the NKVD, 70 years ago, between April 3 and the end of May 1940;

Whereas more than 14,500 Polish victims have been documented at 3 sites in Katyn (in present day Belarus), in Miednoye (in present day Russia), and in Kharkiv (in present day Ukraine), while the remains of an estimated 7,000 Polish victims have yet to be precisely located;

Whereas the Soviet Union failed to acknowledge responsibility for the massacres until President Mikhail Gorbachev's statement on April 13, 1990;

Whereas, on April 7, 2010, Russian Prime Minister Vladimir Putin became the first Russian or Soviet leader to join Polish officials in commemorating the anniversary of the murders;

Whereas the plane carrying the Polish delegation on April 10, 2010, crashed in Smolensk, tragically killing all 96 persons on board, including President Kaczynski, his wife, and other current and former Polish statesmen;

Whereas President Kaczynski was a steadfast proponent of consolidating freedom and prosperity in Poland and advancing them throughout Central and Eastern Europe and was a close friend of the United States of America; and

Whereas the deep friendship between the Governments and people of Poland and the United States is grounded in our mutual respect, shared values, and common priorities on nuclear nonproliferation, counterterrorism, human rights, regional cooperation in Eastern Europe, democratization, and international development: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the terrible tragedy that took place on April 10, 2010, when an aircraft carrying a delegation of current and former Polish officials, family members, and others crashed en route from Warsaw to Smolensk to memorialize the 1940 massacres, killing all 96 passengers;

(2) honors the life and legacy of the late President of Poland Lech Kaczynski and the lives and legacies of all Poles who perished in the plane crash on April 10, 2010;

(3) honors the lives and legacies of the more than 22,000 Polish government officials, military officers, and civilians who were exe-

cuted by the NKVD 70 years ago, between April and May 1940;

(4) expresses deep sympathy for the surviving family members of those who perished at the hands of the NKVD in 1940 and for the surviving family members of those who perished in the tragic plane crash of April 10, 2010;

(5) supports the people of Poland as they restore leadership in the institutions of the Government of Poland that were impacted by the crash of April 10, 2010; and

(6) requests that the Secretary of the Senate transmit an enrolled copy of this resolution to the Ambassador of Poland to the United States.

Mr. LUGAR. Mr. President, I rise to honor the lives of President Lech Kaczynski, his wife, and 94 others who perished in a plane crash on April 10, 2010. President Kaczynski was a steadfast supporter of advancing freedom and prosperity in Poland and throughout Central and Eastern Europe and was a close friend of the United States. It is with tragic irony that this devastation has occurred at a time of solemn remembrance of the massacre of Polish officers and civilians in the Katyn Forest and elsewhere 70 years ago. Together with the Polish nation and friends of Poland worldwide, I mourn this unbelievably tragic loss. With these sentiments in mind, I am introducing this resolution honoring the lives of President of Poland Lech Kaczynski, his wife, and 94 others who perished on April 10, 2010 in a plane crash while en route to memorialize those Polish officers, officials, and civilians who were massacred by the Soviet Union 70 years ago.

**SENATE RESOLUTION 477—HONORING THE ACCOMPLISHMENTS AND LEGACY OF CÉSAR ESTRADA CHÁVEZ**

Mr. MENENDEZ (for himself, Mr. REID, Ms. STABENOW, Mr. DURBIN, Mrs. BOXER, Mr. UDALL of Colorado, Mr. SCHUMER, Mrs. GILLIBRAND, Mr. BINGAMAN, Mr. BROWN of Ohio, Mr. UDALL of New Mexico, and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 477

Whereas César Estrada Chávez was born on March 31, 1927, near Yuma, Arizona;

Whereas César Estrada Chávez spent his early years on a family farm;

Whereas, at the age of 10, César Estrada Chávez joined the thousands of migrant farmworkers laboring in fields and vineyards throughout the Southwest, when a bank foreclosure resulted in the loss of the family farm;

Whereas César Estrada Chávez, after attending more than 30 elementary and middle schools and achieving an 8th grade education, left school to work full-time as a farmworker to help support his family;

Whereas, at the age of 17, César Estrada Chávez entered the United States Navy and served the United States with distinction for 2 years;

Whereas, in 1948, César Estrada Chávez returned from military service to marry Helen Fabela, whom he had met while working in the vineyards of central California;

Whereas César Estrada Chávez and Helen Fabela had 8 children;

Whereas, as early as 1949, César Estrada Chávez was committed to organizing farmworkers to campaign for—

- (1) safe and fair working conditions;
- (2) reasonable wages;
- (3) livable housing; and
- (4) the outlawing of child labor;

Whereas, in 1952, César Estrada Chávez joined the Community Service Organization, a prominent Latino civil rights group, and worked with the organization—

- (1) to coordinate voter registration drives; and
- (2) to conduct campaigns against discrimination in East Los Angeles;

Whereas César Estrada Chávez served as the national director of the Community Service Organization;

Whereas, in 1962, César Estrada Chávez left the Community Service Organization to found the National Farm Workers Association, which eventually became the United Farm Workers of America;

Whereas César Estrada Chávez was a strong believer in the principles of non-violence practiced by Mahatma Gandhi and Dr. Martin Luther King, Jr.;

