

traditional industry of agriculture while also building new opportunities for growth.

In the Philippines, a Winrock project has supported the electrification of 474 villages, 13,422 households and 224 schools. This project improved education for more than 44,000 students and gave families and communities access to modern energy sources, which is a critical first step in increased social and economic development.

I salute Winrock International for their dedication, commitment and support of our neediest communities and citizens—both in the United States and around the world, and I am proud that Winrock calls Arkansas home.●

LOUISIANA PEACH FARMERS

● Mr. VITTER. Mr. President, I would like to recognize all Louisiana peach farmers, the festival's title sponsors: Squire Creek Country Club, the Ruston-Lincoln Chamber of Commerce, the city of Ruston, and all the other sponsors who partnered to celebrate the Diamond Anniversary of the Louisiana Peach Festival the weekend of June 25 to 27, 2010.

In 1947, the area peach growers of Lincoln Parish organized the Louisiana Fruit Growers Association. In 1951, the association voted to promote their industry by spreading the word about the exceptional Lincoln Parish peaches throughout Louisiana.

In June 1951, the president of the Louisiana Fruit Growers Association, J.E. Mitcham, and Walter Smith founded the Louisiana Peach Festival in Ruston. The association, with the cooperation of the city of Ruston, chamber of commerce, civic clubs, garden clubs, merchants, and many other individuals, worked tirelessly to prepare the city for the inaugural festival. Area merchants filled the Ruston Daily Leader with advertisements offering special sales and savings to honor the first Peach Festival. The program of the First Annual Louisiana Peach Festival, which was held on June 27 to 28, 1951, consisted of "Peaches and Posies" flower show, a peach cookery contest, an art show, and several athletic tournaments. The festival also crowned the First Queen Dixie Gem and Princess Peach.

In the years following, the Louisiana Peach Festival grew in size and popularity. In 1952, the festival's activities doubled in number. By the third year, the festival won national attention when Queen Dixie Gem III, Dorothy Etta Goff, traveled to Washington, DC, to present then Vice President Richard Nixon a box of peaches. Over the past 60 years the festival has become an iconic event in the region.

Thus, today I would like to recognize all the organizations, volunteers, and especially the farmers for continuing to put on the Louisiana Peach Festival. I would also like to thank them for their appetizing service to Lincoln Parish and to the State of Louisiana.●

MESSAGE FROM THE HOUSE

At 11:42 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill and joint resolution, in which it requests the concurrence of the Senate:

H.R. 5297. An act to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes.

H.J. Res. 86. A joint resolution recognizing the 60th anniversary of the outbreak of the Korean War and reaffirming the United States-Korea alliance.

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 286. A concurrent resolution recognizing the 235th birthday of the United States Army.

MEASURES REFERRED

The following joint resolution was read the first and the second times by unanimous consent, and referred as indicated:

H.J. Res. 86. Joint resolution recognizing the 60th anniversary of the outbreak of the Korean War and reaffirming the United States-Korea alliance; to the Committee on Foreign Relations.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 286. Concurrent resolution recognizing the 235th birthday of the United States Army; to the Committee on the Judiciary.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 5297. An act to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, with amendments:

S. 3362. A bill to amend the Clean Air Act to direct the Administrator of the Environmental Protection Agency to provide competitive grants to publicly funded schools to implement effective technologies to reduce air pollutants (as defined in section 302 of the Clean Air Act), including greenhouse gas emissions, in accordance with that Act (Rept. No. 111-207).

By Mrs. BOXER, from the Committee on Environment and Public Works, without amendment:

S. 3363. A bill to amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources re-

search and technology institutes established under that Act (Rept. No. 111-208).

S. 3372. A bill to modify the date on which the Administrator of the Environmental Protection Agency and applicable States may require permits for discharges from certain vessels (Rept. No. 111-209).

By Mrs. BOXER, from the Committee on Environment and Public Works, with amendments and an amendment to the title:

S. 3374. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to establish a grant program to revitalize brownfield sites for the purpose of locating renewable electricity generation facilities on those sites (Rept. No. 111-210).

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. DORGAN (for himself, Mr. ALEXANDER, and Mr. MERKLEY):

S. 3511. A bill to promote the deployment of plug-in electric drive vehicles, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. HUTCHISON (for herself, Mr. LEMIEUX, and Mr. CORNYN):

S. 3512. A bill to provide a statutory waiver of compliance with the Jones Act to foreign flagged vessels assisting in responding to the Deepwater Horizon oil spill; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 1002

At the request of Mr. CASEY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1002, a bill to provide for the acquisition, construction, renovation, and improvement of child care facilities, and for other purposes.

