

(A) 1 member shall be an Alaska Native;
(B) 1 member shall be a Hawaiian Native;
and

(C) 3 members shall represent American Native groups and organizations from other States.

(4) **CHAIRPERSON.**—The President shall designate 1 of the members of the Council to serve as Chairperson.

(c) **EXPERIENCE.**—Each member of the Council shall be a Native American who, as a result of work experience, training, and attainment, is well qualified—

(1) to identify, analyze, and understand the attributes and background of successful business enterprises and economic programs in Native American communities and cultures;

(2) to appraise the economic development programs and activities of Federal agencies in the context of the goals and purposes of this Act; and

(3) to recommend programs, policies, and needed program modifications to improve access to and effectiveness in the delivery of economic development programs in Native American communities.

(d) **VACANCIES.**—A vacancy on the Council—

(1) shall not affect the authority of the Commission; and

(2) shall be filled in the same manner as the initial appointments to the Council.

(e) **EXPENSES.**—Each Member of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, at the rate authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from the homes or regular places of business of the employees in the performance of services for the Council.

(f) **STAFF.**—

(1) **IN GENERAL.**—The Council may, without regard to the civil service laws (including regulations), appoint and terminate an executive director and such other staff as are necessary to enable the Council to perform the duties required under this Act.

(2) **COMPENSATION.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), the Council may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(B) **MAXIMUM AMOUNT.**—The rate of pay for the executive director and other personnel of the Council shall not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(g) **DETAIL OF EMPLOYEES.**—

(1) **IN GENERAL.**—An employee of the Federal Government may be detailed to the Council without reimbursement.

(2) **CIVIL SERVICE STATUS.**—The detail of an employee shall be without interruption or loss of civil service status or privilege.

(h) **TEMPORARY SERVICES.**—The Council may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(i) **ADMINISTRATIVE SERVICES.**—The Secretary of Commerce shall provide necessary office space and administrative services for the Council (including staff of the Council).

SEC. 5. DUTIES.

(a) **IN GENERAL.**—The Council shall advise and make recommendations to Federal agencies on—

(1) proposing sustainable economic growth and poverty reduction policies in a manner that promotes self-determination, self-suffi-

ciency, and independence in urban and remote Native American communities while preserving the traditional cultural values of those communities;

(2) ensuring that Native Americans (including Native American communities and organizations) have equal access to Federal economic aid, training, and assistance programs;

(3) developing economic growth strategies, finance, and tax policies that will enable Native American organizations to stimulate the local economies of Native Americans and create meaningful new jobs in Native American communities;

(4) increasing the effectiveness of Federal programs to address the economic, employment, medical, and social needs of Native American communities;

(5) administering Federal economic development assistance programs with an understanding of the unique needs of Native American communities with the objectives of—

(A) making Native American leaders knowledgeable about best business practices and successful economic and job growth strategies;

(B) promoting investment and economic growth and reducing unemployment and poverty in Native American communities;

(C) enhancing governance, entrepreneurship, and self-determination in Native American communities; and

(D) fostering demonstrations of transformational changes in economic conditions in remote Native American communities through the use of innovative technology, targeted investments, and the use of Native American-owned natural and scenic resources;

(6) improving the effectiveness of economic development assistance programs through the integration and coordination of assistance to Native American communities;

(7) recommending educational and business training programs for Native Americans that increase the capacity of Native Americans for economic well-being and to further the purposes of this Act; and

(8) initiating proposals, as needed, for fellowship and mentoring programs to meet the economic development needs of Native American communities.

(b) **ADDITIONAL DUTIES.**—The Council shall—

(1) prepare a compilation of successful business enterprises and joint ventures conducted by Native American organizations, including tribal enterprises and the commercial ventures of Native Corporations (as defined in section 102 of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3102)) in the State of Alaska; and

(2) periodically sponsor and arrange conferences and training workshops on Native American business activities, including providing mentors, resource people, and speakers to address financing, management, marketing, resource development, and best business practices in Native American business enterprises.

SEC. 6. ASSESSMENT OF IMPACTS OF LEGISLATIVE PROPOSALS ON NATIVE AMERICAN ECONOMIC PROSPECTS AND OPPORTUNITY.

In preparing and communicating the comments and recommendations of the President on proposed legislation to committees and leadership of Congress, the Director of the Office of Management and Budget and the head of a Federal agency shall include an assessment of the impacts of the proposed legislation on the economic and employment prospects and opportunities provided in the proposed legislation to improve the quality of living conditions of Native American communities, organizations, and members to the

levels enjoyed by most people of the United States.

SEC. 7. REPORTS.

