

have in the accompanying materials to the annual financial statement;

(E) publishes improper payments reduction targets established under section 2(c) of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) that the agency may have in the accompanying materials to the annual financial statement for each program assessed to be at risk, and is meeting such targets; and

(F) has reported an improper payment rate of less than 10 percent for each program and activity for which an estimate was published under section 2(b) of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note).

(b) ANNUAL COMPLIANCE REPORT BY INSPECTORS GENERAL OF AGENCIES.—Each fiscal year, the Inspector General of each agency shall determine whether the agency is in compliance and submit a report on that determination to—

(1) the head of the agency;

(2) the Committee on Homeland Security and Governmental Affairs of the Senate;

(3) the Committee on Oversight and Governmental Reform of the House of Representatives; and

(4) the Comptroller General.

(c) REMEDIATION.—

(1) NONCOMPLIANCE.—

(A) IN GENERAL.—If an agency is determined by the Inspector General of that agency not to be in compliance under subsection (b) in a fiscal year, the head of the agency shall submit a plan to Congress describing the actions that the agency will take to come into compliance.

(B) PLAN.—The plan described under subparagraph (A) shall include—

(i) measurable milestones to be accomplished in order to achieve compliance for each program or activity;

(ii) the designation of a senior agency official who shall be accountable for the progress of the agency in coming into compliance for each program or activity; and

(iii) the establishment of an accountability mechanism, such as a performance agreement, with appropriate incentives and consequences tied to the success of the official designated under clause (ii) in leading the efforts of the agency to come into compliance for each program and activity.

(2) NONCOMPLIANCE FOR 2 FISCAL YEARS.—

(A) IN GENERAL.—If an agency is determined by the Inspector General of that agency not to be in compliance under subsection (b) for 2 consecutive fiscal years for the same program or activity, and the Director of the Office of Management and Budget determines that additional funding would help the agency come into compliance, the head of the agency shall obligate additional funding, in an amount determined by the Director, to intensify compliance efforts.

(B) FUNDING.—In providing additional funding described under subparagraph (A), the head of an agency shall use any reprogramming or transfer authority available to the agency. If after exercising that reprogramming or transfer authority additional funding is necessary to obligate the full level of funding determined by the Director of the Office of Management and Budget under subparagraph (A), the agency shall submit a request to Congress for additional reprogramming or transfer authority.

(3) REAUTHORIZATION PROPOSALS.—If an agency is determined by the Inspector General of that agency not to be in compliance under subsection (b) for more than 3 consecutive fiscal years for the same program or activity, the head of the agency shall, not later than 30 days after such determination, submit to Congress—

(A) reauthorization proposals for each program or activity that has not been in com-

pliance for 3 or more consecutive fiscal years; or

(B) proposed statutory changes necessary to bring the program or activity into compliance.

(d) COMPLIANCE ENFORCEMENT PILOT PROGRAMS.—

(1) IN GENERAL.—The Director of the Office of Management and Budget may establish 1 or more pilot programs which shall test potential accountability mechanisms with appropriate incentives and consequences tied to success in ensuring compliance with this Act and eliminating improper payments.

(2) REPORT.—Not later than 5 years after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit a report to Congress on the findings associated with any pilot programs conducted under paragraph (1). The report shall include any legislative or other recommendations that the Director determines necessary.

(e) REPORT ON CHIEF FINANCIAL OFFICERS ACT OF 1990.—Not later than 1 year after the date of the enactment of this Act, the Chief Financial Officers Council established under section 302 of the Chief Financial Officers Act of 1990 (31 U.S.C. 901 note) and the Council of Inspectors General on Integrity and Efficiency established under section 7 of the Inspector General Reform Act of 2009 (Public Law 110-409), in consultation with a broad cross-section of experts and stakeholders in Government accounting and financial management shall—

(1) jointly examine the lessons learned during the first 20 years of implementing the Chief Financial Officers Act of 1990 (31 U.S.C. 901) and identify any reforms or improvements to the legislative and regulatory compliance framework for Federal financial management that will optimize Federal agency efforts to—

(A) publish relevant, timely, and reliable reports on Government finances; and

(B) implement internal controls that mitigate the risk for fraud, waste, and error in Government programs; and

(2) submit a report on the results of the examination to—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on Oversight and Government Reform of the House of Representatives; and

(C) the Comptroller General.

