SA 4543. Mr. WEBB (for himself, Ms. LANDRIEU, Mr. NELSON of Florida, and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4544. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4545. Mrs. BOXER submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4546. Mrs. LINCOLN (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4547. Mrs. LINCOLN (for herself and Mr. CORNYN) submitted an amendment intended to be proposed by her to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4548. Mrs. LINCOLN (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4549. Mrs. LINCOLN (for herself and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4550. Mr. WHITEHOUSE (for himself, Mr. BENNET, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. CORKER, Mr. DURBIN, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. KAUFMAN, Mr. LEAHY, Mr. LEMIEUX, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. NELSON of Florida, Mr. PRYOR, Mr. SCHUMER, Mr. SESSIONS, Mr. SPECTER, and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4551. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4552. Mr. MCCAIN (for himself and Mr. KYL) submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4553. Mrs. LINCOLN (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4554. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4555. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4556. Mr. ROCKEFELLER (for himself and Mr. GOODWIN) submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4557. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4558. Mrs. HUTCHISON (for herself, Mr. GRAHAM, and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4559. Mr. HATCH (for himself and Mr. BROWN of Massachusetts) submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4560. Ms. MIKULSKI submitted an amendment intended to be proposed by her to the bill H.R. 5297, supra; which was ordered to lie on the table.

SA 4561. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 5297, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4532. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. EXTENSION OF EXPENDITURE DEADLINE OF SOCIAL SERVICES BLOCK GRANT DISASTER FUNDING.

Notwithstanding any other provision of law, amounts made available to the Department of Health and Human Services, Administration for Children and Families, under the heading ''Social Services Block Grant'' under chapter 7 of division B of Public Law 110–329, shall remain available for expenditure through September 30, 2012.

SA 4533. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

In section 4261 (relating to emergency agricultural disaster assistance), strike subsection (h).

SA 4534. Mr. UDALL of Colorado (for himself, Ms. COLLINS, Mr. REID, Mr. SCHUMER, Mr. LIEBERMAN, Mrs. BOXER, Mrs. GILLIBRAND, Mr. SANDERS, Mr. INOUYE, and Mr. FRANKEN) submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

On page 41, after line 25, add the following:

SEC. 1137. LIMITS ON MEMBER BUSINESS LOANS.

(a) IN GENERAL.—

(1) REVISED LIMITATION AND CRITERIA.—Effective 6 months after the date of enactment of this Act, section 107A(a) of the Federal Credit Union Act (12 U.S.C. 1757a(a)) is amended to read as follows:

''(a) LIMITATION.—

''(1) IN GENERAL.—Except as provided in paragraph (2), an insured credit union may not make any member business loan that would result in the total amount of such loans outstanding at that credit union at any one time to be equal to more than the lesser of—

''(A) 1.75 times the actual net worth of the credit union; or

''(B) 12.25 percent of the total assets of the credit union.

''(2) ADDITIONAL AUTHORITY.—The Board may approve an application by an insured credit union upon a finding that the credit union meets the criteria under this paragraph to make 1 or more member business loans that would result in a total amount of such loans outstanding at any one time of not more than 27.5 percent of the total assets of the credit union, if the credit union—

''(A) had member business loans outstanding at the end of each of the 4 consecutive quarters immediately preceding the date of the application, in a total amount of not less than 80 percent of the applicable limitation under paragraph (1);

''(B) is well capitalized, as defined in section 216(c)(1)(A);

''(C) can demonstrate at least 5 years of experience of sound underwriting and servicing of member business loans;

''(D) has the requisite policies and experience in managing member business loans; and

''(E) has satisfied other standards that the Board determines are necessary to maintain the safety and soundness of the insured credit union.

''(3) EFFECT OF NOT BEING WELL CAPITALIZED.—An insured credit union that has made member business loans under an authorization under paragraph (2) and that is not, as of its most recent quarterly call report, well capitalized, may not make any member business loans, until such time as the credit union becomes well capitalized, as reflected in a subsequent quarterly call report, and obtains the approval of the Board.''.

(b) IMPLEMENTATION.—

(1) TIERED APPROVAL PROCESS.—The Board shall develop a tiered approval process, under which an insured credit union gradually increases the amount of member business lending in a manner that is consistent with safe and sound operations, subject to the limits established under section 107A(a)(2) of the Federal Credit Union Act (as amended by this Act). The rate of increase under the process established under this paragraph may not exceed 30 percent per year.

(2) RULEMAKING REQUIRED.—The Board shall issue proposed rules, not later than 6 months after the date of enactment of this Act, to establish the tiered approval process required under paragraph (1). The tiered approval process shall establish standards designed to ensure that the new business lending capacity authorized under the amendment made by subsection (a) is being used

only by insured credit unions that are well-managed and well capitalized, as required by the amendments made under subsection (a) and as defined by the rules issued by the Board under this paragraph.

(3) CONSIDERATIONS.—In issuing rules required under this subsection, the Board shall consider—

(A) the experience level of the institutions, including a demonstrated history of sound member business lending;

(B) the criteria under section 107A(a)(2) of the Federal Credit Union Act, as amended by this Act; and

(C) such other factors as the Board determines necessary or appropriate.

(c) REPORTS TO CONGRESS ON MEMBER BUSINESS LENDING.—

(1) REPORT OF THE BOARD.—

(A) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Board shall submit a report to Congress on member business lending by insured credit unions.

(B) REPORT.—The report required under subparagraph (A) shall include—

(i) the types and asset size of insured credit unions making member business loans and the member business loan limitations applicable to the insured credit unions;

(ii) the overall amount and average size of member business loans by each insured credit union;

(iii) the ratio of member business loans by insured credit unions to total assets and net worth;

(iv) the performance of the member business loans, including delinquencies and net charge offs;

(v) the effect of this section on the number of insured credit unions engaged in member business lending, any change in the amount of member business lending, and the extent to which any increase is attributed to the change in the limitation in section 107A(a) of the Federal Credit Union Act, as amended by this Act;

(vi) the number, types, and asset size of insured credit unions that were denied or approved by the Board for increased member business loans under section 107A(a)(2), as amended by this Act, including denials and approvals under the tiered approval process;

(vii) the types and sizes of businesses that receive member business loans, the duration of the credit union membership of the businesses at the time of the loan, the types of collateral used to secure member business loans, and the income level of members receiving member business loans; and

(viii) the effect of any increases in member business loans on the risk to the National Credit Union Share Insurance Fund and the assessments on insured credit unions.

(2) GAO STUDY AND REPORT.—

(A) STUDY.—The Comptroller General of the United States shall conduct a study on the status of member business lending by insured credit unions, including—

(i) trends in such lending;

(ii) types and amounts of member business loans;

(iii) the effectiveness of this section in enhancing small business lending;

(iv) recommendations for legislative action, if any, with respect to such lending; and

(v) any other information that the Comptroller General considers relevant with respect to such lending.

(B) REPORT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General shall submit a report to Congress on the study required by subparagraph (A).

(d) DEFINITIONS.—In this section—

(1) the term ''Board'' means the National Credit Union Administration Board;

(2) the term ''insured credit union'' has the meaning given that term in section 101 of the Federal Credit Union Act (12 U.S.C. 1752);

(3) the term ''member business loan'' has the meaning given that term in section 107A(c)(1) of the Federal Credit Union Act (12 U.S.C. 1757a(c)(1));

(4) the term ''net worth'' has the meaning given that term in section 107A(c)(2) of the Federal Credit Union Act (12 U.S.C. 1757a(c)(2)); and

(5) the term ''well capitalized'' has the meaning given that term in section 216(c)(1)(A) of the Federal Credit Union Act (12 U.S.C. 1709d(c)(1)(A)).

SA 4535. Mr. CARDIN submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

On page 41, after line 25, add the following:

SEC. 1137. SURETY BONDS.

Section 508(f) of division A of the American Recovery and Reinvestment Act of 2009 (15 U.S.C. 694a note) is repealed.

SA 4536. Mr. BENNET (for himself and Ms. LANDRIEU) submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

On page 41, after line 25, add the following:

SEC. 1137. TARGETED SMALL BUSINESS LENDING PILOT PROGRAM.

(a) IN GENERAL.—Section 23 of the Small Business Act (15 U.S.C. 650) is amended by adding at the end the following:

''(k) TARGETED SMALL BUSINESS LENDING PILOT PROGRAM.—

''(1) PURPOSE.—The purpose of the targeted small business lending pilot program is to increase the lending activity of small business lending companies to small business concerns operating in low-income communities.

''(2) DEFINITIONS.—In this subsection:

''(A) LOW-INCOME COMMUNITY.—The term 'low-income community' means a low-income community within the meaning of section 45D(e) of the Internal Revenue Code of 1986 (relating to the new markets tax credit).

''(B) TARGETED SMALL BUSINESS LENDING COMPANY.—The term 'targeted small business lending company' means a business concern—

''(i) described in section 3(r)(1), without regard to whether the business concern was authorized to make loans under section 7(a) before the date on which the Administrator authorizes the business concern to make the loans under this subsection;

''(ii) that has a primary mission of serving or providing investment capital for low-income communities, low-income persons, or businesses located in low-income communities;

''(iii) that maintains accountability to low-income communities through participation of representatives of the communities on a governing or an advisory board to the business concern;

''(iv) that has a demonstrated ability, directly or through a controlling entity, to make loans to businesses in low-income communities; and

''(v) that makes substantially all of the loans made by the business concern to businesses operating in low-income communities.

''(3) ESTABLISHMENT.—There is established a targeted small business lending pilot program, under which the Administrator—

''(A) shall authorize not more than 12 targeted small business lending companies to make loans under section 7(a); and

''(B) may not charge a fee relating to an authorization under subparagraph (A).