The Council shall—

(1) prepare periodic reports on the activities of the Council; and

(2) make the reports available to—

(A) Native American communities, organizations, and members;

(B) the General Services Administration;

(C) the Office of Management and Budget;

(D) the Domestic Policy Council;

(E) the National Economic Council;

(F) the Council of Economic Advisers;

(G) the Secretary of the Treasury;

(H) the Secretary of Commerce;

(I) the Secretary of Labor;

(J) the Secretary of the Interior;

(K) the Secretary of Energy; and

(L) members of the public.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act such sums as are necessary.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 515—DESIGNATING THE WEEK BEGINNING MAY 2, 2010, AS “NATIONAL PHYSICAL EDUCATION AND SPORT WEEK”

Ms. KLOBUCHAR (for herself and Mr. THUNE) submitted the following resolution; which was considered and agreed to:

S. RES. 515

Whereas the week beginning May 2, 2010, is observed as National Physical Education and Sport Week;

Whereas a decline in physical activity has contributed to an unprecedented epidemic of childhood obesity in the United States, which has more than tripled since 1980;

Whereas regular physical activity is necessary to support normal and healthy growth in children and is essential to their continued health and well-being;

Whereas, according to the Centers for Disease Control and Prevention, overweight adolescents have a 70 to 80 percent chance of becoming overweight adults, increasing their risk for chronic disease, disability, and death;

Whereas physical activity reduces the risk of heart disease, high blood pressure, diabetes, and certain types of cancers;

Whereas type 2 diabetes can no longer be referred to as “late in life” or “adult onset” diabetes because it occurs in children as young as 10 years old;

Whereas the Physical Activity Guidelines for Americans, published by the Department of Health and Human Services, recommend that children engage in at least 60 minutes of physical activity on most, and preferably all, days of the week;

Whereas, according to the Centers for Disease Control and Prevention, only 17 percent of high school students meet that goal of 60 minutes of physical activity a day;

Whereas children spend many of their waking hours at school and therefore need to be active during the school day to meet the recommendations of the Physical Activity Guidelines for Americans;

Whereas, according to the Centers for Disease Control and Prevention, 1 in 4 children in the United States does not attend any school physical education classes and fewer than 1 in 4 children in the United States engage in 20 minutes of vigorous physical activity each day;

Whereas teaching children about physical activity and sports not only ensures that they are physically active during the school day, but also educates them on how to be physically active and the importance of being physically active;

Whereas, according to a 2006 survey by the Department of Health and Human Services, 3.8 percent of elementary schools, 7.9 percent of middle schools, and 2.1 percent of high schools provide daily physical education classes or the equivalent for the entire school year, and 22 percent of schools do not require students to take any physical education classes at all;

Whereas, according to that survey, 13.7 percent of elementary schools, 15.2 percent of middle schools, and 3.0 percent of high schools provided physical education at least 3 days per week, or the equivalent thereof, for the entire school year for students in all grades in the school;

Whereas research shows that fit and active children are more likely to thrive academically;

Whereas increased time in physical education classes can improve children's attention and concentration and result in higher test scores;

Whereas participation in sports teams and physical activity clubs, which are often organized by schools and run outside the regular school day, can improve students' grade point averages, attachment to schools, educational aspirations, and the likelihood of graduating;

Whereas participation in sports and other physical activities also improves self-esteem and body image in children and adults;

Whereas children and youth who take part in physical activity and sports programs develop improved motor skills, healthy lifestyles, improved social skills, a sense of fair play, strong teamwork skills, and self-discipline and avoid risky behaviors;

Whereas the social and environmental factors affecting children are in the control of the adults and the communities in which children live, and therefore the Nation shares a collective responsibility in reversing the childhood obesity trend;

Whereas efforts to improve the fitness level of children who are not physically fit may also result in improvements in academic performance; and

Whereas the Senate strongly supports efforts to increase physical activity and participation of youth in sports: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning May 2, 2010, as "National Physical Education and Sport Week";

(2) recognizes the central role of physical education and sports in creating healthy lifestyles for all children and youth;

(3) encourages school districts to implement local wellness policies, as described in section 204 of the Child Nutrition and WIC Reauthorization Act of 2004 (42 U.S.C. 1751 note), that include ambitious goals for physical education, physical activity, and other activities addressing the childhood obesity epidemic and promoting child wellness; and

(4) encourages schools to offer physical education classes to students and to work with community partners to provide opportunities and safe spaces for physical activities before and after school and during the summer months for all children and youth.

