

the privatization requirements of the National Capital Revitalization and Self-Government Improvement Act of 1997; to the Committee on the Judiciary.

### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-131. A resolution adopted by the Senate of the State of Louisiana urging Congress to oppose the creation of a new consumer regulatory agency for FDIC insured institutions; to the Committee on Banking, Housing, and Urban Affairs.

#### SENATE RESOLUTION, No. 147

Whereas, H.R. 4173 and S. 3217 are sweepingly broad bills pending in conference in the United States Congress that would restructure the financial regulatory system; and

Whereas, both measures would create a new Consumer Financial Protection Agency/Bureau with overly broad powers that would have complete authority over Louisiana banks and thrifts with respect to writing future consumer regulations; and

Whereas, although improvements can and should be made to further protect consumers from unscrupulous practices, the creation of an enormous, new federal bureaucracy is the wrong approach because it will harm both Louisiana banks and their customers; and

Whereas, Louisiana banks and thrifts will be subject to greatly increased regulation and compliance costs, which will hamper their ability to effectively serve their customers' needs; and

Whereas, this increased regulatory burden will likely lead to increased costs of obtaining credit for consumers and overall less access to financial products and services; and

Whereas, the vast majority of FDIC insured institutions, especially Louisiana banks and thrifts, did not contribute to the financial crisis, yet would be subject to the broad jurisdiction of this proposed agency; and

Whereas, Louisiana banks and thrifts are already heavily regulated and examined on a regular basis for compliance with existing consumer laws and safety and soundness; and

Whereas, this new proposed agency, which has no experience as a bank regulator, would likely create a mountain of new regulation that is one sided in its focus without balancing bank safety and soundness considerations of the financial institution; and

Whereas, this will put Louisiana banks and thrifts in a position where they must try to comply with conflicting mandates that ultimately could put their businesses at risk; and

Whereas, creating another layer of bureaucracy in the banking industry also does not address the gaps in regulation that exist with respect to non-bank lenders; and

Whereas, the Obama administration itself has acknowledged that 94% of the high-cost mortgage loans that have so damaged our economy were made by non-bank financial companies; and

Whereas, with this in mind, Congress should concentrate on improving the supervision and examination of such non-bank institutions rather than adding to an already large regulatory compliance structure for banks and thrifts. Therefore, be it

*Resolved*, That the Legislature of Louisiana memorializes the Congress of the United States to oppose the creation of a new consumer regulatory agency for FDIC insured institutions. Be it further

*Resolved*, That a copy of this Resolution shall be transmitted to the secretary of the

United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-132. A resolution adopted by the Senate of the State of Louisiana urging the federal government to explore creating a federal entity to oversee and enforce federal, state, and local safety regulations on all deep-water drilling rigs; to the Committee on Energy and Natural Resources.

#### SENATE RESOLUTION No. 136

Whereas, the safety of all individuals working on deep-water drilling rigs is paramount and a top priority; and

Whereas, after a tragedy like the Deep-water Horizon, governments at every level need to look at ways to incorporate new ideas and rules to prevent similar tragedies from happening again; and

Whereas, after the attacks on September 11, 2001, the federal government created the Transportation Security Administration and the office of law enforcement, Federal Air Marshal Service, to address the security issues that were highlighted by the attacks; and

Whereas, it is necessary for the well-being of this state and this country to have deep-water drilling rigs operating in the absolute safest manner possible; and

Whereas, the implementation of a federal entity whose sole job is to oversee the safety of all deep-water drilling rigs is a necessary and appropriate step in light of the Deep-water Horizon tragedy; and

Whereas, this federal entity may operate in a similar fashion to the Federal Air Marshal Service, with a federal employee stationed on every deep-water drilling rig.

Therefore, be it

*Resolved*, That the Senate of the Legislature of Louisiana does hereby urge and request the federal government explore creating a federal entity to oversee and enforce federal, state, and local safety regulations on all deep-water drilling rigs. Be it further

*Resolved*, That a copy of this Resolution be transmitted to secretary Ken Salazar, the United States Department of the Interior, and to each member of the Louisiana Congressional delegation.

POM-133. A resolution adopted by the Senate of the State of Louisiana urging the Department of Commerce to establish a foreign trade zone in the Delta region of Louisiana; to the Committee on Finance.