''(4) SAFETY AND SOUNDNESS REQUIREMENTS.—

''(A) PROHIBITION ON SALE OF AUTHORIZATION.—A targeted small business lending company may not sell the authorization of the targeted small business lending company to make loans under section 7(a).

''(B) GAO REVIEW.—During the 2-year period beginning on the date of enactment of this subsection, the Comptroller General of the United States shall—

''(i) review the oversight of targeted small business lending companies by the Administration; and

''(ii) submit periodic reports to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives regarding the review under clause (i).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 3(r)(1) of the Small Business Act (15 U.S.C. 632(r)(1)) is amended by inserting '', including a targeted small business lending company authorized under section 23(k)'' before the period at the end.

SA 4537. Mr. CASEY submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

On page 103, after line 21, add the following:

SEC. 1336. STUDY BY COMPTROLLER GENERAL.

(a) DEFINITIONS.—In this section—

(1) the terms ''HUBZone small business concern'', ''small business concern'', ''small business concern owned and controlled by service-disabled veterans'', and ''small business concern owned and controlled by women'' have the meaning given those terms under section 3 of the Small Business Act (15 U.S.C. 632);

(2) the term ''minority business enterprise'' means a small business concern that is unconditionally owned, controlled, and managed by an individual who is—

(A) a Black American;

(B) a Hispanic American;
(C) a Native American, including an American Indian, Eskimo, Aleut, or Native Hawaiian;
(D) an Asian Pacific American, including an individual having origins in any of the original peoples of Myanmar, Thailand, Malaysia, Indonesia, Singapore, Brunei, Japan, China (including Hong Kong), Taiwan, Laos, Cambodia (Kampuchea), Vietnam, North Korea, South Korea, the Philippines, a United States Trust Territory of the Pacific Islands (including the Republic of Palau), the Republic of the Marshall Islands, the Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, Guam, Samoa, Macao, Fiji, Tonga, Kiribati, Tuvalu, or Nauru;
(E) a Subcontinent Asian American, including an individual having origins in any of the original peoples of India, Pakistan, Bangladesh, Sri Lanka, Bhutan, the Maldives Islands, or Nepal; or
(F) a member of another minority group, as determined by the Administrator of the Small Business Administration;
(3) the term ''qualified HUBZone small business concern'' means a HUBZone small business concern that is qualified under section 3(p)(5) of the Small Business Act (15 U.S.C. 632(p)(5)); and
(4) the term ''small business concern owned and controlled by socially and economically disadvantaged individuals'' has the meaning given that term in section 8(d)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C)).
(b) STUDY REQUIRED.—The Comptroller General of the United States shall carry out a study on the participation of small business concerns owned and controlled by socially and economically disadvantaged individuals, qualified HUBZone small business concerns, minority business enterprises, and small business concerns owned and controlled by women in procurement contracts awarded using funds made available under division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 116), which shall include—
(1) determining the percentage of all contracts awarded by Federal agencies and departments using funds made available under the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 116) that were awarded to—
(A) small business concerns owned and controlled by socially and economically disadvantaged individuals;
(B) minority business enterprises;
(C) small business concerns owned and controlled by women; and
(D) qualified HUBZone small business concerns; and
(2) evaluating whether Federal agencies and departments have met the Government-wide goals established under section 15(g) of the Small Business Act (15 U.S.C. 644(g)) for procurement contracts awarded to small business concerns, small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women, with respect to procurement contracts awarded using funds made available under division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 116).
(c) REPORT.—Not later than 120 days after the date of enactment of this Act, the Comptroller General shall submit to Congress a report on the results of the study required under subsection (b).

SA 4538. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

On page 224, strike line 12 and all that follows through page 225, line 10, and insert the following:
(4) INELIGIBLE INSTITUTIONS.—
(A) INELIGIBILITY OF INSTITUTIONS ON FDIC PROBLEM BANK LIST.—
(i) IN GENERAL.—An eligible institution may not receive any capital investment under the Program, if—
(I) such institution is on the FDIC problem bank list; or
(II) such institution has been removed from the FDIC problem bank list for less than 90 days.
(ii) CONSTRUCTION.—Nothing in clause (i) shall be construed as limiting the discretion of the Secretary to deny the application of an eligible institution that is not on the FDIC problem bank list.
(iii) FDIC PROBLEM BANK LIST DEFINED.—For purposes of this subparagraph, the term ''FDIC problem bank list'' means the list of depository institutions having a current rating of 4 or 5 under the Uniform Financial Institutions Rating System, or such other list designated by the Federal Deposit Insurance Corporation.
(B) INELIGIBILITY OF NON-PAYING CPP PARTICIPANTS.—
(i) IN GENERAL.—An eligible institution that has missed more than one dividend payment due under the CPP may not receive any capital investment under the Program.
(ii) DETERMINATION OF MISSED DIVIDEND PAYMENTS.—For purposes of this subparagraph, a CPP dividend payment that is submitted within 60 days of the due date of such payment shall not be considered a missed dividend payment.

SA 4539. Mr. PRYOR submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

On page 214, between lines 3 and 4, insert the following:
(v) If the eligible institution notifies the Secretary in the application for a capital investment under the Program that the eligible institution elects to have such loans included as small business lending by the eligible institution, construction, land development, and other land loans.

SA 4540. Mr. WEBB (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

At the end, insert the following:

TITLE _____—TAXPAYER FAIRNESS ACT

SEC. _001. SHORT TITLE.

This title may be cited as the ''Taxpayer Fairness Act''.

SEC. _002. FINDINGS.

Congress finds the following:
(1) During the years 2008 and 2009, the Nation's largest financial firms received extraordinary and unprecedented assistance from the public.
(2) Such assistance was critical to the success and in many cases the survival of these firms during the year 2009.
(3) High earners at such firms should contribute a portion of any excessive bonuses obtained for the year 2009 to help the Nation reduce the public debt and recover from the recession.

SEC. _003. EXCISE TAXES ON EXCESSIVE 2009 BONUSES RECEIVED FROM MAJOR RECIPIENTS OF FEDERAL EMERGENCY ECONOMIC ASSISTANCE.

(a) IMPOSITION OF TAX.—Chapter 46 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 4999A. EXCESSIVE 2009 BONUSES RECEIVED FROM MAJOR RECIPIENTS OF FEDERAL EMERGENCY ECONOMIC ASSISTANCE.

''(a) IMPOSITION OF TAX.—There is hereby imposed on any person who receives a covered excessive 2009 bonus a tax equal to 50 percent of the amount of such bonus.
''(b) DEFINITION.—For purposes of this section, the term 'covered excessive 2009 bonus' has the meaning given such term by section 280I(b).
''(c) ADMINISTRATIVE PROVISIONS AND SPECIAL RULES.—
''(1) WITHHOLDING.—
''(A) IN GENERAL.—In the case of any covered excessive 2009 bonus which is treated as wages for purposes of section 3402, the amount otherwise required to be deducted and withheld under such section shall be increased by the amount of the tax imposed by this section on such bonus.
''(B) BONUSES PAID BEFORE ENACTMENT.—In the case of any covered excessive 2009 bonus to which subparagraph (A) applies which is paid before the date of the enactment of this section, no penalty, addition to tax, or interest shall be imposed with respect to any failure to deduct and withhold the tax imposed by this section on such bonus.
''(2) TREATMENT OF TAX.—For purposes of subtitle F, any tax imposed by this section shall be treated as a tax imposed by subtitle A.
''(3) NOTICE REQUIREMENTS.—The Secretary shall require each major Federal emergency economic assistance recipient (as defined in section 280I(d)(1)) to notify, as soon as practicable after the date of the enactment of this section and at such other times as the Secretary determines appropriate, the Secretary and each covered employee (as defined in section 280I(e)) of the amount of covered excessive 2009 bonuses to which this section applies and the amount of tax deducted and withheld on such bonuses.
''(4) SECRETARIAL AUTHORITY.—The Secretary may prescribe such regulations, rules,

and guidance of general applicability as may be necessary to carry out the provisions of this section, including—

''(A) to prescribe the due date and manner of payment of the tax imposed by this section with respect to any covered excessive 2009 bonus paid before the date of the enactment of this section, and

''(B) to prevent—

''(i) the recharacterization of a bonus payment as a payment which is not a bonus payment in order to avoid the purposes of this section,

''(ii) the treatment as other than an additional 2009 bonus payment of any payment of increased wages or other payments to a covered employee who receives a bonus payment subject to this section in order to reimburse such covered employee for the tax imposed by this section with regard to such bonus, or

''(iii) the avoidance of the purposes of this section through the use of partnerships or other pass-thru entities.''.

(b) CLERICAL AMENDMENTS.—

(1) The heading and table of sections for chapter 46 of the Internal Revenue Code of 1986 are amended to read as follows:

''CHAPTER 46—TAXES ON CERTAIN EXCESSIVE REMUNERATION

''Sec. 4999. Golden parachute payments.
''Sec. 4999A. Excessive 2009 bonuses received from major recipients of Federal emergency economic assistance.''.

(2) The item relating to chapter 46 in the table of chapters for subtitle D of such Code is amended to read as follows:

''Chapter 46. Taxes on certain excessive remuneration.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to payments of covered excessive 2009 bonuses after December 31, 2008, in taxable years ending after such date.

SEC. __004. LIMITATION ON DEDUCTION OF AMOUNTS PAID AS EXCESSIVE 2009 BONUSES BY MAJOR RECIPIENTS OF FEDERAL EMERGENCY ECONOMIC ASSISTANCE.