SENATE RESOLUTION 516—RECOGNIZING THE CONTRIBUTIONS OF AMERICORPS MEMBERS TO THE LIVES OF THE PEOPLE OF THE UNITED STATES

Mrs. SHAHEEN (for herself and Mr. DODD) submitted the following resolution; which was considered and agreed to:

S. RES. 516

Whereas, since its inception in 1994, the AmeriCorps national service program has proven to be a highly effective way to engage the people of the United States in meeting a wide range of local and national needs and promoting the ethic of service and volunteering;

Whereas, each year, AmeriCorps provides opportunities for approximately 85,000 individuals across the United States to give back in an intensive way to their communities, their States, and the Nation;

Whereas those individuals improve the lives of the Nation's most vulnerable citizens, protect the environment, contribute to public safety, respond to disasters, and strengthen the educational system;

Whereas AmeriCorps members serve thousands of nonprofit organizations, schools, and faith-based and community organizations each year;

Whereas AmeriCorps members, after their terms of service end, are more likely to remain engaged in their communities as volunteers, teachers, and nonprofit professionals than the average individual;

Whereas, on April 21, 2009, President Barack Obama signed the Serve America Act (Public Law 111-13; 123 Stat. 1460) into law, which was passed by bipartisan majorities in both the House of Representatives and the Senate and reauthorized AmeriCorps and will expand AmeriCorps programs to incorporate 250,000 members each year;

Whereas national service programs have engaged millions of people in the United States in results-driven service in the Nation's most vulnerable communities, providing hope and help to people facing economic and social needs;

Whereas, in 2010, as the economic downturn puts millions of people in the United States at risk, national service and volunteering are more important than ever; and

Whereas AmeriCorps Week, observed in 2010 from May 8 through May 15, provides the perfect opportunity for AmeriCorps members, alumni, grantees, program partners, and friends to shine a spotlight on the work done by AmeriCorps members and to motivate more people in the United States to serve their communities: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the contributions of AmeriCorps members to the lives of the people of the United States;

(2) acknowledges the significant accomplishments of AmeriCorps members, alumni, and community partners; and

(3) encourages the people of the United States to join in a national effort to salute AmeriCorps members and alumni and raise awareness about the importance of national and community service.

SENATE RESOLUTION 517—IN SUPPORT AND RECOGNITION OF NATIONAL TRAIN DAY, MAY 8, 2010

Mr. LAUTENBERG (for himself, Mr. ROCKEFELLER, Mrs. HUTCHISON, Mr. LIEBERMAN, Mr. SCHUMER, Mr. DURBIN, Mrs. BOXER, Mr. CARPER, Mr. DORGAN,

Mr. WYDEN, Mr. BURRIS, Mr. BAYH, AND Mr. UDALL of New Mexico) submitted the following resolution; which was considered and agreed to:

S. RES. 517

Whereas on May 10, 1869, the "golden spike" was driven into the final tie at Promontory Summit, Utah, to join the Central Pacific and the Union Pacific Railroads, ceremonially completing the first transcontinental railroad and therefore connecting both coasts of the United States;

Whereas in highly populated regions Amtrak trains and infrastructure carry intercity passengers and commuters to and from work in congested metropolitan areas, providing a reliable rail option while reducing congestion on roads and in the skies;

Whereas Amtrak ridership in Fiscal Year 2009 reached 27.1 million passengers from 46 states;

Whereas, for many rural Americans, Amtrak represents the only major intercity transportation link to the rest of the country;

Whereas passenger rail provides a fuel-efficient transportation system, thereby providing clean transportation alternatives and energy security;

Whereas, when combined with all modes of transportation, passenger railroads emit only 0.2 percent of the travel industry's total greenhouse gases and one freight train can move a ton of freight 480 miles on one gallon of fuel;

Whereas developing this pipeline of national high-speed and intercity passenger rail projects will revitalize the domestic manufacturing industry and create additional American jobs building on the one million good-paying, middle-class-creating American jobs that can never be off-shored that are already supported by the rail industry;

Whereas ridership on Amtrak grew every year from 2000 through 2008, and is currently on track for 2010 to be its best ridership year ever, further demonstrating the increased demand for intercity passenger rail services; and

Whereas our railroad system is a source of civic pride, the gateway to our communities and a tool for economic growth that creates transportation-oriented development and livable communities: Now, therefore, be it

Resolved, That the Senate supports the goals and ideals of National Train Day, as designated by Amtrak.

SENATE RESOLUTION 518—DESIGNATING THE WEEK BEGINNING MAY 9, 2010, AS "NATIONAL NURSING HOME WEEK"

Mr. THUNE (for himself, Mr. CASEY, Mr. JOHNSON, and Mr. FEINGOLD) submitted the following resolution; which was considered and agreed to:

S. RES. 518

Whereas more than 1,500,000 elderly and disabled individuals live in the nearly 16,000 nursing facilities in the United States;

Whereas the annual celebration of National Nursing Home Week invites people in communities nationwide to recognize nursing home residents and staff for their contributions to their communities;

Whereas the theme for National Nursing Home Week in 2010 is "Enriching Every Day", honoring caregivers who are "enriching every day" for elderly and disabled individuals, adding value to their lives and helping them to overcome many of the infirmities of age and disability;