just have to raise funds to compete against their opponents, but will also have to compete with independent expenditure campaigns conducted by powerful special interests. This has the potential to influence the positions a candidate takes and perception the public has of the political process. Our elected officials will no longer be able to focus on the big issues of the day for risk of opening the door for an independent expenditure attack waged by a regulated interest.

What is more troubling is that current law provides for insufficient transparency to ensure voters are aware of who is running these independent expenditures. Special interests and their lobbyists, of course, will know who is running these ads since they are going to use them for leverage. Voters will be left in the dark.

We must utilize—to the fullest extent possible—the tools for regulating campaign finance that the Court has provided for in Citizens United and in prior decisions.

I am a proud cosponsor of the DISCLOSE Act because I believe it addresses some of the unintended consequences of Citizens United and emphasizes disclosure requirements, which the Supreme Court has highlighted as ''the less-restrictive alternative to more comprehensive speech regulations.'' This legislation is our best hope for ensuring voters can make informed decisions and making sure our process isn't corrupted or otherwise cheapened by the Court's new blunt restrictions on our ability to protect the system from outside corrupting influence.

And so the DISCLOSE Act extends the existing prohibition on contributions and expenditures by foreign nationals to domestic corporations where: (1) a foreign national owns 20 percent or more of voting shares in the corporation; (2) a majority of the board of directors are foreign nationals; (3) one or more foreign nationals have the power to direct, dictate or control the decisionmaking of the U.S. subsidiary; or (4) one or more foreign nationals have the power to direct, dictate or control the activities with respect to Federal, State or local elections.

This prohibition is in line with current laws that prohibit foreign nationals from making direct or indirect contributions to campaigns for Federal, State or local elections. Under the law, the definition of ''foreign national'' exempts any person that is ''not an individual and is organized under or created by the laws of the United States or any State or other place subject to the jurisdiction of the United States and has its principal place of business within the United States.'' The FEC has concluded this exemption includes a U.S. corporation that is a subsidiary of a foreign corporation, so long as the foreign parent does not finance political activities in the United States and no foreign national participates in any decision to make expenditures. The DISCLOSE Act tightens this exemption and clarifies its reach in order to prevent undue foreign influence. This provision makes sure the Court's decision does not leave any possible opening for foreign influence of our elections.

To address the potential for corruption or appearance of corruption by government contractors which can now use their treasuries to influence election results, the DISCLOSE Act bars government contractors from making campaign-related expenditures. Under current law, government contractors are already barred from making contributions to influence Federal elections. If an individual is a sole proprietor of a business with a Federal Government contract, he or she may not make contributions from personal or business funds. The DISCLOSE Act ensures that the intent of current law remains by prohibiting the general treasury funds of government contractors from being used to circumvent current restrictions. Further, bailout recipients who have not repaid taxpayers cannot make campaign-related expenditures until taxpayer money is repaid. This is in line with the spirit of the government contractor provision since it prevents the potential for corruption and abuse of taxpayer dollars by those who are direct beneficiaries.

In its provisions for regulating foreign corporations and government contractors, the DISCLOSE Act builds on restrictions already in place under the law to make sure that the unintended consequences of Citizens United do not come to fruition. These are necessary fixes.

The most important provisions in the DISCLOSE Act concern increased transparency in our political process. Given the reality that Citizens United has opened the door for unmitigated special interest money, it is important that we make sure voters are aware whose money is being used to influence their opinions.

The DISCLOSE Act expands disclosure requirements under current law by requiring corporations, labor unions and a number of tax exempt organizations to report all donors who have given $1,000 or more to the organization in a 12-month period if the organization makes independent expenditures or electioneering communications in excess of $10,000. Further, leaders of corporations, unions and organizations covered are required to stand behind their independent expenditure ads by appearing on camera, as candidates for office are currently required to do. To prevent money from being funneled to shell groups to avoid identification, the top funder of ads must stand by the ad and issue a disclaimer. The top five donors to a campaign-related TV ad will be listed on screen.

Special interests are already attacking this provision as unconstitutional. This is both unfortunate and false. As the Court stated in Citizens United, the ''public has an interest in knowing who is speaking about a candidate shortly before an election.'' Voters should be able to weigh different speakers and messages accordingly.