(a) IN GENERAL.—Part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 280I. EXCESSIVE 2009 BONUSES PAID BY MAJOR RECIPIENTS OF FEDERAL EMERGENCY ECONOMIC ASSISTANCE.

''(a) GENERAL RULE.—The deduction allowed under this chapter with respect to the amount of any covered excessive 2009 bonus shall not exceed 50 percent of the amount of such bonus.

''(b) COVERED EXCESSIVE 2009 BONUS.—For purposes of this section, the term 'covered excessive 2009 bonus' means any 2009 bonus payment paid during any calendar year to a covered employee by any major Federal emergency economic assistance recipient, to the extent that the aggregate of such 2009 bonus payments (without regard to the date on which such payments are paid) with respect to such employee exceeds the dollar amount of the compensation received by the President under section 102 of title 3, United States Code, for calendar year 2009.

''(c) 2009 BONUS PAYMENT.—

''(1) IN GENERAL.—The term '2009 bonus payment' means any payment which—

''(A) is a payment for services rendered,

''(B) is in addition to any amount payable to a covered employee for services performed by such covered employee at a regular hourly, daily, weekly, monthly, or similar periodic rate,

''(C) in the case of a retention bonus, is paid for continued service during calendar year 2009 or 2010, and

''(D) in the case of a payment not described in subparagraph (C), is attributable to services performed by a covered employee during calendar year 2009 (without regard to the year in which such payment is paid).

Such term does not include payments to an employee as commissions, contributions to any qualified retirement plan (as defined in section 4974(c)), welfare and fringe benefits, overtime pay, or expense reimbursements. In the case of a payment which is attributable to services performed during multiple calendar years, such payment shall be treated as a 2009 bonus payment to the extent it is attributable to services performed during calendar year 2009.

''(2) DEFERRED DEDUCTION BONUS PAYMENTS.—

''(A) IN GENERAL.—The term '2009 bonus payment' includes payments attributable to services performed in 2009 which are paid in the form of remuneration (within the meaning of section 162(m)(4)(E)) for which the deduction under this chapter (determined without regard to this section) for such payment is allowable in a subsequent taxable year.

''(B) TIMING OF DEFERRED DEDUCTION BONUS PAYMENTS.—For purposes of this section and section 4999A, the amount of any payment described in subparagraph (A) (as determined in the year in which the deduction under this chapter, determined without regard to this section, for such payment would be allowable) shall be treated as having been made in the calendar year in which any interest in such amount is granted to a covered employee (without regard to the date on which any portion of such interest vests).

''(3) RETENTION BONUS.—The term 'retention bonus' means any bonus payment (without regard to the date such payment is paid) to a covered employee which—

''(A) is contingent on the completion of a period of service with a major Federal emergency economic assistance recipient, the completion of a specific project or other activity for the major Federal emergency economic assistance recipient, or such other circumstances as the Secretary may prescribe, and

''(B) is not based on the performance of the covered employee (other than a requirement that the employee not be separated from employment for cause).

A bonus payment shall not be treated as based on performance for purposes of subparagraph (B) solely because the amount of the payment is determined by reference to a previous bonus payment which was based on performance.

''(d) MAJOR FEDERAL EMERGENCY ECONOMIC ASSISTANCE RECIPIENT.—For purposes of this section—

''(1) IN GENERAL.—The term 'major Federal emergency economic assistance recipient' means—

''(A) any financial institution (within the meaning of section 3 of the Emergency Economic Stabilization Act of 2008) if at any time after December 31, 2007, the Federal Government acquires—

''(i) an equity interest in such person pursuant to a program authorized by the Emergency Economic Stabilization Act of 2008 or the third undesignated paragraph of section 13 of the Federal Reserve Act (12 U.S.C. 343), or

''(ii) any warrant (or other right) to acquire any equity interest with respect to such person pursuant to any such program,

but only if the total value of the equity interest described in clauses (i) and (ii) in such person is not less than $5,000,000,000,

''(B) the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation, and

''(C) any person which is a member of the same affiliated group (as defined in section 1504, determined without regard to subsection (b) thereof) as a person described in subparagraph (A) or (B).

''(2) TREATMENT OF CONTROLLED GROUPS.—All persons treated as a single employer under subsection (a) or (b) of section 52 or subsection (m) or (o) of section 414 shall be treated as a single employer with respect to any covered employee.

''(e) COVERED EMPLOYEE.—For purposes of this section, the term 'covered employee' means, with respect to any major Federal emergency economic assistance recipient—

''(1) any employee of such recipient, and

''(2) any director of such recipient who is not an employee.

In the case of any major Federal emergency economic assistance recipient which is a partnership or other unincorporated trade or business, the term 'employee' shall include employees of such recipient within the meaning of section 401(c)(1).

''(f) REGULATIONS.—The Secretary may prescribe such regulations, rules, and guidance of general applicability as may be necessary to carry out the provisions of this section, including—

''(1) to prescribe the due date and manner of reporting and payment of any increase in the tax imposed by this chapter due to the application of this section to any covered excessive 2009 bonus paid before the date of the enactment of this section, and

''(2) to prevent—

''(A) the recharacterization of a bonus payment as a payment which is not a bonus payment in order to avoid the purposes of this section, or

''(B) the avoidance of the purposes of this section through the use of partnerships or other pass-thru entities.''.

(b) CLERICAL AMENDMENT.—The table of sections for part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''Sec. 280I. Excessive 2009 bonuses paid by major recipients of Federal emergency economic assistance.''.

(c) CONFORMING AMENDMENTS.—

(1) Subparagraph (F) of section 162(m)(4) of the Internal Revenue Code of 1986 is amended—

(A) by inserting ''AND EXCESSIVE 2009 BONUSES'' after ''PAYMENTS'' in the heading,

(B) by striking ''the amount'' and inserting ''the total amounts'', and

(C) by inserting ''or 280I'' before the period.

(2) Subparagraph (A) of section 3121(v)(2) of such Code is amended by inserting '', to any covered excessive 2009 bonus (as defined in section 280I(b)),'' after ''section 280G(b))''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to payments of covered excessive 2009 bonuses after December 31, 2008, in taxable years ending after such date.

SA 4541. Mr. DODD (for himself, Mr. COCHRAN, Ms. MIKULSKI, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

On page ____, line ____, insert the following:

SEC. ___. EXCLUSION FROM GROSS INCOME OF AMERICORPS EDUCATIONAL AWARDS.

(a) IN GENERAL.—Section 117 of the Internal Revenue Code of 1986 (relating to qualified scholarships) is amended by adding at the end the following:

''(e) AMERICORPS EDUCATIONAL AWARDS.—Gross income shall not include any national service educational award described in subtitle D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12601 et seq.).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years ending after the date of enactment of this Act.

SA 4542. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

On page 245, between lines 12 and 13, insert the following:

SEC. 4114. CONFORMING AMENDMENT.

Section 171(b)(5) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203) is amended—

(1) in subparagraph (B), by striking ''or'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(D) debt or equity instruments of a depository institution holding company organized in the mutual form or as an S corporation that are issued to or purchased by the United States, or any agency or instrumentality thereof, under the Small Business Lending Fund Program during the 1-year period beginning on the date of enactment of the Small Business Jobs Act of 2010.''.

SA 4543. Mr. WEBB (for himself, Ms. LANDRIEU, Mr. NELSON of Florida, and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

At the end of title II, insert the following:

Subtitle C—Other Relief

SEC. ___. GUIDANCE ON TAX TREATMENT OF LOSSES RELATED TO TAINTED DRYWALL AS CASUALTY LOSS DEDUCTIONS.

Not later than the due date, including extension, for filing a return of tax for taxable year 2009, the Secretary of the Treasury shall issue guidance with respect to the availability of a casualty loss deduction under section 165(c)(3) of the Internal Revenue Code of 1986 for a taxpayer who has sustained a loss due to defective or tainted drywall, including drywall imported from China.

SA 4544. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

On page 214, between lines 3 and 4, insert the following:

(v) If the eligible institution notifies the Secretary in the application for a capital investment under the Program that the eligible institution elects to have such loans included as small business lending by the eligible institution, construction, land development, and other land loans.

SA 4545. Mrs. BOXER submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

On page 40, after line 24, add the following:

(c) WORKING CAPITAL EXPRESS PROGRAM.—

(1) PROGRAM ESTABLISHED.—

(A) WORKING CAPITAL EXPRESS PROGRAM.—Section 7(a)(31) of the Small Business Act (15 U.S.C. 636(a)(31)) is amended by adding at the end the following:

''(G) WORKING CAPITAL EXPRESS PROGRAM IN RESPONSE TO ECONOMIC CRISIS.—

''(i) LOAN GUARANTEES.—The Administrator may guarantee loans under the Express Loan Program made by lenders designated in accordance with clause (iii)(I) to small business concerns that have been in business for not less than 2 years before the date on which the small business concern submits an application for a loan under this subparagraph.

''(ii) LOAN TERMS.—

''(I) MINIMUM AMOUNT.—The Administrator may guarantee a loan under this subparagraph of not less than $100,000.

''(II) GUARANTEE RATE.—Notwithstanding subparagraph (A)(iii), the guarantee rate for a loan under this subparagraph shall be 75 percent.

''(iii) PROGRAM SAFEGUARDS.—

''(I) ELIGIBILITY.—The Administrator shall, by rule, establish criteria for the designation of lenders that are eligible to make a loan guaranteed under this subparagraph.

''(II) UNDERWRITING STANDARDS.—The Administrator shall, by rule, establish underwriting standards for loans guaranteed under this subparagraph, to ensure that the Administrator may guarantee new loans under this subparagraph until 1 year after the date of enactment of this subparagraph. The standards established under this subclause shall require the borrower to submit income tax returns to provide verification of business income.

