

the parties responsible for this spill reimburse these funds so that the American taxpayer doesn't shoulder this burden in the longrun.

Why do we need this information? At a commerce hearing on May 18, Dr. French-Mckay, a Ph.D. in biological oceanography, testified that the lighter hydrocarbons in the oil—chemicals like benzene and toluene—would dissolve by the time the oil reaches Florida's coral reefs. These hydrocarbons in solution might be just as toxic as they would be if they were still in the oil—but you won't be able to see when they hit. Yesterday, the University of South Florida issued a press release about research they had done that confirmed that there are dissolved hydrocarbons northeast of the spill that you cannot see with the naked eye. The only way you will know the effects of the hydrocarbons on coral and on the entire food web is to know the baseline amounts of these dissolved chemicals present in the water before the spill hits.

Additionally, the fisheries in the fertile Gulf of Mexico are in jeopardy. Mangrove habitats provide nursery grounds for juvenile sportfish. The spawning season of many economically and ecologically significant species is upon us. A recent report estimated that saltwater recreational fishing the Everglades alone is worth more than \$800 million a year.

Unfortunately, baseline data for fisheries in the Gulf of Mexico is lacking. For example, there has never been a complete stock assessment for Tarpon and as a result, there are gaps in the knowledge of Tarpon behavior. Data that is available has been collected by a tagging program implemented by anglers. The research on economically important reef fish that our commercial and charter fishermen make their livelihoods from is also sparse at best.

The effects of oil and dispersants on spawning, larval stages, juvenile stages, migrating patterns and lifespan of these valuable fishery and coral resources must be documented. Our Nation's scientists cannot accurately measure the impacts of this devastating spill on our fisheries without baseline pre-impact data. The research community in Florida knows how to conduct these assessments. In fact, they have done this for years when funding is available. The State of Florida has already spent over half a million dollars collecting baseline data.

Yesterday, I filed a second-degree amendment. I worked with Members from the Gulf Coast States to try to put something together that could help all of the fishermen impacted by the spill and also evaluate the impacts on the natural resources. Unfortunately, that did not work, but I am pleased to have been a part of getting some funding for fisheries research with the passage of Senator SHELBY's amendment. This will provide funds that can be utilized immediately to collect this data. This is an invaluable investment. I would hope that there is a way to uti-

lize the skill and resources of the fishermen by doing cooperative research.

#### MEDICARE PART D

Mr. CARPER. Mr. President, while Medicare Part D has been a very popular program and has improved access to tens of millions of patients, the donut hole has been a continuing source of frustration for many beneficiaries. The Patient Protection and Affordable Care Act begins to fill in the "donut hole" with a 50 percent discount program that will begin in 2011. The purpose of the coverage gap discount was to provide relief for those beneficiaries who struggle with paying for medications in the coverage gap and, as a result, stop taking medicines as prescribed or cut back on their monthly medication use.

The Centers for Medicare and Medicaid Services recently released guidance to Part D plans regarding the administration of the Part D coverage gap discount. In that guidance, CMS responded to comments that sought clarification on the relationship between the 50 percent discount program and existing Part D rebate contracts. Although the CMS guidance clarified that manufacturers would continue to negotiate with Part D plans to provide rebates, I feel the need to further clarify this issue.

Any interference by CMS with price negotiations between manufacturers and Part D plans would be counter to the explicit intent of Congress through the government noninterference clause. With the passage of PPACA, and specifically the Part D Coverage Gap Discount Program, the government non-interference clause continues to be the existing law; therefore, CMS does not have the authority to require manufacturers to provide rebates at any particular level.

#### MESSAGE FROM THE HOUSE RECEIVED DURING RECESS

##### ENROLLED BILLS SIGNED

Under the order of January 6, 2009, the Secretary of the Senate, on May 27, 2010, during the recess of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bills:

H.R. 2711. An act to amend title 5, United States Code, to provide for the transportation and moving expenses for the immediate family of certain Federal employees who die in the performance of their duties.

H.R. 3250. An act to designate the facility of the United States Postal Service located at 1210 West Main Street in Riverhead, New York, as the "Private First Class Garfield M. Langhorn Post Office Building".

H.R. 3634. An act to designate the facility of the United States Postal Service located at 109 Main Street in Swifton, Arkansas, as the "George Kell Post Office".

H.R. 3892. An act to designate the facility of the United States Postal Service located at 101 West Highway 64 Bypass in Roper, North Carolina, as the "E.V. Wilkins Post Office".