#### SENATE RESOLUTION No. 125

Whereas, foreign-trade zones, established under the Foreign-Trade Zone Act of 1934, are secure areas under United States Customs and Border Protection supervision that are free-trade zones; and

Whereas, usual formal entry procedures and payments of duties are not required on foreign merchandise entering the zone unless it enters the territory for domestic consumption, at which point the importer generally has the choice of paying duties at the rate of either the original foreign materials or the finished product; and

Whereas, domestic goods moved into the zone for export may be considered exported upon admission to the zone for the purpose of excise tax rebates and drawback; and

Whereas, qualified public or private corporations may operate facilities within the zone; and

Whereas, foreign-trade zones offer several commercial advantages, such as the following:

(1) Customs and Border Protection duty and federal excise taxes, if applicable, are paid when merchandise is transferred from the zone for consumption;

(2) Goods may be exported from the zone free of duty and excise tax;

(3) Customs of Border Protection security requirements provide protection against theft;

(4) Merchandise may remain in the zone indefinitely; and

Whereas, the Mississippi River is a strategic asset to international manufacturers; and

Whereas, Act No. 347 of the 2007 Regular Session of the Legislature of Louisiana enacted Louisiana Revised Statutes 3:33, the Delta Develop Initiative; and

Whereas, Act 347 defined the "Delta Region" to include Caldwell, Catahoula, Concordia, East Carroll, Franklin, Madison, Morehouse, Ouachita, Pointe Coupee, Richland, Tensas, and West Carroll parishes, a cross roads intersection of the Mississippi River and the I-20 corridor that connects the South Central United States from Dallas, Texas to Atlanta, Georgia; and

Whereas, a proposed foreign-trade zone in the Delta region could consolidate marine, rail and base transport; offer industrial storage facilities; provide light assembly, warehousing and logistics services; and provide inbound and outbound connections to rail, truck, air, and barge transportation. Therefore, be it

*Resolved*, That the Senate of the Legislature of Louisiana does hereby urge and request the United States Department of Commerce to establish a foreign trade zone in the Delta region of Louisiana. Be it further

*Resolved*, That a copy of this Resolution be transmitted to the secretary of the United States Department of Commerce, each member of the Louisiana Congressional delegation, and the governor of Louisiana.

POM-134. A concurrent resolution adopted by the Legislature of the State of Louisiana urging Congress to continue to support and invest in the National Cancer Institute Community Cancer Centers Program; to the Committee on Health, Education, Labor, and Pensions.

#### SENATE CONCURRENT RESOLUTION No. 122

Whereas, the National Cancer Institute (NCI) Community Cancer Centers Program (NCCCP) began in 2007 to provide community cancer centers and their patients across the United States better access to the most advanced cancer research; and

Whereas, NCI estimates that the vast majority of cancer patients (about 85 percent) are treated at community hospitals in or near the communities in which they live and only about 15 percent of U.S. cancer patients are diagnosed and treated at the nation's major academic-based cancer centers; and

Whereas, many patients choose community hospitals because they are close to family, friends, and jobs, whereas treatment at the major cancer centers may require long commutes or extended stays away from home; and

Whereas, the NCCCP extends NCI programs into local communities, giving patients easier access to state-of-the-art cancer care and clinical trial opportunities; and

Whereas, the NCI Community Cancer Centers Program has formed a national network of community cancer centers to expand cancer research and deliver the most advanced cancer care to more Americans in the communities where they live; and

Whereas, the Cancer Program of Our Lady of the Lake and Mary Bird Perkins was one of only 16 community cancer programs in the country selected to participate in the NCI Community Cancer Centers Program because of its proven medical leadership, phenomenal community outreach and experience in conducting clinical trials; and

Whereas, the Cancer Program of Our Lady of the Lake and Mary Bird Perkins was the

only cancer program in Louisiana, and the only program in the Gulf South, selected for the NCI Community Cancer Centers Program; and

Whereas, the NCI Community Cancer Centers Program is designed to create a community-based cancer center network to support basic, clinical and population-based research initiatives, addressing the full cancer care continuum from prevention, screening, diagnosis, treatment and survivorship through end-of-life care; and

Whereas, the seven major focus areas of the NCI Community Cancer Centers Program are to reduce cancer healthcare disparities, improve quality of care, increase participation in clinical trials, enhance cancer survivorship and palliative care services, participate in biospecimen research initiatives to support personalized medicine, expand use of electronic health records and connect to cancer research data network and enhance cancer advocacy; and

Whereas, the sixteen initial pilot hospitals have made considerable progress toward achieving the major program goals and are defining for NCI what it takes to build a national network of community hospitals that are fully engaged in cancer research and offer the latest evidence-based, multidisciplinary care to diverse populations in their home communities; and

Whereas, funding from the American Recovery and Reinvestment Act helped the NCI Community Cancer Centers Program expand from its original pilot network of sixteen to thirty hospitals in twenty-two states. Therefore, be it

*Resolved*, That the Legislature of Louisiana memorializes the Congress of the United States to continue to support and invest in the National Cancer Institute Community Cancer Centers Program, a vital and innovative program that is transforming the way cancer care is delivered across the nation. Be it further

*Resolved*, That a copy of this Resolution be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-135. A concurrent resolution adopted by the Legislature of the State of Louisiana urging Congress to adopt and submit to the states for ratification the Parental Rights Amendment to the Constitution of the United States; to the Committee on the Judiciary.