S. 1055

At the request of Mrs. BOXER, the names of the Senator from Delaware (Mr. KAUFMAN) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 1055, a bill to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

S. 1156

At the request of Mr. HARKIN, the names of the Senator from Pennsylvania (Mr. SPECTER) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 1156, a bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to reauthorize and improve the safe routes to school program.

S. 1859

At the request of Mr. ROCKEFELLER, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1859, a bill to reinstate Federal matching of State spending of child support incentive payments.

S. 2814

At the request of Ms. COLLINS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2814, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 3254

At the request of Mr. BROWN of Ohio, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 3254, a bill to amend the Fair Labor Standards Act of 1938 to require persons to keep records of non-employees who perform labor or services for remuneration and to provide a special penalty for persons who misclassify employees as non-employees, and for other purposes.

S. 3324

At the request of Mr. BROWN of Ohio, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 3324, a bill to amend the Internal Revenue Code of 1986 to extend the qualifying advanced energy project credit.

S. 3374

At the request of Mrs. BOXER, her name and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 3374, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to establish a grant program to revitalize brownfield sites for the purpose of locating renewable electricity generation facilities on those sites.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4383. Mr. REID (for Mr. BAUCUS (for himself and Mr. GRASSLEY)) proposed an amendment to the bill H.R. 3962, to provide a physician payment update, to provide pension funding relief, and for other purposes.

SA 4384. Mr. REID (for Mr. BAUCUS (for himself and Mr. GRASSLEY)) proposed an amendment to the bill H.R. 3962, *supra*.

TEXT OF AMENDMENTS

SA 4383. MR. REID (for Mr. BAUCUS (for himself and Mr. GRASSLEY)) proposed an amendment to the bill H.R. 3962, to provide a physician payment update, to provide pension funding relief, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Preservation of Access to Care for Medicare Beneficiaries and Pension Relief Act of 2010".

TITLE I—HEALTH PROVISIONS

SEC. 101. PHYSICIAN PAYMENT UPDATE.

(a) IN GENERAL.—Section 1848(d) of the Social Security Act (42 U.S.C. 1395w-4(d)) is amended—

(1) in paragraph (10), in the heading, by striking "PORTION" and inserting "JANUARY THROUGH MAY"; and

(2) by adding at the end the following new paragraph:

"(11) UPDATE FOR JUNE THROUGH NOVEMBER OF 2010.—

"(A) IN GENERAL.—Subject to paragraphs (7)(B), (8)(B), (9)(B), and (10)(B), in lieu of the update to the single conversion factor established in paragraph (1)(C) that would other-

wise apply for 2010 for the period beginning on June 1, 2010, and ending on November 30, 2010, the update to the single conversion factor shall be 2.2 percent.

"(B) NO EFFECT ON COMPUTATION OF CONVERSION FACTOR FOR REMAINING PORTION OF 2010 AND SUBSEQUENT YEARS.—The conversion factor under this subsection shall be computed under paragraph (1)(A) for the period beginning on December 1, 2010, and ending on December 31, 2010, and for 2011 and subsequent years as if subparagraph (A) had never applied."

(b) STATUTORY PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, jointly submitted for printing in the Congressional Record by the Chairmen of the House and Senate Budget Committees, provided that such statement has been submitted prior to the vote on passage in the House acting first on this conference report or amendment between the Houses.

SEC. 102. CLARIFICATION OF 3-DAY PAYMENT WINDOW.

(a) IN GENERAL.—Section 1886 of the Social Security Act (42 U.S.C. 1395ww) is amended—

(1) by adding at the end of subsection (a)(4) the following new sentence: "In applying the first sentence of this paragraph, the term 'other services related to the admission' includes all services that are not diagnostic services (other than ambulance and maintenance renal dialysis services) for which payment may be made under this title that are provided by a hospital (or an entity wholly owned or operated by the hospital) to a patient—

"(A) on the date of the patient's inpatient admission; or

"(B) during the 3 days (or, in the case of a hospital that is not a subsection (d) hospital, during the 1 day) immediately preceding the date of such admission unless the hospital demonstrates (in a form and manner, and at a time, specified by the Secretary) that such services are not related (as determined by the Secretary) to such admission."; and

(2) in subsection (d)(7)—

(A) in subparagraph (A), by striking "and" at the end;

(B) in subparagraph (B), by striking the period and inserting "; and"; and

(C) by adding at the end the following new subparagraph:

"(C) the determination of whether services provided prior to a patient's inpatient admission are related to the admission (as described in subsection (a)(4))."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to services furnished on or after the date of the enactment of this Act.

