

have, to varying degrees, failed to comply with internationally recognized scientific guidelines with respect to United States beef and beef products

(3) China, Japan, Hong Kong, Taiwan, South Korea, Mexico, and Vietnam should fully comply with internationally recognized scientific guidelines;

(4) China, Japan, Hong Kong, Taiwan, South Korea, Mexico, and Vietnam should open their markets to United States exporters of all beef and beef products from cattle of all ages, consistent with OIE guidelines; and

(5) the President should continue to insist on full access for United States exporters of beef and beef products to the markets in China, Japan, Hong Kong, Taiwan, South Korea, Mexico, and Vietnam.

SENATE RESOLUTION 545—TO AUTHORIZE THE PRODUCTION OF RECORDS BY THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS.

Mr. REID (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

S. RES. 545

Whereas, the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs conducted an investigation into Wall Street and the financial crisis of 2008, examining the role of mortgage lenders, bank regulators, credit rating agencies, and investment banks in causing the crisis;

Whereas, the Subcommittee has received requests from federal and state government entities for access to records of the Subcommittee's investigation;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved. That the Chairman and Ranking Minority Member of the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs, acting jointly, are authorized to provide to law enforcement officials, regulatory agencies, and other entities or individuals duly authorized by federal, state, or foreign governments, records of the Subcommittee's investigation into Wall Street and the financial crisis of 2008, examining the role of mortgage lenders, bank regulators, credit rating agencies, and investment banks in causing the crisis.

SENATE CONCURRENT RESOLUTION 64—HONORING THE 28TH INFANTRY DIVISION FOR SERVING AND PROTECTING THE UNITED STATES

Mr. CASEY (for himself and Mr. SPECTER) submitted the following concurrent resolution; which was referred to the Committee on Armed Services:

S. CON. RES. 64

Whereas the 28th Infantry Division was established on October 11, 1879, and is recognized as the oldest, continuously serving division in the Army;

Whereas units of the 28th Infantry Division date back to 1747, when Benjamin Franklin organized a battalion in Philadelphia;

Whereas units of the 28th Infantry Division served in the Revolutionary War, including units that served with distinction in the Continental Army under General George Washington;

Whereas the 28th Infantry Division was integral to the success of World War I campaigns in the European theater, including those in Champagne, Champagne-Marne, Aisne-Marne, Oise Marne, Lorraine, and Mesuse-Argonne;

Whereas the 28th Infantry Division earned the title of "Iron Division" by General John J. Pershing for the valiant efforts of the Division during World War I;

Whereas the 28th Infantry Division contributed to military operations in Normandy, Northern France, Rhineland, Ardennes-Alsace, and Central Europe during World War II;

Whereas the perseverance of the 28th Infantry Division throughout the harsh winter spanning from 1944 to 1945 on the western front led to a decisive victory in the Battle of the Huertgen Forest, the longest single battle engaged in by the Army;

Whereas soon after the Battle of the Huertgen Forest, the 28th Infantry Division withstood the onslaught of the main thrust of the last great German offensive during the Battle of the Bulge, giving time for reinforcements to arrive and defeat the Germans;

Whereas the 28th Infantry Division was activated again in 1950 to serve in Germany;

Whereas the 28th Infantry Division was folded into the Army Selective Reserve Force during the Vietnam War;

Whereas the 28th Infantry Division aided relief efforts throughout the devastating aftermath of Hurricane Agnes in 1972;

Whereas the 28th Infantry Division was called to action during the partial meltdown of the nuclear reactor of the Three Mile Island Nuclear Generating Station in 1979;

Whereas the 28th Infantry Division contributed to the international coalition forces, facilitating efforts in Operation Desert Storm;

Whereas the 28th Infantry Division has been part of peacekeeping missions in Bosnia-Herzegovina, the Republic of Kosovo, and the Sinai Peninsula;

Whereas the 28th Infantry Division has deployed troops as part of Operation Noble Eagle, securing high-profile infrastructure targets in the aftermath of the September 11, 2001, attacks;

Whereas the 28th Infantry Division has deployed troops to Afghanistan as part of Operation Enduring Freedom, which ousted the Taliban regime and has since helped to secure the country and bring humanitarian relief to the Afghan people;