#### SENATE CONCURRENT RESOLUTION NO. 38

Whereas, the right of parents to direct the upbringing and education of their children is a fundamental right protected by the Constitution of the United States and the Constitution of Louisiana; and

Whereas, our nation has historically relied first and foremost upon parents to meet the real and constant needs of children; and

Whereas, the interests of children are best served when parents are free to make child-rearing decisions about education, religion, and other areas of a child's life without state interference; and

Whereas, the United States Supreme Court, in *Wisconsin v. Yoder*, 406 U.S. 205 (1972), held that "This primary role of the parents in the upbringing of their children is now established beyond debate as an enduring American tradition"; and

Whereas, however, in *Troxel v. Granville*, 530 U.S. 57 (2000), six justices of the United States Supreme Court filed opinions on the nature and enforceability of parental rights under the Constitution of the United States; and

Whereas, the number of written opinions in *Troxel v. Granville* has created confusion

and ambiguity about the fundamental nature of parental rights in the laws and society of the several states; and

Whereas, H. J. Res. 42 and S.J. Res. 16 were introduced during the First Session of the 111th Congress to provide for an amendment to the United States Constitution to prevent erosion of the enduring American tradition of treating parental rights as fundamental rights, and the legislation states:

"Section One: The liberty of parents to direct the upbringing and education of their children is a fundamental right.

Section Two: Neither the United States nor any State shall infringe upon this right without demonstrating that its governmental interest as applied to the person is of the highest order and not otherwise served.

Section Three: No treaty may be adopted nor shall any source of international law be employed to supersede, modify, interpret, or apply to the rights guaranteed by this article"; and

Whereas, this amendment would add explicit text to the Constitution of the United States to forever protect the rights of parents as they are now enjoyed, without substantive change to current state or federal laws respecting these rights; and

Whereas, the enumeration of these rights in the text of the Constitution of the United States would preserve these rights from being infringed upon by shifting ideologies and interpretations of the United States Supreme Court. Therefore, be it

*Resolved*, that the Legislature of Louisiana memorializes the Congress of the United States to adopt and submit to the states for ratification the Parental Rights Amendment to the Constitution of the United States. Be it further

*Resolved*, that a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DORGAN, from the Committee on Appropriations, without amendment:

S. 3635. An original bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2011, and for other purposes (Rept. No. 111-228).

By Mr. MIKULSKI, from the Committee on Appropriations, without amendment:

S. 3636. An original bill making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2011, and for other purposes (Rept. No. 111-229).

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 258. A bill to amend the Controlled Substances Act to provide enhanced penalties for marketing controlled substances to minors.

S. 1684. A bill to establish guidelines and incentives for States to establish criminal arsonist and criminal bomber registries and to require the Attorney General to establish a national criminal arsonist and criminal bomber registry program, and for other purposes.

By Mr. DODD, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 3638. An original bill to establish a national safety plan for public transportation, and for other purposes.

#### 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. LAUTENBERG (for himself, Mrs. MURRAY, and Ms. CANTWELL):

S. 3629. A bill to improve the efficiency, operation, and security of the national transportation system to move freight by leveraging investments and promoting partnerships that advance interstate and foreign commerce, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHAR (for herself and Mr. LEMIEUX):

S. 3630. A bill to improve the commercialization potential of National Science Foundation grants, enhance the metrics used to assess such potential, and for other purposes; to the Committee on Finance.

By Mrs. MURRAY:

S. 3631. A bill to encourage innovation to create clean technologies, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND:

S. 3632. A bill to provide for enhanced penalties to combat Medicare and Medicaid fraud, a Medicare data-mining system, and a Beneficiary Verification Pilot Program, and for other purposes; to the Committee on Finance.

By Mr. CARPER (for himself and Ms. SNOWE):

S. 3633. A bill to amend the Solid Waste Disposal Act to improve a provision relating to Federal procurement of recycled materials to reduce greenhouse gas emissions; to the Committee on Environment and Public Works.

By Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico):

S. 3634. A bill to amend the Internal Revenue Code of 1986 to clarify the types of energy conservation subsidies provided by public utilities eligible for income exclusion; to the Committee on Finance.

By Mr. DORGAN:

S. 3635. An original bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2011, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. MIKULSKI:

S. 3636. An original bill making appropriations for the Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2011, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. KOHL (for himself, Ms. SNOWE, and Mr. INOUE):

S. 3637. A bill to authorize appropriations for the Housing Assistance Council; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DODD:

S. 3638. An original bill to establish a national safety plan for public transportation, and for other purposes; from the Committee on Banking, Housing, and Urban Affairs; placed on the calendar.

By Mr. ROCKEFELLER (for himself and Mrs. HUTCHISON):

S. 3639. A bill to provide for greater maritime transportation security, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. UDALL of Colorado (for himself, Mr. CRAPO, Mr. GREGG, Mr. BENNETT, and Ms. KLOBUCHAR):

S. 3640. A bill to amend the Internal Revenue Code of 1986 to increase the limitations