''(III) PENALTIES FOR FRAUD.—Notwithstanding section 16, a lender that knowingly makes a false statement with respect to the income, assets, or other qualifications of a small business concern in connection with a loan or application for a loan guaranteed under this subparagraph shall be fined not more than $500,000, imprisoned for not more than 5 years, or both.

''(iv) AUTHORITY OF PARTICIPATING LENDERS.—A lender designated in accordance with clause (iii) shall have the same authority with respect to the underwriting and liquidation of a loan guaranteed under this subparagraph as a lender participating in the Certified Lenders Program under paragraph (19).

''(v) TOTAL AMOUNT OF LOANS.—The Administrator may guarantee a total of not more than $3,000,000,000 in loans under this subparagraph.

''(vi) DEFAULT RATE.—The Administrator shall calculate the default rate for loans guaranteed under this subparagraph separately from the default rate for any other loans made or guaranteed by the Administration.''.

(B) CONFORMING AMENDMENT.—Section 7(a)(25)(B) of the Small Business Act (15 U.S.C. 636(a)(25)(B)) is amended by inserting '', and does not include loans under paragraph (31)(G)'' after ''by law''.

(C) IMPLEMENTATION.—Not later than 45 days after the date of enactment of this Act, the Administrator shall begin guaranteeing loans under section 7(a)(31)(G) of the Small Business Act, as added by this subsection.

(2) FUNDING.—

(A) APPROPRIATION.—There is appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2010, $75,000,000, to remain available until 1 year after the date of enactment of this Act, for an additional amount for the appropriations account appropriated under the heading ''BUSINESS LOANS PROGRAM ACCOUNT'' under the heading ''SMALL BUSINESS ADMINISTRATION'' for the cost of loan guarantees under section 7(a)(31)(G) of the Small Business Act, as added by this subsection.

(B) OFFSETS.—There are permanently rescinded from the appropriations account appropriated under the heading ''FEDERAL BUILDINGS FUND'' under the heading ''REAL PROPERTY ACTIVITIES'' under the heading ''GENERAL SERVICES ADMINISTRATION'', $50,000,000 from Rental of Space and $25,000,000 from Building Operations, to be derived from unobligated balances that were provided in previous appropriations Acts.

(3) PROSPECTIVE REPEAL.—

(A) IN GENERAL.—Effective 1 year after the date of enactment of this Act, section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended—

(i) in paragraph (25)(B), by striking '', and does not include loans under paragraph (31)(G)''; and

(ii) in paragraph (31), by striking subparagraph (G).

(B) PENALTIES.—Notwithstanding subparagraph (A), subclause (III) of section 7(a)(31)(G)(iii) of the Small Business Act, as added by this subsection, shall continue to apply on and after the date described in subparagraph (A), to loans guaranteed under section 7(a)(31)(G) of the Small Business Act.

(C) SAVINGS PROVISION.—A loan guaranteed under section 7(a)(31)(G) of the Small Business Act, as added by this subsection, before the date described in subparagraph (A) shall

remain in full force and effect under the terms, and for the duration, of the loan.

SA 4546. Mrs. LINCOLN (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DIRECT PAYMENT OF ENERGY EFFICIENT APPLIANCES TAX CREDIT.

In the case of any taxable year which includes December 31, 2009, or December 31, 2010, a taxpayer who elects to waive the credit which would otherwise be determined with respect to the taxpayer under section 45M of the Internal Revenue Code of 1986 for such taxable year shall be treated as making a payment against the tax imposed under subtitle A of such Code for such taxable year in an amount equal to 85 percent of the amount of the credit which would otherwise be so determined. Such payment shall be treated as made on the later of the due date of the return of such tax or the date on which such return is filed. Elections under this section may be made separately for taxable years 2009 and 2010, but once made shall be irrevocable. No amount shall be includible in gross income or alternative minimum taxable income by reason of this section.

SA 4547. Mrs. LINCOLN (for herself and Mr. CORNYN) submitted an amendment intended to be proposed by her to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REDUCTION IN CORPORATE RATE FOR QUALIFIED TIMBER GAIN.

(a) IN GENERAL.—Paragraph (1) of section 1201(b) of the Internal Revenue Code of 1986 is amended by striking ''ending'' and all that follows through ''such date''.

(b) CONFORMING AMENDMENT.—Paragraph (3) of section 1201(b) of the Internal Revenue Code of 1986 is amended to read as follows:

''(3) APPLICATION OF SUBSECTION.—The qualified timber gain for any taxable year shall not exceed the qualified timber gain which would be determined by not taking into account any portion of such taxable year after December 31, 2010.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after May 22, 2009.

SA 4548. Mrs. LINCOLN (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REVISION OF BENEFITS.

(a) SAFE HARBOR FOR MEETING REQUIREMENT THAT 35 PERCENT OF EMPLOYEES BE RESIDENTS OF ZONE.—

(1) IN GENERAL.—Section 1397C of the Internal Revenue Code of 1986 (defining enterprise zone business) is amended by adding at the end the following new subsection:

''(g) ADDITIONAL SAFE HARBOR FOR MEETING REQUIREMENT THAT 35 PERCENT OF EMPLOYEES BE RESIDENTS OF ZONE.—The requirements of subsections (b)(6) and (c)(5) shall not fail to be treated as met for any period with respect to a qualified business if—

''(1) as of the date of issuance of an issue, the date property is placed in service, or the date of the sale of an asset, it is reasonably expected that within 3 years after such date the business will increase employment by at least the lesser of—

''(A) in the case of—

''(i) a business located in a renewal community or in a rural area (as defined in section 1393(a)(2)) in an empowerment zone or enterprise community, 500 full-time employees, or

''(ii) a business located outside a rural area (as so defined) in an empowerment zone or enterprise community, 1,000 full-time employees, or

''(B) 10 percent of the number of full-time employees estimated to have been employed in such zone or community on the date of its designation,

''(2) as of the date of issuance of the issue, it is reasonably expected that as a result of the bonds the business will increase employment by at least one job for each $150,000 in face amount of the issue,

''(3) at any time within 3 years after the date of the issuance of an issue, the date property is placed in service, or the date of the sale of an asset, the requirements of such subsections are met, or

''(4) the business enters into a binding agreement with the appropriate local government employment agency to apply a first source rule to advertise and prioritize employment opportunities with such business for qualified residents of such zone or community.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect on the date of the enactment of this Act, except that in the case of obligations which are outstanding on such date, such date shall be deemed the date of issuance for such obligations.

(b) ELIGIBILITY OF BUSINESSES DEVELOPING OR HOLDING INTANGIBLES.—

(1) IN GENERAL.—Paragraph (4) of section 1397C(d) of the Internal Revenue Code of 1986 is amended by inserting before the period ''unless the intangibles are developed within the empowerment zone''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to taxable years beginning after the date of the enactment of this Act.

(c) REDUCED WAGE CREDIT ALLOWABLE FOR ZONE RESIDENTS EMPLOYED OUTSIDE THE ZONE; EMPLOYEES NEED NOT BE RESIDENTS OF ZONE IN WHICH EMPLOYED.—

(1) IN GENERAL.—Subsection (b) of section 1396 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) APPLICABLE PERCENTAGE.—

''(1) QUALIFIED ZONE EMPLOYEES WHO PERFORM SUBSTANTIALLY ALL OF THEIR SERVICES IN AN EMPOWERMENT ZONE.—The applicable percentage is 20 percent with respect to qualified zone employees who would meet the requirement of subsection (d)(1) if only services performed within an empowerment zone were taken into account.

''(2) OTHER QUALIFIED ZONE EMPLOYEES.—

''(A) IN GENERAL.—The applicable percentage is—

''(i) 20 percent in the case of designated qualified zone employees of employers which are enterprise zone businesses, and

''(ii) 10 percent in the case of any other designated qualified zone employee.

''(B) LIMITATIONS ON NUMBER OF DESIGNATED EMPLOYEES.—

''(i) IN GENERAL.—For purposes of subparagraph (A), the term 'designated qualified zone employee' means a qualified zone employee—

''(I) to whom paragraph (1) does not apply, and

''(II) who is designated under this subparagraph.

''(ii) MANNER OF DESIGNATIONS.—Designations under this subparagraph shall be made by the local government or governments which nominated the area to be an empowerment zone.

''(iii) LIMITATION ON DESIGNATIONS.—The number of employees for whom a designation under this subparagraph is in effect at any one time with respect to each empowerment zone shall not exceed—

''(I) 500 for purposes of subparagraph (A)(i), and

''(II) 2,000 for purposes of subparagraph (A)(ii).''.

(2) QUALIFIED ZONE EMPLOYEE.—Paragraph (1) of section 1396(d) of such Code is amended—

(A) by striking ''within an empowerment zone'' in subparagraph (A), and

(B) by striking ''such empowerment zone'' in subparagraph (B) and inserting ''an empowerment zone''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after the date of the enactment of this Act.

(d) CARRYFORWARD OF UNALLOCATED STATE COMMERCIAL REVITALIZATION EXPENDITURE CEILING.—

(1) IN GENERAL.—Paragraph (1) of section 1400I(d) of the Internal Revenue Code of 1986 is amended to read as follows:

''(1) IN GENERAL.—The aggregate commercial revitalization expenditure amount which a commercial revitalization agency may allocate for any calendar year is the amount equal to the sum of—

''(A) the amount of the State commercial revitalization expenditure ceiling determined under this paragraph for such calendar year for such agency (determined without regard to subparagraph (B)), and

''(B) the aggregate of the unused State commercial revitalization expenditure ceilings determined under this paragraph for such agency for each of the 2 preceding calendar years.