Citing the Court's decision in Buckley v. Valeo, Justice Kennedy wrote for the majority in Citizens United that ''disclaimer and disclosure requirements may burden the ability to speak, but they impose no ceiling on campaign-related activities or prevent anyone from speaking.''

Under this rationale, the Court upheld disclaimer and disclosure requirements under sections 201 and 311 of the Bipartisan Campaign Reform Act of 2002, BCRA, as they applied to the movie that Citizens United produced and the advertisements it planned to run to promote the movie. The Court found the movie and its advertisements amounted to ''electioneering communication'' under BCRA and did not find there to be evidence that the disclosure requirements would have a chilling effect on donations by exposing donors to retaliation. Thus, the Court removed the ability of funders for Citizens United to lurk in the shadows while shaping public perspective. There is no doubt that the Court would find a broadening of current disclosure laws and rules that pertain to candidates to be appropriate.

The ability of the public to be informed of their choices in the political marketplace is critical. Misinformation campaigns are already an unfortunate reality of our politics. With the floodgates of special interest money now fully open, the situation will only grow worse. The least we can do is make sure voters can make informed decisions.

Although Citizens United has cast a dark cloud on Washington, Senator SCHUMER is also proving that this deplorable decision also created the impetus for action. The DISCLOSE Act is an opportunity to not only prevent the worst of the unintended and the foreseeable consequences from the Supreme Court's decision, but also improve the information available to voters as they consider candidates and issues. This legislation is a step forward for ensuring that the voices of individual Americans are not drowned out. It is an opportunity to show the public that we will not stand by and allow special interests to continue to overwhelm Washington and the people's business.

I am proud to be joining Senators SCHUMER, FEINGOLD, WYDEN, BAYH and FRANKEN here today in support of the DISCLOSE Act. I ask all our colleagues to join us in cosponsoring this legislation and bringing it to the floor so that we can prevent further decay of our campaign finance system and ensure voters are informed come election day.

## NATIONAL PEACE OFFICER'S MEMORIAL DAY

Mr. HATCH. Mr. President, this week marks National Police Week and the

observance of National Peace Officers Memorial Day. I want to take this opportunity to remember the brave men and women of law enforcement who have made the ultimate sacrifice and gave their lives in the line of duty.

Since the first recorded police death in 1792, there have been nearly 19,000 law enforcement officers killed in the line of duty. On average, one law enforcement officer is killed somewhere in the United States every 53 hours. There are more than 900,000 sworn law enforcement officers now serving in the United States, which is the highest figure ever.

This year, 116 names will be added to the National Law Enforcement Officers Memorial here in Washington, DC. We should remember that there are 116 families who grieve the loss of a loved one who gave their life to protect their community and keep their fellow citizens safe. The sacrifice of those brave officers is the price paid for living in open society where freedoms are guaranteed by our Nation's laws. When those laws are violated, we look to our protectors who wear the badge to answer the call.

During the dedication of the National Law Enforcement Officers Memorial in 1991, President George H.W. Bush said, ''Carved on these walls is the story of America, of a continuing quest to preserve both democracy and decency, and to protect a national treasure that we call the American Dream.'' That is what our dedicated law enforcement professionals do every day. They protect the American dream.

The first recorded law enforcement death in my home State of Utah was in 1853. That was when Salt Lake County deputy Rodney Badger gave his life to try to save a fellow Utahn. Since then, 62 of Utah's finest have made the ultimate sacrifice and given their lives in service to the State of Utah. While there were no police officers killed in 2009, there have already been two members of Utah's law enforcement community who have been killed in the line of duty this year. Their deeds and service will not be forgotten, and my thoughts are with their families. We shall always remember that it is not how these officers died that made them heroes, it was how they lived. That sentiment is embodied in both the Utah and National Law Enforcement Officers Memorials.

The deadliest day in law enforcement history was September 11, 2001, when 72 officers were killed while responding to the terrorist attacks on America. On that day, at the Pentagon, the World Trade Center, and at Shanksville, PA, Americans witnessed firsthand the front line on the war on terror. That was the day when Americans saw courage in the midst of chaos from our brave men and women in law enforcement. Our Nation also recorded deeds of uncommon valor not only from our military, police, and fire personnel, but also from our citizens who sacrificed themselves as patriots for their country. It is that spirit that sets us apart as Americans. It was that spirit of sacrifice on which our Nation was founded. It is our duty to acknowledge and record the sacrifice of those who perished trying to save others.