Whereas in Operation Iraqi Freedom, the 28th Infantry Division played a crucial role in the search for weapons of mass destruction, the invasion of Iraq, the provision of security in post-invasion Iraq, the training of an Iraqi police force, the securing of transport convoys, and the safe detainment of suspected terrorists;

Whereas more than 2,600 soldiers of the 28th Infantry Division remain missing in action from World War I and World War II;

Whereas the 28th Infantry Division has 127 units in 90 armories in 75 cities across the Commonwealth of Pennsylvania;

Whereas the 28th Infantry Division has been sent to aid portions of the United

States affected by harsh winter storms, flooding, violent windstorms, and other severe weather emergencies; and

Whereas 10 recipients of the Medal of Honor, 4 recipients of the Legion of Merit, and 258 recipients of the Silver Star have been members of the 28th Infantry Division: Now, therefore, be it

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

(1) honors the 28th Infantry Division for serving and protecting the United States; and

(2) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to the Adjutant General of the Pennsylvania National Guard for appropriate display.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4296. Mr. INOUE submitted an amendment intended to be proposed to amendment SA 4274 submitted by Mr. BURR and intended to be proposed to the bill H.R. 4899, making supplemental appropriations for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table.

SA 4297. Mr. INOUE submitted an amendment intended to be proposed to amendment SA 4275 submitted by Mr. BURR and intended to be proposed to the bill H.R. 4899, supra; which was ordered to lie on the table.

SA 4298. Mr. NELSON of Florida (for himself and Mr. SHELBY) submitted an amendment intended to be proposed to amendment SA 4234 proposed by Ms. LANDRIEU to the bill H.R. 4899, supra; which was ordered to lie on the table.

SA 4299. Mr. INOUE submitted an amendment intended to be proposed by him to the bill H.R. 4899, supra.

TEXT OF AMENDMENTS

SA 4296. Mr. INOUE submitted an amendment intended to be proposed to amendment SA 4274 submitted by Mr. BURR and intended to be proposed to the bill H.R. 4899, making supplemental appropriations for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table, as follows:

On page 1, strike line 3 and all that follows through line 6 and insert the following:

"Filipino Veterans Equity Compensation Fund" account and such other unobligated amounts as the Secretary of Veterans Affairs considers appropriate may be transferred to the "Medical Services" account: *Provided*, That any amount transferred from "Construction, Major Projects" shall be derived from unobligated balances that are a direct result of bid savings: *Provided further*, That amounts transferred to the "Medical Services" account are

SA 4297. Mr. INOUE submitted an amendment intended to be proposed to amendment SA 4275 submitted by Mr. BURR and intended to be proposed to the bill H.R. 4899, making supplemental appropriations for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table, as follows:

On page 1, strike line 6 and all that follows through line 7 and insert the following:

fiscal years, \$67,000,000 of the unobligated balances that are a direct result of bid savings may be transferred to the "Filipino Veterans Equity Compensation Fund" account

and any remaining amounts of such unobligated balances not transferred to the "Filipino Veterans Equity Compensation Fund" account may be used by the Secretary of Vet-

SA 4298. Mr. NELSON of Florida (for himself and Mr. SHELBY) submitted an amendment intended to be proposed to amendment SA 4234 proposed by Ms. LANDRIEU to the bill H.R. 4899, making supplemental appropriations for the fiscal year ending September 30, 2010, and for other purposes; which was ordered to lie on the table, as follows:

In lieu of the matter proposed to be inserted, insert the following:

TITLE II

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For an additional amount, in addition to amounts provided elsewhere in this Act, for "Economic Development Assistance Programs", to carry out planning, technical assistance and other assistance under section 209, and consistent with section 703(b), of the Public Works and Economic Development Act (42 U.S.C. 3149, 3233), in States affected by the incidents related to the discharge of oil that began in 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, \$10,000,000, to remain available until expended, of which not less than \$5,000,000 shall be used to provide technical assistance grants in accordance with section 2002.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount, in addition to amounts provided elsewhere in this Act, for "Operations, Research, and Facilities", \$13,000,000, to remain available until expended, for responding to economic impacts on fishermen and fishery-dependent businesses: *Provided*, That the amounts appropriated herein are not available unless the Secretary of Commerce determines that resources provided under other authorities and appropriations including by the responsible parties under the Oil Pollution Act, 33 U.S.C. 2701, et seq., are not sufficient to respond to economic impacts on fishermen and fishery-dependent business following an incident related to a spill of national significance declared under the National Contingency Plan provided for under section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9605).