For purposes of subparagraph (B), amounts of expenditure ceiling shall be treated as allocated by an agency first from unused amounts for the second preceding calendar year, then from unused amounts for the 1st preceding calendar year, and then from amounts from the current year State allocation.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to calendar years beginning after the date of the enactment of this Act.

(e) AUTHORITY TO EXPAND BOUNDARIES OF ZONES AND COMMUNITIES.—

(1) EMPOWERMENT ZONES AND ENTERPRISE COMMUNITIES.—Section 1391 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(i) AUTHORITY TO EXPAND BOUNDARIES OF DESIGNATED AREAS.—

''(1) IN GENERAL.—At the request of all governments which nominated an area as an empowerment zone or enterprise community, the appropriate Secretary may expand the area of such zone or community to include 1 or more contiguous or noncontiguous areas if such governments establish to the satisfaction of the appropriate Secretary that such expansion furthers the purposes of the designation of the initial area as such a zone or community.

''(2) RURAL AREAS.—With respect to any empowerment zone or enterprise community located in a rural area, at the request of the nominating local government, the appropriate Secretary shall expand the area of such zone or community to include the entire area of such nominating local government, but only if—

''(A) either—

''(i) the poverty rate and the unemployment rate for such entire area as determined by the 2000 decennial census data was at least 110 percent of such rate for the United States, or

''(ii) during the period beginning with the 1990 decennial census and ending with the 2000 decennial census, such entire area has a net out migration of inhabitants of at least 10 percent of the population of such area, and

''(B) such entire area meets 1 or more of the following criteria determined by the 2000 decennial census data:

''(i) Median household income is not more than 70 percent of such income for the United States.

''(ii) Per capita income is not more than 75 percent of such income for the United States.

''(iii) The percentage of such area's population which is disabled is at least 130 percent of such percentage for the United States.''.

(2) RENEWAL COMMUNITIES.—Section 1400E of such Code is amended by adding at the end the following new subsection:

''(h) AUTHORITY TO EXPAND BOUNDARIES OF DESIGNATED AREAS.—

''(1) IN GENERAL.—At the request of all governments which nominated an area as a renewal community, the Secretary of Housing and Urban Development may expand the area of such community to include 1 or more noncontiguous areas if such governments establish to the satisfaction of such Secretary that such expansion furthers the purposes of the designation of the initial area as a renewal community.

''(2) RURAL AREAS.—With respect to any renewal community located in a rural area, at the request of the nominating local government, the Secretary of Housing and Urban Development shall expand the area of such community to include the entire area of such nominating local government, but only if—

''(A) either—

''(i) the poverty rate and the unemployment rate for such entire area as determined by the 2000 decennial census data was at least 110 percent of such rate for the United States, or

''(ii) during the period beginning with the 1990 decennial census and ending with the 2000 decennial census, such entire area has a net out migration of inhabitants of at least 10 percent of the population of such area, and

''(B) such entire area meets 1 or more of the following criteria determined by the 2000 decennial census data:

''(i) Median household income is not more than 70 percent of such income for the United States.

''(ii) Per capita income is not more than 75 percent of such income for the United States.

''(iii) The percentage of such area's population which is disabled is at least 130 percent of such percentage for the United States.''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of the enactment of this Act.

(f) ELECTION OF FINANCING ARRANGEMENT IN LIEU OF TAX BENEFITS.—

(1) IN GENERAL.—Section 1396 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(e) ELECTION OF FINANCING ARRANGEMENT IN LIEU OF TAX BENEFITS.—

''(1) IN GENERAL.—At the election of any significant empowerment zone business, for the payment period of the debt obligation designated in such election (or as an amendment to such election) by such business—

''(A) such business—

''(i) shall not be allowed an empowerment zone employment credit described in subsection (a), and

''(ii) shall not be allowed any deduction for depreciation under section 168 with respect to qualified zone property that provides a cost recovery benefit described in paragraph (2), and

''(B) the Secretary shall make the payments described in paragraph (2) to a trustee designated by the electing business to accept such payments on behalf of such holders).

''(2) PAYMENTS.—

''(A) IN GENERAL.—At the beginning of each year of the payment period, the Secretary shall pay (out of any money in the Treasury not otherwise appropriated) to the trustee designated by such business an amount equal to—

''(i) the empowerment zone employment credit computed for such year under this section as if the election was not made under this subsection, and

''(ii) except as provided in paragraph (4)(A), the amount equal to the cost recovery benefit divided by the number of years in the payment period described in subparagraph (C).

''(B) COST RECOVERY BENEFIT.—For purposes of subparagraph (A), the cost recovery benefit shall be an amount equal to 25 percent of—

''(i) the cost of any tangible property which is qualified zone property (including improvements to such tangible property) incurred by the significant empowerment zone business before the end of the first 5 full calendar years beginning after the date the election is made under this subsection, and

''(ii) any such cost for which a binding contract for financing the acquisition of such tangible property (including improvements to such tangible property) has been made by such business and which under the terms of the financing is to be incurred within the first 5 full calendar years beginning after the date of the election made under this subsection.

''(C) PAYMENT PERIOD.—The payment period is the period of 15 calendar years beginning with the earlier of—

''(i) the calendar year specified by the significant empowerment zone business as the 1st year of the payment period without regard to the date the property is placed in service, or

''(ii) the 5th calendar year beginning after the date that the election under this subsection is made.

''(3) SIGNIFICANT EMPOWERMENT ZONE BUSINESS.—For purposes of this subsection, the term 'significant empowerment zone business' means any trade or business operating in an empowerment zone if—

''(A) such business is nominated by the chief executive or the legislative body of the State or a local government in which the zone property is located, and

''(B) the Secretary of Housing and Urban Development determines that—

''(i) it is a facility for qualified research as defined in section 41(d) which is reasonably anticipated to make at least $50,000,000 of capital expenditures within the first 3 years of the payment period, or

''(ii) with respect to any other business, it is reasonably anticipated that such business will increase employment in such zone by the end of the first 3 years of the payment period by at least the lesser of—

''(I) 1,000 full-time employees or equivalents, or

''(II) 10 percent of the number of full-time employees estimated to have been employed in such zone on the date of its designation.

''(4) SPECIAL RULES.—

''(A) ADJUSTMENT TO COST RECOVERY BENEFIT.—In the event that the significant empowerment zone business does not incur a cost within the period described in paragraph (2)(B) and for which a cost recovery benefit payment is made under this subsection, the Secretary shall reduce future recovery benefit payments to recover 110 percent of the overpayments in equal installments over the remaining payment period. In the event that a cost described in paragraph (2)(B)(i) is incurred, or a contract described in paragraph (2)(B)(ii) is entered into, after the beginning of the payment period, the Secretary shall increase future recover benefit payments to recover 100 percent of the cost recovery benefit associated with such costs or contracts in equal installments over the remaining payment period.

''(B) BASIS ADJUSTMENT.—For purposes of this subtitle, if a cost recovery payment is made under this subsection with respect to any property, the basis of such property shall be reduced by the amount of such payment.

''(5) TREATMENT OF PAYMENTS.—Any payment made under this subsection shall not be treated as a Federal Government guarantee for purposes of section 149(b).''.

(2) CONFORMING AMENDMENT.—Section 1016(a) of such Code is amended by striking ''and'' at the end of paragraph (36), by striking the period at the end of paragraph (37) and inserting '', and'', and by adding at the end the following new paragraph:

''(38) to the extent provided in section 1396(e)(4)(B).''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to taxable years beginning after the date of the enactment of this Act.

SA 4549. Mrs. LINCOLN (for herself and Mr. CARPER) submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

At the end of part II of subtitle A of title II, add the following:

SEC. _____. INCENTIVES FOR BIODIESEL AND RENEWABLE DIESEL.

(a) CREDITS FOR BIODIESEL AND RENEWABLE DIESEL USED AS FUEL.—Subsection (g) of section 40A of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) EXCISE TAX CREDITS AND OUTLAY PAYMENTS FOR BIODIESEL AND RENEWABLE DIESEL FUEL MIXTURES.—

(1) Paragraph (6) of section 6426(c) of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(2) Subparagraph (B) of section 6427(e)(6) of such Code is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel sold or used after December 31, 2009.

SEC. _____. EXCISE TAX CREDITS AND OUTLAY PAYMENTS FOR ALTERNATIVE FUEL AND ALTERNATIVE FUEL MIXTURES.

(a) ALTERNATIVE FUEL CREDIT.—Paragraph (5) of section 6426(d) of the Internal Revenue Code of 1986 is amended by striking ''after December 31, 2009'' and all that follows and inserting ''after—

''(A) September 30, 2014, in the case of liquefied hydrogen,

''(B) December 31, 2010, in the case of fuels described in subparagraph (A), (C), (F), or (G) of paragraph (2), and

''(C) December 31, 2009, in any other case.''.

(b) ALTERNATIVE FUEL MIXTURE CREDIT.—Paragraph (3) of section 6426(e) of the Internal Revenue Code of 1986 is amended by striking ''after December 31, 2009'' and all that follows and inserting ''after—

''(A) September 30, 2014, in the case of liquefied hydrogen,

''(B) December 31, 2010, in the case of fuels described in subparagraph (A), (C), (F), or (G) of subsection (d)(2), and

''(C) December 31, 2009, in any other case.''.

(c) PAYMENT AUTHORITY.—

(1) IN GENERAL.—Paragraph (6) of section 6427(e) of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of subparagraph (C), by striking the period at the end of subparagraph (D) and inserting '', and'', and by adding at the end the following new subparagraph:

''(E) any alternative fuel or alternative fuel mixture (as so defined) involving fuel described in subparagraph (A), (C), (F), or (G) of section 6426(d)(2) sold or used after December 31, 2010.''.