(c) NO REOPENING OF PREVIOUSLY BUNDLED CLAIMS.—

(1) IN GENERAL.—The Secretary of Health and Human Services may not reopen a claim, adjust a claim, or make a payment pursuant to any request for payment under title XVIII of the Social Security Act, submitted by an entity (including a hospital or an entity wholly owned or operated by the hospital) for services described in paragraph (2) for purposes of treating, as unrelated to a patient's inpatient admission, services provided during the 3 days (or, in the case of a hospital that is not a subsection (d) hospital, during the 1 day) immediately preceding the date of the patient's inpatient admission.

(2) SERVICES DESCRIBED.—For purposes of paragraph (1), the services described in this paragraph are other services related to the admission (as described in section 1886(a)(4) of the Social Security Act (42 U.S.C. 1395ww(a)(4)), as amended by subsection (a)) which were previously included on a claim or request for payment submitted under part A of title XVIII of such Act for which a reopen-

ing, adjustment, or request for payment under part B of such title, was not submitted prior to the date of the enactment of this Act.

(d) IMPLEMENTATION.—Notwithstanding any other provision of law, the Secretary of Health and Human Services may implement the provisions of this section (and amendments made by this section) by program instruction or otherwise.

(e) RULE OF CONSTRUCTION.—Nothing in the amendments made by this section shall be construed as changing the policy described in section 1886(a)(4) of the Social Security Act (42 U.S.C. 1395ww(a)(4)), as applied by the Secretary of Health and Human Services before the date of the enactment of this Act, with respect to diagnostic services.

SEC. 103. ESTABLISH A CMS-IRS DATA MATCH TO IDENTIFY FRAUDULENT PROVIDERS.

(a) AUTHORITY TO DISCLOSE RETURN INFORMATION CONCERNING OUTSTANDING TAX DEBTS FOR PURPOSES OF ENHANCING MEDICARE PROGRAM INTEGRITY.—

(1) IN GENERAL.—Section 6103(l) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

"(22) DISCLOSURE OF RETURN INFORMATION TO DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR PURPOSES OF ENHANCING MEDICARE PROGRAM INTEGRITY.—

"(A) IN GENERAL.—The Secretary shall, upon written request from the Secretary of Health and Human Services, disclose to officers and employees of the Department of Health and Human Services return information with respect to a taxpayer who has applied to enroll, or reenroll, as a provider of services or supplier under the Medicare program under title XVIII of the Social Security Act. Such return information shall be limited to—

"(i) the taxpayer identity information with respect to such taxpayer;

"(ii) the amount of the delinquent tax debt owed by that taxpayer; and

"(iii) the taxable year to which the delinquent tax debt pertains.

"(B) RESTRICTION ON DISCLOSURE.—Return information disclosed under subparagraph (A) may be used by officers and employees of the Department of Health and Human Services for the purposes of, and to the extent necessary in, establishing the taxpayer's eligibility for enrollment or reenrollment in the Medicare program, or in any administrative or judicial proceeding relating to, or arising from, a denial of such enrollment or reenrollment, or in determining the level of enhanced oversight to be applied with respect to such taxpayer pursuant to section 1866(j)(3) of the Social Security Act.

"(C) DELINQUENT TAX DEBT.—For purposes of this paragraph, the term 'delinquent tax debt' means an outstanding debt under this title for which a notice of lien has been filed pursuant to section 6323, but the term does not include a debt that is being paid in a timely manner pursuant to an agreement under section 6159 or 7122, or a debt with respect to which a collection due process hearing under section 6330 is requested, pending, or completed and no payment is required."

(2) CONFORMING AMENDMENTS.—Section 6103(p)(4) of such Code, as amended by sections 1414 and 3308 of Public Law 111-148, in the matter preceding subparagraph (A) and in subparagraph (F)(ii), is amended by striking "or (17)" and inserting "(17), or (22)" each place it appears.

(b) SECRETARY'S AUTHORITY TO USE INFORMATION FROM THE DEPARTMENT OF TREASURY IN MEDICARE ENROLLMENTS AND REENROLLMENTS.—Section 1866(j)(2) of the Social Security Act (42 U.S.C. 1395cc(j)), as inserted by section 6401(a) of Public Law 111-148, is further amended—

(1) by redesignating subparagraph (E) as subparagraph (F); and

(2) by inserting after subparagraph (D) the following new subparagraph: