

“(c)(1) Notwithstanding clauses (i) and (iii) of section 101(4)(A) of this title and except as provided in paragraph (2), for purposes of this section, a child who is eligible for benefits under subsection (a) shall remain eligible for benefits under this section until the child’s 26th birthday, regardless of the child’s marital status.

“(2) Before January 1, 2014, paragraph (1) shall not apply to a child who is eligible to enroll in an eligible employer-sponsored plan (as defined in section 5000A(f)(2) of the Internal Revenue Code of 1986).

“(3) This subsection shall not be construed to limit eligibility for coverage of a child described in section 101(4)(A)(ii) of this title.”.

(b) EFFECTIVE DATE.—Such subsection, as so amended, shall apply with respect to medical care provided on or after the date of the enactment of this Act.

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#### SUBMITTED RESOLUTIONS

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#### SENATE RESOLUTION 626—ACKNOWLEDGING AND CONGRATULATING MIAMI DADE COLLEGE ON THE OCCASION OF ITS 50TH ANNIVERSARY OF SERVICE TO THE STUDENTS AND RESIDENTS OF THE STATE OF FLORIDA

Mr. NELSON of Florida (for himself and Mr. LEMIEUX) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 626

Whereas Miami Dade College opened its doors in 1960 as an institution of higher education for the residents of Miami-Dade County, Florida;

Whereas Miami Dade College became the first integrated junior college in the State of Florida, leading the way for other institutions to adopt policies of offering a higher education to persons of all races and ethnicities;

Whereas Miami Dade College has 1 of the most diverse student populations in the United States, with students from 178 countries, speaking 86 languages;

Whereas Miami Dade College has the largest enrollment of any institution of higher education in the United States, welcoming nearly 170,000 students annually;

Whereas Miami Dade College offers more than 300 major areas of study, providing educational and workforce opportunities for students seeking associate and bachelor degrees, as well as short-term certifications in critical areas of study;

Whereas Miami Dade College provides an affordable, comprehensive higher education to individuals of all incomes and backgrounds;

Whereas 52 percent of the students attending Miami Dade College are the first in their families to attend college;

Whereas 55 percent of the students attending Miami Dade College receive Pell Grants;

Whereas Miami Dade College ranks first in the United States in the amount of Pell Grant funds awarded to public institutions of higher education;

Whereas Miami Dade College is 1 of only 40 community colleges nationwide to be named to the President’s Higher Education Community Service Honor Roll;

Whereas Miami Dade College is a leader in cultural programming;

Whereas the Miami International Book Fair, which is sponsored by Miami Dade College, is the largest literary event in the United States;

Whereas the Miami International Film Festival, which is sponsored by Miami Dade College, is world-renowned;

Whereas Miami Dade College is the home of the Freedom Tower, a National Historic Landmark;

Whereas Miami Dade College adheres to the guiding principle of the College to change lives through the opportunity of education; and

Whereas 2010 marks the 50th anniversary of the establishment of Miami Dade College; Now, therefore, be it

Resolved, That the Senate acknowledges and congratulates Miami Dade College on the occasion of its 50th anniversary of academic excellence and service to the residents of the State of Florida.

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#### SENATE RESOLUTION 627—DESIGNATING SEPTEMBER 16, 2010, AS “THE AMERICAN LEGION DAY”

Ms. SNOWE (for herself, Ms. COLLINS, Mr. CHAMBLISS, Mrs. LINCOLN, and Mr. BURR) submitted the following resolution; which was considered and agreed to:

S. RES. 627

Whereas, on September 16, 1919, Congress issued to the American Legion a Federal charter as a wartime veterans service organization;

Whereas the American Legion remains active in communities at the national, State, and local levels;

Whereas members of the American Legion (commonly referred to as “Legionnaires”) provide millions of hours of volunteer service to medical facilities of the Department of Veterans Affairs and State homes for veterans throughout the United States;

Whereas the American Legion continues to sponsor activities for children and youth, including the National Oratorical Contest, Boy Scouts, American Legion Baseball, Boys State, and Boys Nation;

Whereas the American Legion awards millions of dollars in college scholarships to young men and women;

Whereas the American Legion National Emergency Fund provides financial assistance to Legionnaires displaced by natural disasters;

Whereas the American Legion Family Support Network provides assistance to members of the Armed Forces of the United States and their families;

Whereas the American Legion Child Welfare Foundation has provided millions of dollars to programs focused on youth in the United States, including the Special Olympics and the Children’s Miracle Network;

Whereas the American Legion Temporary Financial Assistance provides grants to veterans with children experiencing financial hardships;

Whereas the American Legion remains second to none in steadfast support of strong national defense;

Whereas the American Legion supports maintaining a viable and principled foreign relations agenda;

Whereas the American Legion is a staunch advocate for the principal missions of the Department of Veterans Affairs;

Whereas the American Legion wrote the original draft of the Servicemen’s Readjustment Act of 1944 (58 Stat. 284, chapter 268), commonly referred to as the “G. I. Bill of Rights”;

Whereas the American Legion continues to support employment programs and opportunities for veterans; and

Whereas Legionnaires believe that a veteran’s service to the United States continues

long after the veteran is honorably discharged from the Armed Forces of the United States: Now, therefore, be it

Resolved, That the Senate designates September 16, 2010, as “The American Legion Day”.