(2) CONFORMING AMENDMENT.—Subparagraph (C) of section 6427(e)(6) is amended by inserting ''or (E)'' after ''subparagraph (D)''.

(d) EXCLUSION OF BLACK LIQUOR FROM CREDIT ELIGIBILITY.—The last sentence of section 6426(d)(2)of the Internal Revenue Code of 1986 is amended by striking ''or biodiesel'' and inserting ''biodiesel, or any fuel (including lignin, wood residues, or spent pulping liquors) derived from the production of paper or pulp''.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to fuel sold or used after December 31, 2009.

SA 4550. Mr. WHITEHOUSE (for himself, Mr. BENNET, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. CORKER, Mr. DURBIN, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. KAUFMAN, Mr. LEAHY, Mr. LEMIEUX, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. NELSON of Florida, Mr. PRYOR, Mr. SCHUMER, Mr. SESSIONS, Mr. SPECTER, and Mr. WARNER) submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

On page 284, between lines 9 and 10, insert the following:

TITLE V—REGISTRATION OF AGENTS OF FOREIGN MANUFACTURERS AUTHORIZED TO ACCEPT SERVICE OF PROCESS

SEC. 5001. FINDINGS.

Congress makes the following findings:

(1) Each year, many people in the United States are injured by defective products manufactured or produced by foreign entities and imported into the United States.

(2) Both consumers and businesses in the United States have been harmed by injuries to people in the United States caused by defective products manufactured or produced by foreign entities.

(3) People in the United States injured by defective products manufactured or produced by foreign entities often have difficulty recovering damages from the foreign manufacturers and producers responsible for such injuries.

(4) The difficulty described in paragraph (3) is caused by the obstacles in bringing a foreign manufacturer or producer into a United States court and subsequently enforcing a judgment against that manufacturer or producer.

(5) Obstacles to holding a responsible foreign manufacturer or producer liable for an injury to a person in the United States undermine the purpose of the tort laws of the United States.

(6) The difficulty of applying the tort laws of the United States to foreign manufacturers and producers puts United States manufacturers and producers at a competitive disadvantage because United States manufacturers and producers must—

(A) abide by common law and statutory safety standards; and

(B) invest substantial resources to ensure that they do so.

(7) Foreign manufacturers and producers can avoid the expenses necessary to make their products safe if they know that they will not be held liable for violations of United States product safety laws.

(8) Businesses in the United States undertake numerous commercial relationships with foreign manufacturers, exposing the businesses to additional tort liability when foreign manufacturers or producers evade United States courts.

(9) Businesses in the United States engaged in commercial relationships with foreign manufacturers or producers often cannot vindicate their contractual rights if such manufacturers or producers seek to avoid responsibility in United States courts.

(10) One of the major obstacles facing businesses and individuals in the United States who are injured and who seek compensation for economic or personal injuries caused by foreign manufacturers and producers is the challenge of serving process on such manufacturers and producers.

(11) An individual or business injured in the United States by a foreign company must rely on a foreign government to serve process when that company is located in a country that is a signatory to the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters done at The Hague November 15, 1965 (20 UST 361; TIAS 6638).

(12) An injured person in the United States must rely on the cumbersome system of letters rogatory to effect service in a country that did not sign the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters. These countries do not have an enforceable obligation to serve process as requested.

(13) The procedures described in paragraphs (11) and (12) add time and expense to litigation in the United States, thereby discouraging or frustrating meritorious lawsuits brought by persons injured in the United States against foreign manufacturers and producers.

(14) Foreign manufacturers and producers often seek to avoid judicial consideration of their actions by asserting that United States courts lack personal jurisdiction over them.

(15) The due process clauses of the fifth amendment to and section 1 of the fourteenth amendment to the Constitution govern United States courts' personal jurisdiction over defendants.

(16) The due process clauses described in paragraph (15) are satisfied when a defendant consents to the jurisdiction of a court.

(17) United States markets present many opportunities for foreign manufacturers.

(18) In choosing to export products to the United States, a foreign manufacturer or producer subjects itself to the laws of the United States. Such a foreign manufacturer or producer thereby acknowledges that it is subject to the personal jurisdiction of the State and Federal courts in at least one State.

SEC. 5002. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) foreign manufacturers and producers whose products are sold in the United States should not be able to avoid liability simply because of difficulties relating to serving process upon them;

(2) to avoid such lack of accountability, foreign manufacturers and producers of foreign products distributed in the United States should be required, by regulation, to register an agent in the United States who is authorized to accept service of process for such manufacturer or producer;

(3) it is unfair to United States consumers and businesses that foreign manufacturers and producers often seek to avoid judicial consideration of their actions by asserting that United States courts lack personal jurisdiction over them;

(4) those who benefit from exporting products to United States markets should expect to be subject to the jurisdiction of at least one court within the United States;

(5) exporting products to the United States should be understood as consent to the accountability that the legal system of the United States ensures for all manufacturers and producers, foreign, and domestic;

(6) exporters recognize the scope of opportunities presented to them by United States markets but also should recognize that products imported into the United States must satisfy Federal and State safety standards established by statute, regulation, and common law;

(7) foreign manufacturers should recognize that they are responsible for the contracts they enter into with United States companies;

(8) foreign manufacturers should act responsibly and recognize that they operate within the constraints of the United States legal system when they export products to the United States;

(9) United States laws and the laws of United States trading partners should not put burdens on foreign manufacturers and

producers that do not apply to domestic companies;

(10) it is fair to ensure that foreign manufacturers, whose products are distributed in commerce in the United States, are subject to the jurisdiction of State and Federal courts in at least one State because all United States manufacturers are subject to the jurisdiction of the State and Federal courts in at least one State; and

(11) it should be understood that, by registering an agent for service of process in the United States, the foreign manufacturer or producer acknowledges consent to the jurisdiction of the State in which the registered agent is located.

SEC. 5003. DEFINITIONS.

In this title:

(1) APPLICABLE AGENCY.—The term ''applicable agency'' means, with respect to covered products—

(A) described in subparagraphs (A) and (B) of paragraph (4), the Food and Drug Administration;

(B) described in paragraph (4)(C), the Consumer Product Safety Commission;

(C) described in subparagraphs (D) and (E) of paragraph (4), the Environmental Protection Agency; and

(D) described in subparagraph (F) of paragraph (4)—

(i) the Food and Drug Administration, if the item is intended to be a component part of a product described in subparagraphs (A) and (B) of paragraph (4);

(ii) the Consumer Product Safety Commission, if the item is intended to be a component part of a product described in paragraph (4)(C); and

(iii) the Environmental Protection Agency, if the item is intended to be a component part of a product described in subparagraphs (D) and (E) of paragraph (4).

(2) COMMERCE.—The term ''commerce'' means trade, traffic, commerce, or transportation—

(A) between a place in a State and any place outside of the State; or

(B) which affects trade, traffic, commerce, or transportation described in subparagraph (A).

(3) COMMISSIONER OF U.S. CUSTOMS AND BORDER PROTECTION.—The term ''Commissioner of U.S. Customs and Border Protection'' means the Commissioner responsible for U.S. Customs and Border Protection of the Department of Homeland Security.

(4) COVERED PRODUCT.—The term ''covered product'' means any of the following:

(A) Drugs, devices, and cosmetics, as such terms are defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(B) A biological product, as such term is defined in section 351(i) of the Public Health Service Act (42 U.S.C. 262(i)).

(C) A consumer product, as such term is used in section 3(a) of the Consumer Product Safety Act (15 U.S.C. 2052).

(D) A chemical substance or new chemical substance, as such terms are defined in section 3 of the Toxic Substances Control Act (15 U.S.C. 2602).

(E) A pesticide, as such term is defined in section 2 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136).

(F) An item intended to be a component part of a product described in subparagraph (A), (B), (C), (D), or (E) but is not yet a component part of such product.

(5) DISTRIBUTE IN COMMERCE.—The term ''distribute in commerce'' means to sell in commerce, to introduce or deliver for introduction into commerce, or to hold for sale or distribution after introduction into commerce.

SEC. 5004. REGISTRATION OF AGENTS OF FOREIGN MANUFACTURERS AUTHORIZED TO ACCEPT SERVICE OF PROCESS IN THE UNITED STATES.

(a) REGISTRATION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act and except as otherwise provided in this subsection, the head of each applicable agency shall require foreign manufacturers and producers of covered products distributed in commerce to establish a registered agent in the United States who is authorized to accept service of process on behalf of such manufacturer or producer—

(A) for the purpose of any civil or regulatory proceeding in State or Federal court relating—

(i) to a covered product; and

(ii) to—

(I) commerce in the United States;

(II) an injury or damage suffered in the United States; or

(III) conduct within the United States; and

(B) if such service is made in accord with the State or Federal rules for service of process in the State of the civil or regulatory proceeding.

(2) LOCATION.—The head of each applicable agency shall require that an agent of a foreign manufacturer or producer registered under this subsection with respect to a covered product be located in a State with a substantial connection to the importation, distribution, or sale of the covered product.

(3) MINIMUM SIZE.—This subsection shall only apply to foreign manufacturers and producers that manufacture or produce covered products in excess of a minimum value or quantity the head of the applicable agency shall prescribe by rule for purposes of this section. Such rules may include different minimum values or quantities for different subcategories of covered products prescribed by the head of the applicable agency for purposes of this section.

(b) REGISTRY OF AGENTS OF FOREIGN MANUFACTURERS.—

(1) IN GENERAL.—The Secretary of Commerce shall, in cooperation with each head of an applicable agency, establish and keep up to date a registry of agents registered under subsection (a).