For an additional amount, in addition to amounts provided elsewhere in this Act, for "Operations, Research, and Facilities", for activities undertaken including scientific investigations and sampling as a result of the incidents related to the discharge of oil and the use of oil dispersants that began in 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, \$7,000,000, to remain available until expended. These activities may be funded through the provision of grants to universities, colleges and other research partners through extramural research funding.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", Food and Drug Administra-

tion, Department of Health and Human Services, for food safety monitoring and response activities in connection with the incidents related to the discharge of oil that began in 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, \$2,000,000, to remain available until expended.

DEPARTMENT OF THE INTERIOR

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for the "Office of the Secretary, Salaries and Expenses" for increased inspections, enforcement, investigations, environmental and engineering studies, and other activities related to emergency offshore oil spill incidents in the Gulf of Mexico, \$29,000,000, to remain available until expended: *Provided*, That such funds may be transferred by the Secretary to any other account in the Department of the Interior to carry out the purposes provided herein.

DEPARTMENT OF JUSTICE

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For an additional amount for "Salaries and Expenses, General Legal Activities", \$10,000,000, to remain available until expended, for litigation expenses resulting from incidents related to the discharge of oil that began in 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon.

ENVIRONMENTAL PROTECTION AGENCY SCIENCE AND TECHNOLOGY

For an additional amount for "Science and Technology" for a study on the potential human and environmental risks and impacts of the release of crude oil and the application of dispersants, surface washing agents, bioremediation agents, and other mitigation measures listed in the National Contingency Plan Product List (40 C.F.R. Part 300 Subpart J), as appropriate, \$2,000,000, to remain available until expended: *Provided*, That the study shall be performed at the direction of the Administrator of the Environmental Protection Agency, in coordination with the Secretary of Commerce and the Secretary of the Interior: *Provided further*, That the study may be funded through the provision of grants to universities and colleges through extramural research funding.

GENERAL PROVISION—THIS TITLE

DEEPWATER HORIZON

SEC. 2001.

(a) IN GENERAL.—Section 6002(b) of the Oil Pollution Act of 1990 (33 U.S.C. 2752) is amended in the second sentence:

(1) by inserting ":(1)" before "may obtain an advance" and after "the Coast Guard";

(2) by striking "advance. Amounts" and inserting the following: "advance; (2) in the case of discharge of oil that began in 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, may, without further appropriation, obtain one or more advances from the Oil Spill Liability Trust Fund as needed, up to a maximum of \$100,000,000 for each advance, the total amount of all advances not to exceed the amounts available under section 9509(c)(2) of the Internal Revenue Code of 1986 (26 U.S.C. 9509(c)(2)), and within 7 days of each advance, shall notify Congress of the amount advanced and the facts and circumstances necessitating the advance; and (3) amounts".

(b) ASSESSMENT OF ENVIRONMENTAL IMPACTS.—

(1) DEFINITIONS.—In this subsection:

(A) DEEPWATER HORIZON OIL DISCHARGE.—The term "Deepwater Horizon oil discharge" means the discharge of oil and the use of oil dispersants that began in 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon in the Gulf of Mexico.

(B) RESPONSIBLE PARTY.—The term "responsible party" means a responsible party (as defined in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701)) with respect to the Deepwater Horizon oil discharge.

(2) APPROPRIATIONS OF FUNDS.—

(A) IN GENERAL.—For an additional amount, in addition to amounts provided elsewhere in this Act for "Operations, Research, and Facilities" of the National Oceanic and Atmospheric Administration, \$22,400,000 to carry out enhanced fisheries data collection in the Gulf of Mexico to assess environmental impacts related to the Deepwater Horizon oil discharge.