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#### SENATE RESOLUTION 628—RECOGNIZING THE 10TH ANNIVERSARY OF THE NATIONAL BOOK FESTIVAL

Mr. SCHUMER (for himself and Mr. BENNETT) submitted the following resolution; which was considered and agreed to:

S. RES. 628

Whereas the National Book Festival is a great national treasure that fosters the joy of reading;

Whereas the first National Book Festival held on September 8, 2001, was organized and sponsored by the Library of Congress and hosted by First Lady Laura Bush;

Whereas the first National Book Festival, held on the grounds of the Library of Congress and the United States Capitol, was such a success that it has become an annual event;

Whereas the National Book Festival has grown in popularity, in recent years bringing over 130,000 book lovers to the National Mall;

Whereas, each year, the National Book Festival has featured more than 70 award-winning and nationally known authors, illustrators, poets, and storytellers;

Whereas the National Book Festival invites readers from around the United States to celebrate books, reading, and creativity;

Whereas the National Book Festival convenes the “Pavilion of the States” which includes representatives from all 50 States, the District of Columbia, and the territories and possessions of the United States who discuss and distribute materials about their respective reading and literacy promotion programs;

Whereas this year the Festival has reached a milestone for both the Library of Congress and the Nation; and

Whereas the 10th National Book Festival will be held on September 25, 2010, on the National Mall, and supported by Honorary Co-Chairs President Barack Obama and First Lady Michelle Obama: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and emphasizes the important historic and ongoing role of the National Book Festival; and

(2) encourages the celebration of “A Decade of Words and Wonder” on Saturday, September, 25, 2010.

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#### SENATE RESOLUTION 629—RECOGNIZING HISPANIC HERITAGE MONTH AND CELEBRATING THE HERITAGE AND CULTURE OF LATINOS IN THE UNITED STATES AND THEIR IMMENSE CONTRIBUTIONS TO THE NATION

Mr. MENENDEZ (for himself, Mr. CORNYN, Mr. REID, Mr. WHITEHOUSE, Mrs. MURRAY, Mr. SCHUMER, Mr. BINGAMAN, Ms. MIKULSKI, Mr. CARDIN, Mrs. BOXER, Mrs. GILLIBRAND, Mr. MERKLEY, Mr. BURRIS, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. BENNET, Mr. UDALL of Colorado, Mr. INOUYE, Mr. LAUTENBERG, Mr. UDALL of New Mexico, Mr. CASEY, Mr. LEMIEUX, Mr. NELSON of Florida, Mrs. HUTCHISON, Mr. WYDEN, Mr. CRAPO, Mr. MCCAIN, and Mr. LUGAR) submitted the

following resolution; which was considered and agreed to.

S. RES. 629

Whereas, from September 15, 2010, through October 15, 2010, the United States celebrates Hispanic Heritage Month;

Whereas the Census Bureau estimates the Hispanic population in the United States at almost 47,800,000 people, making Hispanic Americans the largest ethnic minority within the United States;

Whereas 1 in 5 United States public school students is Hispanic, and the total number of Hispanic students enrolled in public schools in the United States is expected to reach 28,000,000 by 2050;

Whereas the purchasing power of Hispanic Americans is nearly \$1,000,000,000,000, and there are more than 2,300,000 Hispanic-owned firms in the United States, supporting millions of employees nationwide and greatly contributing to the economic sector, especially retail trade, wholesale trade, food services, and construction;

Whereas Hispanic Americans serve in all branches of the Armed Forces and have bravely fought in every war in the history of the United States;

Whereas more than 28,000 Hispanics currently serve with distinction in Afghanistan and Iraq;

Whereas 140,000 Hispanic soldiers served in the Korean War;

Whereas more than 80,000 Hispanics served in the Vietnam War, representing 5.5 percent of individuals who made the ultimate sacrifice for their country in that conflict although they comprised only 4.5 percent of the United States population at the time;

Whereas, as of August 7, 2010, 561 United States military fatalities in Iraq and Afghanistan have been Hispanic;

Whereas, as of September 30, 2009, there were approximately 1,332,033 Hispanic veterans of the Armed Forces;

Whereas 41 Hispanic Americans have received the Congressional Medal of Honor, the highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the United States Armed Forces;