(2) AVAILABILITY.—The Secretary of Commerce shall make the registry established under paragraph (1) available—

(A) to the public through the Internet website of the Department of Commerce; and

(B) to the Commissioner of U.S. Customs and Border Protection.

(c) CONSENT TO JURISDICTION.—A foreign manufacturer or producer of covered products that registers an agent under this section thereby consents to the personal jurisdiction of the State or Federal courts of the State in which the registered agent is located for the purpose of any civil or regulatory proceeding relating—

(1) to a covered product; and

(2) to—

(A) commerce in the United States;

(B) an injury or damage suffered in the United States; or

(C) conduct within the United States.

(d) DECLARATIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, any person importing a covered product manufactured outside the United States shall provide a declaration to U.S. Customs and Border Protection that—

(A) the person has made appropriate inquiry, including seeking appropriate documentation from the exporter of the covered product and consulting the registry of agents of foreign manufacturers described in subsection (b); and

(B) to the best of the person's knowledge, with respect to each importation of a covered product, the foreign manufacturer or producer of the product has established a registered agent in the United States as required under subsection (a).

(2) PENALTIES.—Any person who fails to provide a declaration required under paragraph (1), or files a false declaration, shall be subject to any applicable civil or criminal penalty, including seizure and forfeiture, that may be imposed under the customs laws of the United States or title 18, United States Code, with respect to the importation of a covered product.

(e) REGULATIONS.—Not later than the date described in subsection (a)(1), the Secretary of Commerce, the Commissioner of U.S. Customs and Border Protection, and each head of an applicable agency shall prescribe regulations to carry out this section, including the establishment of minimum values and quantities under subsection (a)(3).

SEC. 5005. STUDY ON REGISTRATION OF AGENTS OF FOREIGN FOOD PRODUCERS AUTHORIZED TO ACCEPT SERVICE OF PROCESS IN THE UNITED STATES.

Not later than 1 year after the date of the enactment of this Act, the Secretary of Agriculture and the Commissioner of Food and Drugs shall jointly—

(1) complete a study on the feasibility and advisability of requiring foreign producers of food distributed in commerce to establish a registered agent in the United States who is authorized to accept service of process on behalf of such producers for the purpose of all civil and regulatory actions in State and Federal courts; and

(2) submit to Congress a report on the findings of the Secretary with respect to such study.

SEC. 5006. STUDY ON REGISTRATION OF AGENTS OF FOREIGN MANUFACTURERS AND PRODUCERS OF COMPONENT PARTS WITHIN COVERED PRODUCTS.

Not later than 1 year after the date of the enactment of this Act, the head of each applicable agency shall—

(1) complete a study on determining feasible and advisable methods of requiring manufacturers or producers of component parts within covered products manufactured or produced outside the United States and distributed in commerce to establish registered agents in the United States who are authorized to accept service of process on behalf of such manufacturers or producers for the purpose of all civil and regulatory actions in State and Federal courts; and

(2) submit to Congress a report on the findings of the head of the applicable agency with respect to the study.

SEC. 5007. RELATIONSHIP WITH OTHER LAWS.

Nothing in this title shall affect the authority of any State to establish or continue in effect a provision of State law relating to service of process or personal jurisdiction, except to the extent that such provision of law is inconsistent with the provisions of this title, and then only to the extent of such inconsistency.

SA 4551. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPEAL OF UNEARNED INCOME MEDICARE CONTRIBUTION.

Section 1402 of the Health Care and Education Reconciliation Act of 2010 and the amendments made by such section are repealed.

SA 4552. Mr. MCCAIN (for himself and Mr. KYL) submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. BORDER SECURITY.

(a) UNITED STATES CUSTOMS AND BORDER PROTECTION.—

(1) REQUIREMENT FOR ADDITIONAL AGENTS.—Not later than January 1, 2015, the Secretary of Homeland Security shall increase the number of trained Customs and Border Patrol agents stationed along the international border between the United States and Mexico border by 6,000, compared to the number of agents at such locations as of the date of the enactment of this Act to increase security and expedite cross border trade. The Secretary shall make progress in increasing such number of trained Customs and Border Patrol agents during each of the years 2010 through 2015.

(2) OFFSETTING RESCISSION.—On the date of the enactment of this Act, the unobligated balance of each amount appropriated or made available under division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 116), other than under title X of such division, is hereby rescinded pro rata such that the aggregate amount of such rescissions equals $1,200,000,000.

(b) OPERATION STREAMLINE.—

(1) APPROPRIATION OF FUNDS.—To fully fund multi-agency law enforcement initiatives that address illegal crossings of the Southwest border, including those in the Tucson Sector, as authorized under title II of division B and title III of division C of the Consolidated Appropriations Act, 2010 (Public Law 111–117; 123 Stat. 3034), $200,000,000 for fiscal year 2011, of which—

(A) $155,000,000 shall be available for the Department of Justice for—

(i) hiring additional Deputy United States Marshals;

(ii) constructing additional permanent and temporary detention space; and

(iii) other established and related needs of the Secretary of Homeland Security and the Attorney General; and

(B) $45,000,000 shall be available for the Judiciary for—

(i) courthouse renovation;

(ii) administrative support, including hiring additional clerks for each District to process additional criminal cases; and

(iii) hiring additional judges.

(2) OFFSETTING RESCISSION.—On the date of the enactment of this Act, the unobligated balance of each amount appropriated or made available under division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 116), other than under title X of such division, is hereby rescinded pro rata such that the aggregate amount of such rescissions equals $200,000,000.

SA 4553. Mrs. LINCOLN (for herself and Mr. GRASSLEY) submitted an amendment intended to be proposed by her to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

At the end of part IV of subtitle A of title II, insert the following:

SEC. _____. INCREASE IN LIMITATION FOR ALTERNATIVE TAX LIABILITY FOR SMALL PROPERTY AND CASUALTY INSURANCE COMPANIES.

(a) IN GENERAL.—Clause (i) of section 831(b)(2)(A) of the Internal Revenue Code of 1986 is amended to read as follows:

''(i) the net written premiums (or, if greater, direct written premiums) for the taxable year do not exceed $2,025,000, and''.

(b) INFLATION ADJUSTMENT.—Paragraph (2) of section 831(b) of such Code is amended by adding at the end the following new subparagraph:

''(C) INFLATION ADJUSTMENT.—In the case of any taxable year beginning in a calendar year after 2010, the dollar amount set forth in subparagraph (A) shall be increased by an amount equal to—

''(i) such dollar amount, multiplied by

''(ii) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year by substituting 'calendar year 2009' for 'calendar year 1992' in subparagraph (B) thereof.

If the amount as adjusted under the preceding sentence is not a multiple of $1,000, such amount shall be rounded to the next lowest multiple of $1,000.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 4554. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

SEC. 4___. ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS.

In chapter 2 of title I of the Act entitled ''An Act making supplemental appropriations for the fiscal year ending September 30, 2010, and for other purposes'', strike the matter under the heading ''ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS'' under the heading ''ECONOMIC DEVELOPMENT ADMINISTRATION'' under the heading ''DEPARTMENT OF COMMERCE'' and insert the following:

''Pursuant to section 703 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3233), for an additional amount for ''`Economic Development Assistance Programs''', for necessary expenses relating to disaster relief, long-term recovery, and restoration of infrastructure in areas affected by flooding for which the President declared a major disaster during the period beginning on March 29, 2010, and ending on May 7, 2010, which included individual assistance for an entire State or not fewer than 45 counties within a State under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.), $49,000,000, to remain available until expended: *Provided*, That not more than 50 percent of the amount provided under this heading shall be allocated to any State.''.

SA 4555. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

On page 130, after line 25, insert the following:

SEC. 1705. COMMUNITY DEVELOPMENT FUNDS.

Chapter 11 of title I of the Supplemental Appropriations Act, 2010, is amended by striking the heading ''Community Development Fund'' and all the matter that follows through the ninth proviso under such heading and inserting the following:

''COMMUNITY DEVELOPMENT FUND

''For an additional amount for the 'Community Development Fund', for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure, housing, and economic revitalization in areas affected by flooding for which the President declared a major disaster between March 29, 2010, and May 7, 2010, which included Individual Assistance for an entire State or not fewer than 45 counties within a State under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1974, $100,000,000, to remain available until expended, for activities authorized under title I of the Housing and Community Development Act of 1974 (Public Law 93–383): *Provided*, That funds shall be awarded directly to the State or unit of general local government at the discretion of the Secretary: *Provided further*, That prior to the obligation of funds a grantee shall submit a plan to the Secretary detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure: *Provided further*, That funds provided under this heading may be used by a State or locality as a matching requirement, share, or contribution for any other Federal program: *Provided further*, That such funds may not be used for activities reimbursable by, or for which funds are made available by, the Federal Emergency Management Agency or the Army Corps of Engineers: *Provided further*, That funds allocated under this heading shall not adversely affect the amount of any formula assistance received by a State or subdivision thereof under the Community Development Fund: *Provided further*, That a State or subdivision thereof may use up to 5 percent of its allocation for administrative costs: *Provided further*, That in administering the funds under this heading, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the

obligation by the Secretary or the use by the recipient of these funds or guarantees (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), upon a request by a State or subdivision thereof explaining why such waiver is required to facilitate the use of such funds or guarantees, if the Secretary finds that such waiver would not be inconsistent with the overall purpose of title I of the Housing and Community Development Act of 1974: *Provided further*, That the Secretary shall publish in the Federal Register any waiver of any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than 5 days before the effective date of such waiver: *Provided further*, That the Secretary shall obligate to a State or subdivision thereof not less than 50 percent of the funding provided under this heading within 90 days after the enactment of this Act: *Provided further*, That not more than 50 percent of the funding provided under this heading shall be allocated to any State (including units of general local government).''.