Whereas César Estrada Chávez effectively used peaceful tactics that included fasting for 25 days in 1968, 25 days in 1972, and 38 days in 1988, to call attention to the terrible working and living conditions of farmworkers in the United States;

Whereas under the leadership of César Estrada Chávez, the United Farm Workers of America organized thousands of migrant farmworkers to fight for—

- (1) fair wages;
- (2) health care coverage;
- (3) pension benefits;
- (4) livable housing; and
- (5) respect;

Whereas, through his commitment to non-violence, César Estrada Chávez—

- (1) brought dignity and respect to the organized farmworkers; and
- (2) became an inspiration and a resource to individuals engaged in human rights struggles throughout the world;

Whereas the influence of César Estrada Chávez extends far beyond agriculture and provides inspiration for those working—

- (1) to better human rights;
- (2) to empower workers; and
- (3) to advance the American Dream that includes all inhabitants of the United States;

Whereas César Estrada Chávez died on April 23, 1993, at the age of 66 in San Luis, Arizona, only miles from his birthplace;

Whereas more than 50,000 people attended the funeral services of César Estrada Chávez in Delano, California;

Whereas César Estrada Chávez was laid to rest at the headquarters of the United Farm Workers of America, known as Nuestra Señora de La Paz, located in the Tehachapi Mountains at Keene, California;

Whereas since the death of César Estrada Chávez, schools, parks, streets, libraries, and other public facilities, as well as awards and scholarships, have been named in his honor;

Whereas since the death of César Estrada Chávez, 10 States and dozens of communities across the United States honor the life and legacy of César Estrada Chávez on March 31 of each year;

Whereas César Estrada Chávez was a recipient of the Martin Luther King, Jr. Peace Prize during his lifetime;

Whereas, on August 8, 1994, César Estrada Chávez was posthumously awarded the Presidential Medal of Freedom; and

Whereas the United States should continue efforts to ensure equality, justice, and dignity for all people of the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the accomplishments and example of César Estrada Chávez, a great hero of the United States;

(2) pledges to promote the legacy of César Estrada Chávez; and

(3) encourages the people of the United States to commemorate the legacy of César Estrada Chávez and to always remember his great rallying cry, “Sí, se puede!”.

## NOTICES OF HEARINGS

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that the hearing before the Subcommittee on Public Lands and Forests previously announced for March 23, has been rescheduled and will now be held on Wednesday, April 21, 2010, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office

S. 1546, to provide for the conveyance of certain parcels of land to the town of Mantua, Utah;

S. 2798, to reduce the risk of catastrophic wildfire through the facilitation of insect and disease infestation treatment of the National Forest System and adjacent land, and for other purposes;

S. 2830, to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects; and

S. 2963, to designate certain land in the State of Oregon as wilderness, to provide for the exchange of certain Federal land and non-Federal land, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to: [allison\\_seyferth@energy.senate.gov](mailto:allison_seyferth@energy.senate.gov).

For further information, please contact Scott Miller at (202) 224-5488 or Allison Seyferth at (202) 224-4905.

### PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs has scheduled a hearing entitled, “Wall Street and the Financial Crisis: The Role of Bank Regulators.” This hearing will be the second in a series of Subcommittee hearings examining some of the causes and consequences of the recent financial crisis. This second hearing will focus on the role of bank regulators in the financial crisis, using as a case history oversight efforts by the Office of Thrift Supervision (OTS) and the Federal Deposit Insurance Corporation (FDIC) with respect to Washington Mutual Bank and its affiliate, Long Beach Mortgage Company. Wash-

ington Mutual Bank, the nation's largest thrift with \$300 billion in assets, \$188 billion in deposits and 43,000 employees, was closed by OTS on September 25, 2008, and immediately sold by FDIC to JPMorgan Chase, resulting in the largest bank failure in U.S. history.

The Subcommittee hearing has been scheduled for Friday, April 16, 2010, at 9:30 a.m., in Room 106 of the Dirksen Senate Office Building. For further information, please contact Elise Bean of the Permanent Subcommittee on Investigations at 202-224-9505.

## NOTICE: REGISTRATION OF MASS MAILINGS

The filing date for 2010 first quarter Mass Mailings is Monday, April 26, 2010. If your office did no mass mailings during this period, please submit a form that states “none.”

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510-7116.

The Public Records office will be open from 9:00 a.m. to 6:00 p.m. on the filing date to accept these filings. For further information, please contact the Public Records office at (202) 224-0322.

## TRICARE AFFIRMATION ACT

Mr. BROWN of Ohio. Madam President, I ask unanimous consent the Finance Committee be discharged of H.R. 4887, the TRICARE Affirmation Act, and the Senate proceed to its consideration.

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

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 4887) to amend the Internal Revenue Code of 1986 to ensure that health coverage provided by the Department of Defense is treated as minimal essential coverage.

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

Mr. BROWN of Ohio. I ask unanimous consent the bill be read three times, passed, and the motion to reconsider be laid upon the table; that any statements be printed in the RECORD.

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

The bill (H.R. 4887) was ordered to a third reading, was read the third time, and passed.

## MEASURE READ THE FIRST TIME—S. 3194

Mr. BROWN of Ohio. I understand that S. 3194, introduced earlier today by Senator REID, is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The assistant legislative clerk read as follows: