

Jobs Fund; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FEINGOLD:

S. 3769. A bill to amend the Elementary and Secondary Education Act of 1965 to promote family and community engagement in school improvement; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FEINGOLD (for himself and Mr. LEAHY):

S. 3770. A bill to amend the Elementary and Secondary Education Act of 1965 to improve elementary and secondary education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FEINGOLD (for himself and Mr. LEAHY):

S. 3771. A bill to amend the Elementary and Secondary Education Act of 1965 to provide competitive grants for creating and implementing innovative assessments; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for himself, Mrs. BOXER, Ms. CANTWELL, Mr. DODD, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. HARKIN, Ms. KLOBUCHAR, Ms. LANDRIEU, Mrs. MCCASKILL, Ms. MIKULSKI, Mrs. MURRAY, Mrs. SHAHEEN, and Ms. STABENOW):

S. 3772. A bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes; read the first time.

By Mr. MCCONNELL (for himself, Mr. GRASSLEY, Mr. KYL, Mr. MCCAIN, Mr. COCHRAN, Mr. GRAHAM, Mr. ROBERTS, Mr. CORNYN, Mr. INHOFE, Mr. ENSIGN, Mr. ISAKSON, Mr. BROWNBACK, Mr. ENZI, Mr. CRAPO, Mr. BURR, Mr. VITTER, Mr. WICKER, Mr. CHAMBLISS, Mr. BOND, Mrs. HUTCHISON, and Mr. HATCH):

S. 3773. A bill to permanently extend the 2001 and 2003 tax relief provisions and to provide permanent AMT relief and estate tax relief, and for other purposes; read the first time.

#### ADDITIONAL COSPONSORS

S. 362

At the request of Mr. ROCKEFELLER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 362, a bill to amend title 38, United States Code, to improve the collective bargaining rights and procedures for review of adverse actions of certain employees of the Department of Veterans Affairs, and for other purposes.

S. 510

At the request of Mr. DURBIN, the names of the Senator from Delaware (Mr. KAUFMAN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 510, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of the food supply.

S. 515

At the request of Mr. LEAHY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 515, a bill to amend title 35, United States Code, to provide for patent reform.

S. 850

At the request of Mr. KERRY, the name of the Senator from Connecticut

(Mr. DODD) was added as a cosponsor of S. 850, a bill to amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks.

S. 984

At the request of Mrs. BOXER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 984, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 1203

At the request of Mr. BAUCUS, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1203, a bill to amend the Internal Revenue Code of 1986 to extend the research credit through 2010 and to increase and make permanent the alternative simplified research credit, and for other purposes.

S. 1235

At the request of Ms. LANDRIEU, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1235, a bill to amend the Public Health Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a minor child's congenital or developmental deformity or disorder due to trauma, infection, tumor, or disease.

S. 1348

At the request of Mr. CHAMBLISS, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1348, a bill to recognize the heritage of hunting and provide opportunities for continued hunting on Federal public land.

S. 1501

At the request of Mrs. MURRAY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1501, a bill to provide a Federal tax exemption for forest conservation bonds, and for other purposes.

S. 1553

At the request of Mr. GRASSLEY, the names of the Senator from Illinois (Mr. BURRIS) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 1553, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Future Farmers of America Organization and the 85th anniversary of the founding of the National Future Farmers of America Organization.

S. 1617

At the request of Mr. BROWN of Ohio, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1617, a bill to require the Secretary of Commerce to establish a program for the award of grants to States to establish revolving loan

funds for small and medium-sized manufacturers to improve energy efficiency and produce clean energy technology, and for other purposes.

S. 1703

At the request of Mr. DORGAN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1703, a bill to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes.

S. 1709

At the request of Ms. STABENOW, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 1709, a bill to amend the National Agricultural Research, Extension, and Teaching Policy Act of 1977 to establish a grant program to promote efforts to develop, implement, and sustain veterinary services, and for other purposes.