(B) GRANTS TO FISHERMEN.—Of the amount appropriated under subparagraph (A), \$5,000,000 shall be available to provide cooperative research grants to fishermen to collect data to establish ecosystem baselines to assist managers in fully understanding the extent of the damage that resulted from the Deepwater Horizon oil discharge.

(3) LIABILITY AND REIMBURSEMENT.—Notwithstanding any limitation on liability under section 1004 of the Oil Pollution Act of 1990 (33 U.S.C. 2704) or any other provision of law, each responsible party shall, upon the demand of the Secretary of the Treasury, reimburse the general fund of the Treasury for the amount appropriated pursuant to paragraph (2).

SEC. 2002. FUNDING FOR ENVIRONMENTAL AND FISHERIES IMPACTS.

(a) DEFINITIONS.—In this section:

(1) DEEPWATER HORIZON OIL DISCHARGE.—The term "Deepwater Horizon oil discharge" means the discharge of oil and the use of oil dispersants that began in 2010 in connection with the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon in the Gulf of Mexico.

(2) OIL SPILL LIABILITY TRUST FUND.—The term "Oil Spill Liability Trust Fund" means the Oil Spill Liability Trust Fund established under section 9509 of the Internal Revenue Code of 1986 (26 U.S.C. 9509).

(3) RESPONSIBLE PARTY.—The term "responsible party" means a responsible party (as defined in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701)) with respect to the Deepwater Horizon oil discharge.

(b) AVAILABILITY OF FUNDS.—Notwithstanding any provision of section 9509 of the Internal Revenue Code of 1986 (26 U.S.C. 9509), amounts from the Oil Spill Liability Trust Fund shall be made available for the following purposes:

(1) FISHERIES DISASTER RELIEF.—For an additional amount, in addition to other amounts provided in this Act for the National Oceanic and Atmospheric Administration, \$20,000,000 to be available to provide fisheries disaster relief under section 312 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1861a) related to a commercial fishery failure due to a fishery resource disaster in the Gulf of Mexico that resulted from the Deepwater Horizon oil discharge.

(2) EXPANDED STOCK ASSESSMENT OF FISHERIES.—For an additional amount, in addition to other amounts provided in this Act for the National Oceanic and Atmospheric Administration, \$15,000,000 to conduct an expanded stock assessment of the fisheries of the Gulf of Mexico. Such expanded stock assessment shall include an assessment of the commercial and recreational catch and biological sampling, observer programs, data

management and processing activities, the conduct of assessments, and follow-up evaluations of such fisheries.

(3) **ECOSYSTEM SERVICES IMPACTS STUDY.**—For an additional amount, in addition to other amounts provided for the Department of Commerce, \$1,000,000 to be available for the National Academy of Sciences to conduct a study of the long-term ecosystem service impacts of the Deepwater Horizon oil discharge. Such study shall assess long-term costs to the public of lost water filtration, hunting, and fishing (commercial and recreational), and other ecosystem services associated with the Gulf of Mexico.

(c) **LIABILITY AND REIMBURSEMENT.**—Notwithstanding any limitation on liability under section 1004 of the Oil Pollution Act of 1990 (33 U.S.C. 2704) or any other provision of law, each responsible party shall, upon the demand of the Secretary of the Treasury, reimburse the Oil Spill Liability Trust Fund for the amounts made available pursuant to subsection (b).

SEC. 2003. OIL SPILL CLAIMS ASSISTANCE AND RECOVERY.

(a) **ESTABLISHMENT OF GRANT PROGRAM.**—The Secretary of Commerce (referred to in this section as the “Secretary”) shall establish a grant program to provide to eligible (as determined by the Secretary) organizations technical assistance grants for use in assisting individuals and businesses affected by the Deepwater Horizon oil spill in the Gulf of Mexico (referred to in this section as the “oil spill”).

(b) **APPLICATION.**—An organization that seeks to receive a grant under this section shall submit to the Secretary an application for the grant at such time, in such form, and containing such information as the Secretary shall require.