Mr. DURBIN. Mr. President, I ask unanimous consent that the committee-reported amendment be withdrawn; the Carper substitute amendment, which is at the desk, be agreed to, and the bill, as amended, be read a third time and passed; the motions to reconsider be laid upon the table, without intervening action or debate; and that any statements relating to the bill be printed in the RECORD.

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

The committee amendment was withdrawn.

The amendment (No. 4392) was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The bill (S. 1508), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

NATIONAL POST-TRAUMATIC STRESS DISORDER AWARENESS DAY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 541, and that the Senate then proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 541) designating June 27, 2010, as "National Post-Traumatic Stress Disorder Awareness Day."

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

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to; that a Conrad amendment to the preamble be agreed to; the preamble, as amended, be agreed to; the motions to reconsider be laid upon the table, with no intervening action or debate; and that any statements relating to the resolution be printed in the RECORD.

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

The resolution was agreed to.

The amendment (No. 4393) was agreed to as follows:

Strike the preamble and insert the following:

Whereas the brave men and women of the United States Armed Forces, who proudly serve the United States, risk their lives to protect the freedom of the United States and deserve the investment of every reasonable resource to ensure their lasting physical, mental, and emotional well-being;

Whereas up to 15 percent of Operation Iraqi Freedom and Operation Enduring Freedom veterans, 10 percent of Operation Desert Storm veterans, 30 percent of Vietnam veterans, and 8 percent of the general population of the United States suffer or have suffered from Post Traumatic Stress Disorder (referred to in this preamble as "PTSD");

Whereas the incidence of PTSD in members of the military is rising as the United States Armed Forces conducts 2 wars, exposing hundreds of thousands of soldiers to traumatic life-threatening events;

Whereas from 2000 to 2009, approximately 76,000 Department of Defense patients were diagnosed with PTSD;

Whereas the Department of Defense patients—

(1) were hospitalized more than 5,300 times with a primary diagnosis of PTSD; and

(2) had more than 578,000 outpatient visits in which PTSD was the primary diagnosis;

Whereas PTSD significantly increases the risk of depression, suicide, and drug and alcohol related disorders and deaths;

Whereas the Departments of Defense and Veterans Affairs have made significant advances in the prevention, diagnosis, and treatment of PTSD and the symptoms of PTSD, but many challenges remain; and

Whereas the establishment of a National Post-Traumatic Stress Disorder Awareness Day will raise public awareness about issues related to PTSD: Now, therefore, be it

The preamble, as amended, was agreed to.

The resolution, with its preamble, as amended, is as follows:

S. RES. 541

Whereas the brave men and women of the United States Armed Forces, who proudly serve the United States, risk their lives to protect the freedom of the United States and deserve the investment of every possible resource to ensure their lasting physical, mental, and emotional well-being;

Whereas 12 percent of Operation Iraqi Freedom veterans, 11 percent of Operation Enduring Freedom veterans, 10 percent of Operation Desert Storm veterans, 30 percent of Vietnam veterans, and at least 8 percent of the general population of the United States suffers from Post Traumatic Stress Disorder (referred to in this preamble as "PTSD");

Whereas the incidence of PTSD in members of the military is rising as the United States Armed Forces conducts 2 wars, exposing hundreds of thousands of soldiers to traumatic life-threatening events;

Whereas women, who are more than twice as likely to experience PTSD than men, are increasingly engaged in direct combat on the front lines, putting these women at even greater risk of PTSD;

Whereas—

(1) from 2003 to 2007, approximately 40,000 Department of Defense patients were diagnosed with PTSD; and

(2) from 2000 to 2009—

(A) more than 5,000 individuals were hospitalized with a primary diagnosis of PTSD; and

(B) more than 500,000 individuals were treated for PTSD in outpatient visits;

Whereas PTSD significantly increases the risk of depression, suicide, and drug and alcohol related disorders and deaths;

Whereas the Departments of Defense and Veterans Affairs have made significant advances in the prevention, diagnosis, and treatment of PTSD and the symptoms of PTSD, but many challenges remain; and

Whereas the establishment of a National Post-Traumatic Stress Disorder Awareness Day will raise public awareness about issues related to PTSD: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates June 27, 2010, as "National Post-Traumatic Stress Disorder Awareness Day";

(2) urges the Secretary of Veterans Affairs and the Secretary of Defense to continue working to educate servicemembers, veterans, the families of servicemembers and veterans, and the public about the causes, symptoms, and treatment of post-traumatic stress disorder; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the Secretary of Veterans Affairs and the Secretary of Defense.