S. 2827

At the request of Mr. SCHUMER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2827, a bill to amend the Internal Revenue Code of 1986 to expand the military housing allowance exclusion for purposes of determining area gross income in determining whether a residential rental property for purposes of the exempt facility bond rules.

S. 2882

At the request of Mr. KERRY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2882, a bill to amend the Internal Revenue Code of 1986 to modify the rules relating to the treatment of individuals as independent contractors or employees, and for other purposes.

S. 2888

At the request of Mr. CARDIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2888, a bill to amend section 205 of title 18, United States Code, to exempt qualifying law school students participating in legal clinics from the application of the general conflict of interest rules under such section.

S. 2925

At the request of Mr. WYDEN, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 2925, a bill to establish a grant program to benefit victims of sex trafficking, and for other purposes.

S. 3036

At the request of Mr. BAYH, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 3036, a bill to establish the Office of the National Alzheimer's Project.

S. 3257

At the request of Mr. ENZI, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Arkansas (Mrs. LINCOLN) were added as cosponsors of S. 3257, a bill to authorize

the Department of Labor's voluntary protection program and to expand the program to include more small businesses.

S. 3320

At the request of Mr. WHITEHOUSE, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 3320, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 3328

At the request of Mrs. LINCOLN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 3328, a bill to examine and improve the child welfare workforce, and for other purposes.

S. 3339

At the request of Mr. KERRY, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Vermont (Mr. SANDERS) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 3339, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 3345

At the request of Mr. WHITEHOUSE, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 3345, a bill to amend title 46, United States Code, to remove the cap on punitive damages established by the Supreme Court in *Exxon Shipping Company v. Baker*.

S. 3398

At the request of Mr. BAUCUS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 3398, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans.

S. 3409

At the request of Mr. THUNE, his name was added as a cosponsor of S. 3409, a bill to make certain adjustments to the price analysis of propane prepared by the Secretary of Commerce.

S. 3424

At the request of Mr. DURBIN, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 3424, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 3437

At the request of Mrs. LINCOLN, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 3437, a bill to amend the Child Abuse Prevention and Treatment Act to establish grant programs for the development and implementation of model undergraduate and graduate curricula on child abuse and neglect at institutions of higher education throughout the United States and to assist States in developing forensic interview

training programs, to establish regional training centers and other resources for State and local child protection professionals, and for other purposes.

S. 3447

At the request of Mr. AKAKA, the names of the Senator from Maine (Ms. SNOWE), the Senator from Oregon (Mr. MERKLEY), the Senator from Montana (Mr. TESTER), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Missouri (Mrs. McCASKILL) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 3447, a bill to amend title 38, United States Code, to improve educational assistance for veterans who served in the Armed Forces after September 11, 2001, and for other purposes.

S. 3466

At the request of Mr. LEAHY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 3466, a bill to require restitution for victims of criminal violations of the Federal Water Pollution Control Act, and for other purposes.

S. 3474

At the request of Mr. FEINGOLD, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 3474, a bill to provide an optional fast-track procedure the President may use when submitting re-consideration requests, and for other purposes.

S. 3479

At the request of Mrs. HAGAN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 3479, a bill to authorize the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, to establish and implement a birth defects prevention, risk reduction, and public awareness program.

S. 3560

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 3560, a bill to instruct the Secretary of State to designate the Pakistani Taliban as a foreign terrorist organization.

S. 3572

At the request of Mrs. LINCOLN, the names of the Senator from Oregon (Mr. MERKLEY), the Senator from Delaware (Mr. KAUFMAN) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 3572, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first law enforcement agency, the United States Marshals Service.

S. 3578

At the request of Mr. JOHANNES, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 3578, a bill to repeal the expansion of information reporting requirements for payments of \$600 or more to corporations, and for other purposes.

S. 3621

At the request of Mr. JOHNSON, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 3621, a bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs.