H.R. 4017. An act to designate the facility of the United States Postal Service located at 43 Maple Avenue in Shrewsbury, Massachusetts, as the "Ann Marie Blute Post Office".

H.R. 4095. An act to designate the facility of the United States Postal Service located at 9727 Antioch Road in Overland Park, Kansas, as the "Congresswoman Jan Meyers Post Office Building".

H.R. 4139. An act to designate the facility of the United States Postal Service located at 7464 Highway 503 in Hickory, Mississippi, as the "Sergeant Matthew L. Ingram Post Office".

H.R. 4214. An act to designate the facility of the United States Postal Service located at 45300 Portola Avenue in Palm Desert, California, as the "Roy Wilson Post Office".

H.R. 4238. An act to designate the facility of the United States Postal Service located at 930 39th Avenue in Greeley, Colorado, as the "W.D. Farr Post Office Building".

H.R. 4425. An act to designate the facility of the United States Postal Service located at 2-116th Street in North Troy, New York, as the "Martin G. 'Marty' Mahar Post Office".

H.R. 4547. An act to designate the facility of the United States Postal Service located at 119 Station Road in Cheyney, Pennsylvania, as the "Captain Luther H. Smith, U.S. Army Air Forces Post Office".

H.R. 4628. An act to designate the facility of the United States Postal Service located at 216 Westwood Avenue in Westwood, New Jersey, as the "Sergeant Christopher R. Hrbek Post Office Building".

H.R. 5128. An act to designate the United States Department of the Interior Building in Washington, District of Columbia, as the "Stewart Lee Udall Department of the Interior Building".

#### MESSAGE FROM THE HOUSE

##### ENROLLED BILL SIGNED

The ACTING PRESIDENT pro tempore (Mr. UDALL of New Mexico) announced that he had signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 5128. An act to designate the United States Department of the Interior Building in Washington, District of Columbia, as the "Stewart Lee Udall Department of the Interior Building".

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. NELSON of Florida (for himself, Mr. CARPER, and Mr. CHAMBLISS):

S. 3453. A bill to provide an exception from the payout requirements established for certain section 501(c)(3) type III supporting organizations under section 1241(d) of the Pension Protection Act of 2006; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEAHY (for himself, Mr. COCHRAN, and Mr. DODD):

S.J. Res. 31. A joint resolution to authorize the Board of Regents of the Smithsonian Institution to plan, design, and construct a facility and to enter into agreements relating to education programs at the National Zoological Park facility in Front Royal, Virginia; to the Committee on Rules and Administration.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SPECTER (for himself and Mr. CASEY):

S. Res. 546. A resolution recognizing the National Museum of American Jewish History, an affiliate of the Smithsonian Institution, as the only museum in the United States dedicated exclusively to exploring and preserving the American Jewish experience; to the Committee on Rules and Administration.

## ADDITIONAL COSPONSORS

S. 504

At the request of Mr. ROBERTS, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of S. 504, a bill to redesignate the Department of the Navy as the Department of the Navy and Marine Corps.

S. 1216

At the request of Ms. KLOBUCHAR, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 1216, a bill to amend the Consumer Product Safety Act to require residential carbon monoxide detectors to meet the applicable ANSI/UL standard by treating that standard as a consumer product safety rule, to encourage States to require the installation of such detectors in homes, and for other purposes.

S. 2924

At the request of Mr. LEAHY, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 2924, a bill to reauthorize the Boys & Girls Clubs of America, in the wake of its Centennial, and its programs and activities.

S. 3262

At the request of Mr. MENENDEZ, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 3262, a bill to amend the Internal Revenue Code of 1986 to provide that the volume cap for private activity bonds shall not apply to bonds for facilities for the furnishing of water and sewage facilities.

S. 3401

At the request of Mr. BURR, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 3401, a bill to provide for the use of unobligated discretionary stimulus dollars to address AIDS Drug Assistance Program waiting lists and other cost containment measures impacting State ADAP programs.

S.J. RES. 29

At the request of Mrs. FEINSTEIN, the names of the Senator from South Dakota (Mr. JOHNSON), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Colorado (Mr. UDALL) were added as cosponsors of S.J. Res. 29, a joint resolution approving the renewal of import restrictions contained

in the Burmese Freedom and Democracy Act of 2003.

S. RES. 512

At the request of Mr. THUNE, his name was added as a cosponsor of S. Res. 512, a resolution designating June 2010 as "National Aphasia Awareness Month" and supporting efforts to increase awareness of aphasia.

## SUBMITTED RESOLUTIONS

## SENATE RESOLUTION 546—RECOGNIZING THE NATIONAL MUSEUM OF AMERICAN JEWISH HISTORY, AN AFFILIATE OF THE SMITHSONIAN INSTITUTION, AS THE ONLY MUSEUM IN THE UNITED STATES DEDICATED EXCLUSIVELY TO EXPLORING AND PRESERVING THE AMERICAN JEWISH EXPERIENCE

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

S. RES. 546

Whereas the National Museum of American Jewish History serves to illustrate how the freedom present in the United States and its associated choices, challenges, and responsibilities fostered an environment in which Jewish Americans have made and continue to make extraordinary contributions in all facets of American life;

Whereas the mission of the National Museum of American Jewish History, an affiliate of the Smithsonian Institution, is to connect Jewish people more closely to their heritage and to inspire in individuals of all backgrounds a greater appreciation for the diversity of the American experience and the freedoms to which all Americans aspire;

Whereas the National Museum of American Jewish History was founded in 1976 by members of the historic Congregation Mikveh Israel, which was itself established in 1740 and known as the "Synagogue of the American Revolution";

Whereas the National Museum of American Jewish History has attracted a broad audience to its public programs, which explore American Jewish identity through lectures, panel discussions, authors' talks, films, activities for children, theater, and music;

Whereas the National Museum of American Jewish History is the repository of the largest collection of Jewish Americana in the world, with more than 25,000 objects; and

Whereas the National Museum of American Jewish History will soon be relocated to a 100,000-square-foot, 5-story, state-of-the-art facility on Independence Mall in Philadelphia, Pennsylvania, standing just steps from the Liberty Bell and Independence Hall, which shall serve as a cornerstone of the American Jewish community and a source of national pride: Now, therefore, be it

*Resolved*, That the Senate—

(1) acknowledges the importance of the continuing study and preservation of the unique American Jewish experience; and

(2) recognizes the National Museum of American Jewish History, an affiliate of the Smithsonian Institution, as the only museum in the United States dedicated exclusively to exploring and preserving the American Jewish experience and, as such, designates it as the national museum of American Jewish history.

## MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2010

On Thursday, May 27, 2010, the Senate passed H.R. 4899, as amended, as follows:

H.R. 4899

*Resolved*, That the bill from the House of Representatives (H.R. 4899) entitled "An Act making emergency supplemental appropriations for disaster relief and summer jobs for the fiscal year ending September 30, 2010, and for other purposes," do pass with the following amendments:

Strike out all after the enacting clause and insert:

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2010, and for other purposes, namely:*

## TITLE I

## CHAPTER 1

## DEPARTMENT OF AGRICULTURE

## FARM SERVICE AGENCY

## AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

*For an additional amount for gross obligations for the principal amount of direct and guaranteed farm ownership (7 U.S.C. 1922 et seq.) and operating (7 U.S.C. 1941 et seq.) loans, to be available from funds in the Agricultural Credit Insurance Fund, as follows: guaranteed farm ownership loans, \$300,000,000; operating loans, \$650,000,000, of which \$250,000,000 shall be for unsubsidized guaranteed loans, \$50,000,000 shall be for subsidized guaranteed loans, and \$350,000,000 shall be for direct loans.*

*For an additional amount for the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: guaranteed farm ownership loans, \$1,110,000; operating loans, \$29,470,000, of which \$5,850,000 shall be for unsubsidized guaranteed loans, \$7,030,000 shall be for subsidized guaranteed loans, and \$16,590,000 shall be for direct loans.*

*For an additional amount for administrative expenses necessary to carry out the direct and guaranteed loan programs, \$1,000,000.*

## EMERGENCY FOREST RESTORATION PROGRAM

*For implementation of the emergency forest restoration program established under section 407 of the Agricultural Credit Act of 1978 (16 U.S.C. 2206) for expenses resulting from natural disasters that occurred on or after January 1, 2010, and for other purposes, \$18,000,000, to remain available until expended: Provided, That the program: (1) shall be carried out without regard to chapter 35 of title 44, United States Code (commonly known as the "Paperwork Reduction Act") and the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and (2) with rules issued without a prior opportunity for notice and comment except, as determined to be appropriate by the Farm Service Agency, rules may be promulgated by an interim rule effective on publication with an opportunity for notice and comment: Provided further, That in carrying out this program, the Secretary shall use the authority provided under section 808(2) of title 5, United States Code: Provided further, That to reduce Federal costs in administering this heading, the emergency forest restoration program shall be considered to have met the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for activities similar in nature and quantity to those of the emergency conservation program established under title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 et seq.).*