Whereas Hispanic Americans are dedicated public servants, holding posts at the highest levels of government, including 1 seat on the Supreme Court, 1 seat in the Senate, 28 seats in the House of Representatives, and 2 seats in the Cabinet; and

Whereas Hispanic Americans harbor a deep commitment to family and community, an enduring work ethic, and a perseverance to succeed and contribute to society: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the celebration of Hispanic Heritage Month from September 15, 2010, through October 15, 2010;

(2) esteems the integral role of Latinos and their manifold heritage in the economy, culture, and identity of the United States; and

(3) urges the people of the United States to observe Hispanic Heritage Month with appropriate programs and activities that appreciate the cultural contributions of Latinos to American life.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 4618. Mr. NELSON of Florida (for himself and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the bill S. 3454, to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military

personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 4618.** Mr. NELSON of Florida (for himself and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the bill S. 3454, to authorize appropriations for fiscal year 2011 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

**SEC. 633. REPEAL OF REQUIREMENT OF REDUCTION OF SBP SURVIVOR ANNUITIES BY DEPENDENCY AND INDEMNITY COMPENSATION.**

(a) REPEAL.—

(1) IN GENERAL.—Subchapter II of chapter 73 of title 10, United States Code, is amended as follows:

(A) In section 1450, by striking subsection (c).

(B) In section 1451(c)—

(i) by striking paragraph (2); and

(ii) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(2) CONFORMING AMENDMENTS.—Such subchapter is further amended as follows:

(A) In section 1450—

(i) by striking subsection (e);

(ii) by striking subsection (k); and

(iii) by striking subsection (m).

(B) In section 1451(g)(1), by striking subparagraph (C).

(C) In section 1452—

(i) in subsection (f)(2), by striking “does not apply—” and all that follows and inserting “does not apply in the case of a deduction made through administrative error.”; and

(ii) by striking subsection (g).

(D) In section 1455(c), by striking “, 1450(k)(2),”.

(b) PROHIBITION ON RETROACTIVE BENEFITS.—No benefits may be paid to any person for any period before the effective date provided under subsection (f) by reason of the amendments made by subsection (a).

(c) PROHIBITION ON RECOUPMENT OF CERTAIN AMOUNTS PREVIOUSLY REFUNDED TO SBP RECIPIENTS.—A surviving spouse who is or has been in receipt of an annuity under the Survivor Benefit Plan under subchapter II of chapter 73 of title 10, United States Code, that is in effect before the effective date provided under subsection (f) and that is adjusted by reason of the amendments made by subsection (a) and who has received a refund of retired pay under section 1450(e) of title 10, United States Code, shall not be required to repay such refund to the United States.

(d) REPEAL OF AUTHORITY FOR OPTIONAL ANNUITY FOR DEPENDENT CHILDREN.—Section 1448(d) of such title is amended—

(1) in paragraph (1), by striking “Except as provided in paragraph (2)(B), the Secretary concerned” and inserting “The Secretary concerned”; and

(2) in paragraph (2)—

(A) by striking “DEPENDENT CHILDREN.” and all that follows through “In the case of a member described in paragraph (1),” and inserting “DEPENDENT CHILDREN ANNUITY WHEN NO ELIGIBLE SURVIVING SPOUSE.—In the case of a member described in paragraph (1),”; and

(B) by striking subparagraph (B).

(e) RESTORATION OF ELIGIBILITY FOR PREVIOUSLY ELIGIBLE SPOUSES.—The Secretary of the military department concerned shall restore annuity eligibility to any eligible surviving spouse who, in consultation with the Secretary, previously elected to transfer payment of such annuity to a surviving child or children under the provisions of section 1448(d)(2)(B) of title 10, United States Code, as in effect on the day before the effective date provided under subsection (f). Such eligibility shall be restored whether or not payment to such child or children subsequently was terminated due to loss of dependent status or death. For the purposes of this subsection, an eligible spouse includes a spouse who was previously eligible for payment of such annuity and is not remarried, or remarried after having attained age 55, or whose second or subsequent marriage has been terminated by death, divorce or annulment.

(f) EFFECTIVE DATE.—The sections and the amendments made by this section shall take effect on the later of—

(1) the first day of the first month that begins after the date of the enactment of this Act; or

(2) the first day of the fiscal year that begins in the calendar year in which this Act is enacted.

#### AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on September 16, 2010, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. DURBIN. 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 September 16, 2010, at 10 a.m. to conduct a hearing entitled “The Treasury Department’s Report on International Economic and Exchange Rate Policies.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on September 16, 2010, at 9:30 a.m.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. DURBIN. 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 September 16, 2010, at 3 p.m.

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

COMMITTEE ON THE JUDICIARY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on September 16, 2010, at 10 a.m. in