(c) **USE OF FUNDS.**—

(1) **IN GENERAL.**—Funds from a grant provided under this section may be used by an eligible organization—

- (A) to support—
 - (i) education;
 - (ii) outreach;
 - (iii) intake;
 - (iv) language services;
 - (v) accounting services;
 - (vi) legal services offered pro bono or by a nonprofit organization;
 - (vii) damage assessments;
 - (viii) economic loss analysis;
 - (ix) collecting and preparing documentation; and
 - (x) assistance in the preparation and filing of claims or appeals;

(B) to provide assistance to individuals or businesses seeking assistance from or under—

- (i) a party responsible for the oil spill;
- (ii) the Oil Spill Liability Trust Fund;
- (iii) an insurance policy; or
- (iv) any other program administered by the Federal Government or a State or local government;

(C) to pay for salaries, training, and appropriate expenses relating to the purchase or lease of property to support operations, equipment (including computers and telecommunications), and travel expenses;

(D) to assist other organizations in—

- (i) assisting specific business sectors;
- (ii) providing services;
- (iii) assisting specific jurisdictions; or
- (iv) otherwise supporting operations; and

(E) to establish an advisory board of service providers and technical experts—

(i) to monitor the claims process relating to the oil spill; and

(ii) to provide recommendations to the parties responsible for the oil spill, the National Pollution Funds Center, other appropriate agencies, and Congress to improve fairness and efficiency in the claims process.

(2) **PROHIBITION ON USE OF FUNDS.**—Funds from a grant provided under this section may not be used to provide compensation for damages or removal costs relating to the oil spill.

(d) **PROVISION OF GRANTS.**—

(1) **IN GENERAL.**—Not later than 60 days after the date of enactment of this Act, the Secretary shall provide grants under this section.

(2) **NETWORKED ORGANIZATIONS.**—The Secretary is encouraged to consider applications for grants under this section from organizations that have established networks with affected business sectors, including—

- (A) the fishery and aquaculture industries;
- (B) the restaurant, grocery, food processing, and food delivery industries; and
- (C) the hotel and tourism industries.

(3) **TRAINING.**—Not later than 30 days after the date on which an eligible organization receives a grant under this section, the Director of the National Pollution Funds Center and the parties responsible for the oil spill shall provide training to the organization regarding the applicable rules and procedures for the claims process relating to the oil spill.

(4) **AVAILABILITY OF FUNDS.**—Funds from a grant provided under this section shall be available until the later of, as determined by the Secretary—

- (A) the date that is 6 years after the date on which the oil spill occurred; and
- (B) the date on which all claims relating to the oil spill have been satisfied.

SEC. 2004. GULF OF MEXICO RESTORATION AND PROTECTION.

(a) **SHORT TITLE.**—This section may be cited as the “Gulf of Mexico Restoration and Protection Act”.

(b) **FINDINGS AND PURPOSES.**—

(1) **FINDINGS.**—Congress finds that—

(A) the Gulf of Mexico is a valuable resource of national and international importance, continuously serving the people of the United States and other countries as an important source of food, economic productivity, recreation, beauty, and enjoyment;

(B) over many years, the resource productivity and water quality of the Gulf of Mexico and its watershed have been diminished by point and nonpoint source pollution;

(C) the United States should seek to attain the protection and restoration of the Gulf of Mexico ecosystem as a collaborative regional goal of the Gulf of Mexico Program; and

(D) the Administrator of the Environmental Protection Agency, in consultation with other Federal agencies and State and local authorities, should coordinate the effort to meet those goals.

(2) **PURPOSES.**—The purposes of this section are—

(A) to expand and strengthen cooperative voluntary efforts to restore and protect the Gulf of Mexico;

(B) to expand Federal support for monitoring, management, and restoration activities in the Gulf of Mexico and its watershed;

(C) to commit the United States to a comprehensive cooperative program to achieve improved water quality in, and improvements in the productivity of living resources of, the Gulf of Mexico; and

(D) to establish a Gulf of Mexico Program to serve as a national and international model for the collaborative management of large marine ecosystems.

(c) **GULF OF MEXICO RESTORATION AND PROTECTION.**—Title I of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) is amended by adding at the end the following:

“SEC. 123. GULF OF MEXICO RESTORATION AND PROTECTION.

“(a) **DEFINITIONS.**—In this section;

“(1) **GULF OF MEXICO ECOSYSTEM.**—The term ‘Gulf of Mexico ecosystem’ means the eco-

system of the Gulf of Mexico and its watershed.

“(2) **GULF OF MEXICO EXECUTIVE COUNCIL.**—The term ‘Gulf of Mexico Executive Council’ means the formal collaborative Federal, State, local, and private participants in the Program.

“(3) **PROGRAM.**—The term ‘Program’ means the Gulf of Mexico Program established by the Administrator in 1988 as a nonregulatory, inclusive partnership to provide a broad geographic focus on the primary environmental issues affecting the Gulf of Mexico.

“(4) **PROGRAM OFFICE.**—The term ‘Program Office’ means the office established by the Administrator to administer the Program that is reestablished by subsection (b)(1)(A).

“(b) **CONTINUATION OF GULF OF MEXICO PROGRAM.**—

“(1) **GULF OF MEXICO PROGRAM OFFICE.**—

“(A) **REESTABLISHMENT.**—The Program Office established before the date of enactment of this section by the Administrator is reestablished as an office of the Environmental Protection Agency.

“(B) **REQUIREMENTS.**—The Program Office shall be—

“(i) headed by a Director who, by reason of management experience and technical expertise relating to the Gulf of Mexico, is highly qualified to direct the development of plans and programs on a variety of Gulf of Mexico issues, as determined by the Administrator; and

“(ii) located in a State all or a portion of the coastline of which is on the Gulf of Mexico.

“(C) **FUNCTIONS.**—The Program Office shall—

“(i) coordinate the actions of the Environmental Protection Agency with the actions of the appropriate officials of other Federal agencies and State and local authorities in developing strategies—

“(I) to improve the water quality and living resources in the Gulf of Mexico ecosystem; and

“(II) to obtain the support of appropriate officials;

“(ii) in cooperation with appropriate Federal, State, and local authorities, assist in developing and implementing specific action plans to carry out the Program;

“(iii) coordinate and implement priority State-led and community-led restoration plans and projects, and facilitate science, research, modeling, monitoring, data collection, and other activities that support the Program through the provision of grants under subsection (d);

“(iv) implement outreach programs for public information, education, and participation to foster stewardship of the resources of the Gulf of Mexico;

“(v) develop and make available, through publications, technical assistance, and other appropriate means, information pertaining to the environmental quality and living resources of the Gulf of Mexico ecosystem;

“(vi) serve as the liaison with, and provide information to, the Mexican members of the Gulf of Mexico States Accord and Mexican counterparts of the Environmental Protection Agency; and

“(vii) focus the efforts and resources of the Program Office on activities that will result in measurable improvements to water quality and living resources of the Gulf of Mexico ecosystem.

“(c) **INTERAGENCY AGREEMENTS.**—The Administrator may enter into 1 or more interagency agreements with other Federal agencies to carry out this section.

“(d) **GRANTS.**—

“(1) **IN GENERAL.**—In accordance with the Program, the Administrator, acting through the Program Office, may provide grants to

nonprofit organizations, State and local governments, colleges, universities, interstate agencies, and individuals to carry out this section for use in—

“(A) monitoring the water quality and living resources of the Gulf of Mexico ecosystem;

“(B) researching the effects of natural and human-induced environmental changes on the water quality and living resources of the Gulf of Mexico ecosystem;

“(C) developing and executing cooperative strategies that address the water quality and living resource needs in the Gulf of Mexico ecosystem;

“(D) developing and implementing locally based protection and restoration programs or projects within a watershed that complement those strategies, including the creation, restoration, protection, or enhancement of habitat associated with the Gulf of Mexico ecosystem; and

“(E) eliminating or reducing nonpoint sources that discharge pollutants that contaminate the Gulf of Mexico ecosystem, including activities to eliminate leaking septic systems and construct connections to local sewage systems.

“(2) FEDERAL SHARE.—The Federal share of the cost of any project or activity carried out using a grant provided under this section shall not exceed 75 percent, as determined by the Administrator.