As the recent event in Times Square has shown us, law enforcement has had to bear the responsibility of not only protecting citizens from crime but also from the violence of extreme beliefs and terrorism. The mission of the law enforcement officer has been transformed over 200 years to include being a crime fighter, problem-solver, counselor, social worker, and now protector of the homeland. As the duties of law enforcement continue to expand, we recognize that Federal agents, officers, and deputies never shirk the tasks assigned to them. They do it willingly and eagerly accept the challenge.

There are those in Washington who posture, saying ''failure is not an option.'' However, within the law enforcement community, failure is not in their vocabulary. Their steadfast dedication to serve victims, protect the weak, and fight crime motivates them to not accept failure even if it requires making the ultimate sacrifice.

In closing, this week I urge my colleagues to take a moment and think about those who walk the beat, patrol the streets, and watch over us. The men and women of law enforcement stand tall to protect us, our families, and our communities. Law enforcement is often a thankless job and is truly, more often than not, more of a calling than a vocation. It takes a special person to answer that call and choose to provide the blanket of security by enforcing the laws of this great land.

## FEHBP DEPENDENT COVERAGE EXTENSION ACT

Mr. CARDIN. Mr. President, I rise today to discuss the Federal Employees Health Benefits Program Dependent Coverage Extension Act. This bill will allow Federal employees to benefit immediately from an important provision of the new health care law.

FEHBP is the largest employer-sponsored group health insurance program in the world, covering more than 8 million Federal employees, retirees, former employees, and their dependents. Currently, FEHBP enrollees with family coverage can keep unmarried, dependent children on their health insurance policies until age 22.

Earlier this year, Congress passed the Patient Protection and Affordable Care Act, which moves us to universal health coverage and lowers health care costs for our Nation and for families. One of the first effective provisions of the legislation requires health plans to allow parents to keep children on their health insurance policies until their 26th birthday. Previously, most plans terminated dependent children's coverage once they tunred 22. While the insurance exchanges created by the new law will enable millions more Americans to access affordable coverage, they will not be operational until 2014. Enabling children of insured parents to stay on their policies until age 26 is an immediate benefit that will begin now to improve our health care system by increasing the number of people with affordable coverage right away.

This provision of the law will take effect on the first day of the new plan year after September 23, 2010. For most plans, that means January 1, 2011. But I am pleased to report that many insurance companies have chosen to implement this provision earlier than required by law.

But unless Congress acts, Federal employees with family coverage will have to wait until next year for this benefit to kick in. This is because FEHBP law prevents the Office of Personnel Management Director John Berry from moving up the effective date. Two sections of the law hinder OPM from taking action now. According to OPM, ''The first section allows OPM to contract with plans to provide health services to employees and their families. The second defines family members to include 'an unmarried dependent child under age 22.' Unfortunately, this does now allow flexibility for FEHB plans to provide coverage to other adult children until the provision in the Affordable Care Act becomes effective.'' Director Berry has stated that he would like to begin expanding coverage for enrollees' adult children now, and that he does not want to wait until next January to offer this cost-saving benefit.

The bill we are introducing today would conform FEHBP law with PPACA and ensure that all children of Federal employees can remain on their parents' health insurance policies until their 26th birthday and give OPM the authority to implement the change immediately.

Graduation season is upon us, and many college seniors are preparing for new challenges, including moving out on their own, starting graduate studies, finding a job, and other life transitions. They should not have to endure the additional stress that comes from suddenly losing their health insurance coverage. Young adults just starting their careers often lack access to affordable employer-based health insurance and must rely on the prohibitively expensive individual market for coverage. That is why so many private insurers have stepped up to the plate. Permitting Federal employees to benefit from the new law now will ease young adults' transition from college to the workforce and reduce their out-of-pocket expenses.

The independent Congressional Budget Office has issued a preliminary analysis indicating that this legislation has no cost associated with it. So it will save families money, get more young adults insured, and bring greater efficiencies to our health care sooner, all at no cost to the Federal budget.