#### OLYMPIC DAY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 552 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 552) designating June 23, 2010, as "Olympic Day."

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

Mr. DURBIN. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon

the table, with no intervening action or debate, and that any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 552) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 552

Whereas Olympic Day celebrates the Olympic ideal of developing peace through sport;

Whereas June 23 marks the date on which the Congress of Paris approved the proposal of Pierre de Coubertin to found the modern Olympics;

Whereas thousands of people in more than 170 countries will celebrate the ideals of the Olympic spirit on June 23, 2010;

Whereas for more than a century, the Olympic movement has built a more peaceful and better world by—

(1) educating young people through amateur athletics;

(2) bringing together athletes from many countries in friendly competition; and

(3) forging new relationships bound by friendship, solidarity, and fair play;

Whereas the United States Olympians and Paralympians continue to achieve competitive excellence, preserve the Olympic ideals, and inspire all people of the United States;

Whereas community celebrations of Olympic Day improve the communities of the United States and inspire the Olympic and Paralympic champions of tomorrow;

Whereas Olympic Day encourages the development of Olympic and Paralympic sport in the United States;

Whereas Olympic Day encourages the youth of the United States to participate in and support Olympic and Paralympic sport; and

Whereas, as of the date of approval of this resolution, enthusiasm for Olympic and Paralympic sport is at an all-time high: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates June 23, 2010, as "Olympic Day";

(2) supports the goals and ideals of Olympic Day; and

(3) promotes—

(A) the fitness and well-being of all people of the United States; and

(B) the Olympic ideals of fair play, perseverance, respect, and sportsmanship.

#### RECESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate now stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 7:35 p.m., recessed until 9:09 p.m. and reassembled when called to order by the Presiding Officer (Mr. WARNER).

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### AMERICAN JOBS AND CLOSING TAX LOOPHOLES ACT OF 2010—Continued

AMENDMENT NO. 4386

Mr. REID. Mr. President, I move to concur in the House amendment to the

Senate amendment to the bill, with the Baucus amendment, which is at the desk. I offer this on behalf of Senator BAUCUS.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from Nevada (Mr. REID), for Mr. Baucus, proposes an amendment numbered 4386 to the House amendment to the Senate amendment to H.R. 4213.

Mr. REID. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mr. REID. Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 4387 TO AMENDMENT NO. 4386

Mr. REID. Mr. President, I now call up the Baucus second-degree amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada (Mr. REID), for Mr. BAUCUS, proposes an amendment numbered 4387 to amendment No. 4386.

The amendment is as follows:

At the end of the amendment, insert the following:

The provisions of this Act shall become effective 3 days after enactment.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 4213, the American Jobs and Closing Tax Loopholes Act, with a Baucus amendment No. 4386.

Harry Reid, Max Baucus, Patrick J. Leahy, Al Franken, Patty Murray, Richard J. Durbin, Sheldon Whitehouse, Roland W. Burris, Kent Conrad, Daniel K. Akaka, Robert P. Casey, Jr., Jeanne Shaheen, Edward E. Kaufman, Jeff Merkley, Jeff Bingaman, Mark L. Pryor, Sherrod Brown, Carl Levin.

MOTION TO REFER WITH AMENDMENT NO. 4388

Mr. REID. Mr. President, I have a motion to refer, with instructions, at the desk and ask that it be stated.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada (Mr. REID) moves to refer the House message on H.R. 4213 to the Senate Committee on Finance, with instructions of amendment No. 4388.

The amendment is as follows:

At the end, insert the following:

The Committee on Finance is requested to study the economic impact of the delay in