S. 3653

At the request of Mr. CORNYN, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 3653, a bill to remove unelected, unaccountable bureaucrats from seniors' personal health decisions by repealing the Independent Payment Advisory Board.

S. 3719

At the request of Mrs. LINCOLN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 3719, a bill to establish a grant program for first responder agencies that experience an extraordinary financial burden resulting from the deployment of employees.

S. 3744

At the request of Mrs. BOXER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 3744, a bill to establish Pinnacles National Park in the State of California as a unit of the National Park System, and for other purposes.

S. 3751

At the request of Mr. HATCH, the names of the Senator from North Carolina (Mrs. HAGAN) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 3751, a bill to amend the Stem Cell Therapeutic and Research Act of 2005.

S. CON. RES. 39

At the request of Mr. MENENDEZ, the names of the Senator from Illinois (Mr. BURRIS) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. Con. Res. 39, a concurrent resolution expressing the sense of the Congress that stable and affordable housing is an essential component of an effective strategy for the prevention, treatment, and care of human immunodeficiency virus, and that the United States should make a commitment to providing adequate funding for the development of housing as a response to the acquired immunodeficiency syndrome pandemic.

S. CON. RES. 63

At the request of Mr. JOHNSON, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. Con. Res. 63, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

S. RES. 586

At the request of Mr. FEINGOLD, the names of the Senator from Ohio (Mr. BROWN) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. Res. 586, a resolution

supporting democracy, human rights, and civil liberties in Egypt.

AMENDMENT NO. 4596

At the request of Mr. JOHANNES, the names of the Senator from Arkansas (Mrs. LINCOLN), the Senator from Wyoming (Mr. BARRASSO), the Senator from Kansas (Mr. ROBERTS), the Senator from Wyoming (Mr. ENZI), the Senator from North Carolina (Mr. BURR), the Senator from South Carolina (Mr. GRAHAM), the Senator from South Dakota (Mr. THUNE) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of amendment No. 4596 proposed to H.R. 5297, an act to create the Small Business Lending Fund Program to direct the Secretary of the Treasury to make capital investments in eligible institutions in order to increase the availability of credit for small businesses, to amend the Internal Revenue Code of 1986 to provide tax incentives for small business job creation, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SPECTER (for himself, Mrs. BOXER, and Mrs. FEINSTEIN):

S. 3766. A bill to amend the Public Health Service Act to provide for human stem cell research, including human embryonic stem cell research, and for other purposes, to the Committee on Health, Education, Labor, and Pensions.

Mr. SPECTER. Mr. President, I have sought recognition to introduce the Stem Cell Research Advancement Act of 2010 on behalf of Senator BOXER, Senator FEINSTEIN, and myself.

Some 21 days ago, in the United States District Court for the District of Columbia, in an opinion by Chief Judge Lamberth, the expenditures made by the National Institutes of Health for embryonic stem cell research under an Executive order issued by President Obama on March 9, 2009, was overturned under a declaration that the Executive order violated the Dickey-Wicker amendment enacted by Congress.

Even though on its face it is pretty clear-cut that the embryonic stem cell research was not precluded by that amendment, that has had the effect of tying up very important ongoing research. For example, some \$546 million has already been spent on human embryonic stem cell research and some very noteworthy progress has been made. For example, the Food and Drug Administration has approved a clinical trial for patients with spinal cord injury, and human embryonic stem cell research has been successfully used to develop new therapeutic drugs for a number of diseases including amyotrophic lateral sclerosis and muscular dystrophy, and those are just a couple of the illustrations.

The Court of Appeals for the District of Columbia has stayed the lower court's order until September 20, but

there is very substantial doubt as what the future will be. Meanwhile, although the district court order has been stayed, there is great uncertainty in the research community as to what will happen. This research is vital for moving against the maladies of our society.

The background on this issue is that in November of 1998, the disclosure was made about the potential for embryonic stem cell research. At the time I chaired the appropriations subcommittee which funded Health and Human Services. It seemed to me that was a tremendous opportunity and I scheduled a hearing within a few days, held on December 2 of 1998. Since that time, there have been some 20 hearings.