SA 4556. Mr. ROCKEFELLER (for himself and Mr. GOODWIN) submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

On page 284, between lines 9 and 10, insert the following:

PART IV—COAL ACCOUNTABILITY AND RETIRED EMPLOYEES

SEC. 4271. AMENDMENT OF SURFACE MINING CONTROL AND RECLAMATION ACT OF 1977.

Section 402(i)(2) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(i)(2)) is amended—

(1) by striking ''Subject to'' and inserting the following:

''(A) IN GENERAL.—Subject to'';

(2) by adding at the end the following:

''(B) EXCESS AMOUNTS.—

''(i) IN GENERAL.—Subject to paragraph (3), and after all transfers referred to in paragraph (1) and subparagraph (A) of this paragraph have been made, any amounts remaining after the application of paragraph (3)(A) (without regard to this subparagraph) shall be transferred to the trustees of the 1974 UMWA Pension Plan and used solely to pay pension benefits required under such plan.

''(ii) 1974 UMWA PENSION PLAN.—In this subparagraph, the term '1974 UMWA Pension Plan' means a pension plan referred to in section 9701(a)(3) of the Internal Revenue Code of 1986 but without regard to whether participation in such plan is limited to individuals who retired in 1976 and thereafter.''.

SA 4557. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

On page 214, between lines 3 and 4, insert the following:

(v) If the eligible institution notifies the Secretary in the application for a capital investment under the Program that the eligible institution elects to have such loans included as small business lending by the eligible institution, construction, land development, and other land loans.

SA 4558. Mrs. HUTCHISON (for herself, Mr. GRAHAM, and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

At the end of subtitle B, add the following:

PART _____—TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

SEC. 4_____. TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM.

(a) FUNDING.—The matter under the heading ''TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM'' of title III of division C of the Omnibus Appropriations Act, 2009 (Public Law 111–8; 123 Stat. 619) is amended, in the matter preceding the first proviso—

(1) by striking ''$47,000,000,000'' and inserting ''$56,000,000,000''; and

(2) by striking ''$18,500,000,000'' and inserting ''$27,500,000,000''.

(b) USE OF STIMULUS FUNDS TO OFFSET SPENDING.—

(1) IN GENERAL.—The unobligated balance of each amount appropriated or made available under the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 115) (other than under title X of division A of that Act) is rescinded, on a pro rata basis, by an aggregate amount that equals the amounts necessary to offset any net increase in spending or foregone revenues resulting from this section and the amendments made by this section.

(2) REPORT.—The Director of the Office of Management and Budget shall submit to each congressional committee the amounts rescinded under paragraph (1) that are within the jurisdiction of the committee.

SA 4559. Mr. HATCH (for himself and Mr. BROWN of Massachusetts) submitted an amendment intended to be proposed to amendment SA 4519 proposed by Mr. REID (for himself, Mr. BAUCUS, and Ms. LANDRIEU) to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II, insert the following:

PART V—OTHER PROVISIONS

SEC. _____. RESEARCH CREDIT.

(a) IN GENERAL.—Subparagraph (B) of section 41(h)(1) of the Internal Revenue Code of 1986 is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(b) CONFORMING AMENDMENT.—Subparagraph (D) of section 45C(b)(1) of such Code is amended by striking ''December 31, 2009'' and inserting ''December 31, 2010''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred after December 31, 2009.

SA 4560. Ms. MIKULSKI submitted an amendment intended to be proposed by her to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC.__. There is appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2010, for an additional amount for ''Salaries and Expenses'' of the United States Patent and Trademark Office, $129,000,000, to remain available until expended: *Provided*, That the sum herein appropriated from the general fund shall be reduced as offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376 are received during fiscal year 2010, so as to result in a fiscal year 2010 appropriation from the general fund estimated at $0: *Provided further*, That during fiscal year 2010, should the total amount of offsetting fee collections be less than $2,016,000,000, this amount shall be reduced accordingly: *Provided further*, That any amount received in excess of $2,016,000,000 in fiscal year 2010, in an amount up to $150,000,000, shall remain available until expended: *Provided further*, That $129,000,000 in prior year unobligated balances available to ''Periodic Censuses and Programs'' of the Bureau of the Census, Department of Commerce, are hereby rescinded.

SA 4561. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 5297, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE _____

BORDER SECURITY

CHAPTER 1

DEPARTMENT OF HOMELAND SECURITY

U.S. CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $253,900,000, to remain available until September 30, 2011, of which $39,000,000 shall be for costs to maintain U.S. Customs and Border Protection Officer staffing on the Southwest Border of the United States, $29,000,000 shall be for hiring additional U.S. Customs and Border Protection Officers for deployment at ports of entry on the Southwest Border of the United States, $175,900,000 shall be for hiring additional Border Patrol agents for deployment to the Southwest Border of the United States, and $10,000,000 shall be to support integrity and background investigation programs.

BORDER SECURITY FENCING, INFRASTRUCTURE, AND TECHNOLOGY

For an additional amount for ''Border Security Fencing, Infrastructure, and Technology,'' $14,000,000, to remain available until September 30, 2011, for costs of designing, building, and deploying tactical communications for support of enforcement activities on the Southwest Border of the United States.

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

For an additional amount for ''Air and Marine Interdiction, Operations, Maintenance, and Procurement'', $32,000,000, to remain available until September 30, 2012, for costs of acquisition and deployment of unmanned aircraft systems.

CONSTRUCTION AND FACILITIES MANAGEMENT

For an additional amount for ''Construction and Facilities Management'', $6,000,000, to remain available until September 30, 2011, for costs to construct up to two forward operating bases for use by the Border Patrol to carry out enforcement activities on the Southwest Border of the United States.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For an additional amount for 'Salaries and Expenses', $80,000,000, to remain available until September 30, 2011, of which $30,000,000 shall be for law enforcement activities targeted at reducing the threat of violence along the Southwest Border of the United States and $50,000,000 shall be for hiring of additional agents, investigators, intelligence analysts, and support personnel.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $8,100,000, to remain available until September 30, 2011, for costs to provide basic training for new U.S. Customs and Border Protection Officers, Border Patrol agents, and U.S. Immigration and Customs Enforcement personnel.

(RESCISSION)

SEC. ___101. From unobligated balances of prior year appropriations made available to ''U.S. Customs and Border Protection—Border Security Fencing, Infrastructure, and Technology'', $100,000,000 are rescinded: *Provided*, That section ___01 of chapter 4 of this title shall not apply to the amount in this section.

CHAPTER 2

SEC. ___201. For an additional amount for the Department of Justice for necessary expenses for increased law enforcement activities related to Southwest border enforcement, $196,000,000, to remain available until September 30, 2011: *Provided*, That funds shall be distributed to the following accounts and in the following specified amounts:

(1) ''Administrative Review and Appeals'', $2,118,000;

(2) ''Detention Trustee'', $7,000,000;

(3) ''Legal Activities, Salaries and Expenses, General Legal Activities'', $3,862,000;

(4) ''Legal Activities, Salaries and Expenses, United States Attorneys'', $9,198,000;

(5) ''United States Marshals Service, Salaries and Expenses'', $29,651,000;

(6) ''United States Marshals Service, Construction'', $8,000,000;

(7) ''Interagency Law Enforcement, Interagency Crime and Drug Enforcement'', $21,000,000;

(8) ''Federal Bureau of Investigation, Salaries and Expenses'', $24,000,000;

(9) ''Drug Enforcement Administration, Salaries and Expenses'', $33,671,000;

(10) ''Bureau of Alcohol, Tobacco, Firearms and Explosives, Salaries and Expenses'', $37,500,000; and

(11) ''Federal Prison System, Salaries and Expenses'', $20,000,000.

CHAPTER 3

THE JUDICIARY

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Salaries and Expenses'', $10,000,000, to remain available until September 30, 2011: *Provided,* That notwithstanding section 302 of division C of Public Law 111–117, funding shall be available for transfer between Judiciary accounts to meet increased workload requirements resulting from immigration and other law enforcement initiatives.

CHAPTER 4

GENERAL PROVISION

SEC. ___01. Each amount in this title is designated as an emergency requirement and necessary to meet emergency needs pursuant to sections 403(a) and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that the hearing scheduled before the Senate Subcommittee on Energy has been postponed. The hearing was to be held on Tuesday, August 3, 2010, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of this hearing is to examine the role of strategic minerals in clean energy technologies and other applications as well as legislation to address the issue, including S. 3521 the ''Rare Earths Supply Technology and Resources Transformation Act of 2010''.

For further information, please contact Allyson Anderson or Rosemarie Calabro.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING AND URBAN AFFAIRS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Banking, Housing and Urban Affairs be authorized to meet during the session of the Senate on July 28, 2010, at 2:30 p.m.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on July 28, 2010, at 2:30 p.m. in room 406 of the Dirksen Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 28, 2010, at 10 a.m.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. UDALL of Colorado. 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 on July 28, 2010.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 28, 2010, at 10 a.m.

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

COMMITTEE ON THE JUDICIARY

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on July 28, 2010, at 10 a.m., in room SD–226 of the Dirksen Senate Office building, to conduct a hearing entitled ''Oversight of the Federal Bureau of Investigation.''

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

COMMITTEE ON THE JUDICIARY

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on July 28, 2010, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Nominations.''

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. UDALL of Colorado. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on July 28, 2010, at 10:30 a.m., to conduct a hearing entitled ''Examining the Filibuster: Legislative Proposals to Change Senate Procedures.''