“(3) ADMINISTRATIVE COSTS.—Administrative costs in the form of salaries, overhead, or indirect costs for services provided and charged against programs or projects carried out using funds made available through a grant under this subsection shall not exceed 15 percent of the amount of the grant.

“(e) REPORTS.—

“(1) ANNUAL REPORT.—Not later than December 30, 2009, and annually thereafter, the Director of the Program Office shall submit to the Administrator and make available to the public a report that describes—

“(A) each project and activity funded under this section during the previous fiscal year;

“(B) the goals and objectives of those projects and activities; and

“(C) the net benefits of projects and activities funded under this section during previous fiscal years.

“(2) ASSESSMENT.—

“(A) IN GENERAL.—Not later than April 30, 2011, and every 5 years thereafter, the Administrator, in coordination with the Gulf of Mexico Executive Council, shall complete an assessment, and submit to Congress a comprehensive report on the performance, of the Program.

“(B) REQUIREMENTS.—The assessment and report described in subparagraph (A) shall—

“(i) assess the overall state of the Gulf of Mexico ecosystem;

“(ii) compare the current state of the Gulf of Mexico ecosystem with a baseline assessment;

“(iii) include specific measures to assess any improvements in water quality and living resources of the Gulf of Mexico ecosystem;

“(iv) assess the effectiveness of the Program management strategies being implemented, and the extent to which the priority needs of the region are being met through that implementation; and

“(v) make recommendations for the improved management of the Program, including strengthening strategies being implemented or adopting improved strategies.

“(f) BUDGET ITEM.—The Administrator, in the annual submission to Congress of the budget of the Environmental Protection Agency, shall include a funding line item request for the Program Office as a separate budget line item.

“(g) LIMITATION ON REGULATORY AUTHORITY.—Nothing in this section establishes any new legal or regulatory authority of the Administrator other than the authority to provide grants in accordance with this section.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, to remain available until expended—

“(1) \$10,000,000 for fiscal year 2010;

“(2) \$15,000,000 for fiscal year 2011; and

“(3) \$25,000,000 for each of fiscal years 2012 through 2014.”.

SA 4299. Mr. INOUE submitted an amendment intended to be proposed by him to the bill H.R. 4899, making supplemental appropriations for the fiscal year ending September 30, 2010, and for other purposes; as follows:

On page 41, line 14, insert before the colon the following: “or may be retained in the ‘Construction, Major Projects’ account and used by the Secretary of Veterans Affairs for such major medical facility projects (as defined under section 8104(a) of title 38, United States Code) that have been authorized by law as the Secretary considers appropriate”.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on May 27, 2010, at 9:30 a.m. in room 328A of the Russell Senate Office Building.

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

COMMITTEE ON ARMED SERVICES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, May 27, 2010, at 9:30 a.m.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 27, 2010, at 10 a.m., in room 253 of the Russell Senate Office Building.

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

COMMITTEE ON FINANCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 27, 2010.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, to conduct a hearing entitled “Building a

Secure Future for Multiemployer Pension Plans” on May 27, 2010. The hearing will commence at 2 p.m., in room 430 of the Dirksen Senate Office Building.

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

COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on May 27, 2010, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on May 27, 2010.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. DURBIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 27, 2010 at 2:30 p.m.

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

SUBCOMMITTEE ON ANTITRUST, COMPETITION POLICY, AND CONSUMER RIGHTS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Antitrust, Competition Policy, and Consumer Rights, be authorized to meet during the session of the Senate, on May 27, 2010, at 2:15 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “The United/Continental Airlines Merger: How Will Consumers Fare?”

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

EXTENSION OF ANTITRUST CRIMINAL PENALTY ENHANCEMENT AND REFORM ACT OF 2004

Mr. DURBIN. I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5330, which was received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5330) to amend the Antitrust Criminal Penalty Enhancement and Reform Act of 2004 to extend the operation of such Act, and for other purposes.

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

Mr. LEAHY. Mr. President, I am pleased that the Senate today will extend the Antitrust Criminal Penalty Enhancement and Reform Act of 2004, ACPERA, for an additional 10 years. This legislation ensures that the Justice Department will have the tools it