As we all know, the funding for the National Institutes of Health has had a tremendous increase. When I joined the committee after my election in 1980, the funding was \$3.6 billion. When I became chairman of the committee in the mid-1990s, the funding was \$12 billion. With the concurrence of the then-ranking member, Senator HARKIN, we took the lead in increasing funding from some \$12 billion to \$30 billion. Regrettably, with budget constraints, the funding did not keep pace, starting in the year 2003. But in the stimulus package there was an additional \$10 billion added which has reawakened a whole generation of research scientists, with that \$10 billion providing funding for some 15,000 grants.

The results for health have been really overwhelming. Here are a few illustrations. In the 1950s, cardiovascular disease caused half of the United States deaths. Today, the rate for coronary heart disease is more than 60 percent lower. Over the past 25 years, the 5-year survival rate for prostate cancer has increased from 69 percent to almost 99 percent for diagnosed patients. For childhood cancers, the 5-year survival rate has improved markedly over the past 3 decades, from less than 50 percent before the 1970s to 80 percent today. Those are only illustrative statistics. The opportunities for embryonic stem cell research are overwhelming.

The Specter-Harkin bill was passed by the Senate in 2006 by a vote of 63 to 37, a very healthy margin for an issue which has raised some controversy. The House of Representatives passed the legislation but regrettably President Bush vetoed it in 2006, and the effort to override the veto in the House failed. There was a vote of 235 to 193, short of the two-thirds necessary to override the veto. But that shows enormous Congressional support.

Then President Obama issued the Executive order that Federal funds could be used on embryonic stem cell research on lines where the embryo had been donated. This is in line with the policy adopted by President Bush in August of 2001, when he allowed the use of quite a number of stem cell lines where the embryos had been donated. Later it was found there were only 21

lines, and those were insufficient, which has led to the effort for legislation and then led to President Obama's Executive order. The fact is, there are some 400,000 of these embryos which are frozen and which will ultimately be discarded. So it is use them for medical research to save lives or throw them away. Some have contended that we are destroying lives but the reality is they will not be utilized.

In response to the issue as to whether there might be adoption of these embryos, the subcommittee took the lead in appropriating substantial funds, which is more than \$4 million a year, actually \$4.2 million, but relatively few people have come forward for its use on adopting the embryos to turn them into life. If these embryos could be turned into human life I would not under any circumstance advocate scientific research on these embryos—if they could produce life. But they cannot. The facts are plain. The adoption line has been in effect now since 2002. Only a few hundred have been adopted. President Bush invited the “snowflake” children to the White House during his tenure, about 150 of them.

Now we have a situation where the court has intervened, even though more than a year and a half had elapsed since President Obama issued the Executive order, a clear indication of congressional intent not to deal with it or not to overturn it. I think it is a fair legal analysis that the order issued by the district court is not a sound order. Some indication of that is found in the fact that the circuit court stayed the order—not conclusive, but when they stay an order it looks as though they are not favorably inclined toward it. But who knows what the circuit court will do? Who knows what the Supreme Court of the United States, with their ideological bent, would do? This has become a theological issue in part, very emotional, with people arguing that it is akin to abortion. Of course it is nowhere near that kind.

It seems to me Congress ought to act. That is why on the first order of business after we convened here this afternoon, our first day back and our first hour in the Senate session, I am introducing this legislation. I have discussed it with sponsors on the House side and I think we are in a position to move rapidly. Certainly the previous vote of 63 to 37 in 2006 shows substantial support in this body, and the 235-to-193 vote to override President Bush's veto shows the same in the House of Representatives. I hope my colleagues will join me in this effort so this important scientific research may be continued.

I ask unanimous consent that the full text of my printed statement be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE STEM CELL RESEARCH ADVANCEMENT ACT

Mr. SPECTER. Mr. President, I have sought recognition today to introduce the