

recovering from these disasters—some from a disaster that devastated the gulf coast almost 5 years ago. We are now also dealing with the economic and environmental damage from the Deepwater Horizon disaster which occurred this April. For this reason, as chair of the Senate Committee on Small Business and Entrepreneurship ensuring effective Federal disaster coordination is one of my top priorities. While the gulf coast is prone to hurricanes, other parts of the country are no strangers to disaster. For example, the Midwest has tornadoes, California experiences earthquakes and wildfires, and the Northeast sees crippling snowstorms. So no part of our country is spared from disasters—disasters which can and will strike at any moment. With this in mind, we must ensure that the Federal Government is better prepared and has the tools necessary to respond quickly, effectively following a disaster.

In order to help ongoing recovery efforts in the gulf coast, and to give the U.S. Small Business Administration, SBA, more tools to respond after a future disaster, I am proud that the House of Representatives passed H.R. 5297, the Small Business Jobs Act of 2010. I have spoken at length on the Senate floor about the huge impact this legislation will have for small business owners. Today I also note that this legislation includes an important provision improving SBA disaster assistance. This provision builds off of SBA disaster reforms enacted in 2008 and ensures that small businesses in the aquaculture sector will not be left without disaster assistance following future disasters. In particular, the provision is section 1501 of H.R. 5297. I note that this provision is similar to section 205 of legislation I introduced last year, the Small Business Administration Disaster Recovery and Reform Act of 2009. This section amends the Small Business Act to make aquaculture businesses eligible for SBA economic injury disaster loans.

Currently, the SBA determines that aquaculture includes any industry where an individual farms aquatic organisms, farming means intervention in the rearing process to enhance production—regular stocking, feeding, protection from predators. These include farmers of: algae, alligators, frogs, turtles, seaweed, clams, crawfish, pearls, fish farms/hatcheries, mussels, and oysters. Under current provisions of the Small Business Act, SBA is prohibited from providing assistance to these industries as it was wrongly assumed that they would be covered by other Federal agencies. This is because, when Congress repealed SBA disaster assistance for agricultural businesses in the 1980s, they mistakenly assumed that all of these businesses, including aquaculture businesses, would be helped by the U.S. Department of Agriculture, USDA.

For example, oystermen who seed private grounds which they own or rent are engaged in aquaculture and are currently ineligible. Public ground oys-

termen, however, who do not have exclusive use of any area, do not farm and are eligible for SBA economic injury disaster loans. In Louisiana, our aquaculture businesses in the southern part of the State were hit hard by both Hurricane Katrina and Rita. These businesses, many crawfish farmers or those with fish farms, were ineligible for U.S. Department of Agriculture, USDA, disaster assistance, but were also ineligible for SBA disaster loans. We also learned that similar problems followed Hurricanes Gustav and Ike in 2008. A more recent example of the huge problem this causes is that the SBA is currently offering \$2 million economic injury disaster loans, EIDLs, to businesses impacted by the Deepwater Horizon disaster. Since the Small Business Act currently prohibits aquaculture businesses from receiving EIDLs, they were ineligible. However, no other Federal agency, including USDA was providing assistance for this disaster. So small businesses impacted by a disaster were told. We cannot help you, even though no other Federal agency was there to fill in the gap.

In closing, I believe that the commonsense fix sent to the President today will give these businesses they help they need to recover from future disasters. Businesses involved in the farming of the following stand to benefit greatly from this new legislation: algae, alligators, frogs, turtles, seaweed, clams, crawfish, pearls, fish farms/hatcheries, mussels, and oysters. I thank the chair and ask that my entire statement and a copy of this particular provision appear in the RECORD.

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

SEC. 1501. AQUACULTURE BUSINESS DISASTER ASSISTANCE.

Section 3 of the Small Business Act (15 U.S.C. 632), as amended by section 1343, is amended by adding at the end the following: “(z) AQUACULTURE BUSINESS DISASTER ASSISTANCE.—Subject to section 18(a) and notwithstanding section 18(b)(1), the Administrator may provide disaster assistance under section 7(b)(2) to aquaculture enterprises that are small businesses.”.

ADDITIONAL STATEMENTS

TRIBUTE TO PASTOR RUFUS BRADLEY, JR.

• Mr. LEVIN. Mr. President, I am pleased to pay tribute to a distinguished religious leader in Saginaw, MI, Pastor Rufus Bradley, Jr. Pastor Bradley will be honored at a banquet on September 25, 2010, by his church family. The banquet will celebrate his 30 years of ministry and his 23 years as Pastor of New Life Baptist Church Ministries.

Since accepting his call to the ministry, Pastor Bradley has persistently sought to encourage and enlighten his congregation, and through these efforts, has earned the respect and admiration of people throughout Michigan. His pastoral leadership and commitment to service is admirable, and The

New Life Baptist Church Ministries has flourished under his spiritual guidance. Through his stewardship and many community-based efforts such as the “Mission in the City Movement,” Pastor Bradley has provided much needed assistance to those most in need in the greater Saginaw community.

Before becoming pastor of New Life, Pastor Bradley studied theology under the tutelage of several well-known religious leaders. He also earned a bachelor's degree from the United Theological Seminary in Monroe, LA, and is a graduate of the Beeson Institute for Advanced Church Leadership. Pastor Bradley is a family man and is supported by his wife, Relinda Bradley. They have enjoyed 32 wonderful years together and are the proud parents of two children, June and Rufus, Jr.

I know my colleagues join me in congratulating Pastor Bradley on 30 years of pastoral leadership and faithful service to the greater Saginaw community. We wish him the best as he continues this important work for many more years.●

MESSAGE FROM THE HOUSE

At 11:08 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 846. An act to award a congressional gold medal to Dr. Muhammad Yunus, in recognition of his contributions to the fight against global poverty.

S. 1055. An act to grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1745. An act to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health centers under section 330 of such Act.

H.R. 3199. An act to amend the Public Health Service Act to provide grants to State emergency medical service departments to provide for expedited training and licensing for veterans with prior medical training, and for other purposes.

H.R. 5307. An act to amend the Tariff Act of 1930 to include ultralight vehicles under the definition of aircraft for purposes of the aviation smuggling provisions under that Act.

H.R. 5710. An act to amend and reauthorize the controlled substance monitoring program under section 3990 of the Public Health Service Act.

H.R. 5756. An act to amend subtitle D of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 to provide grants and technical assistance to University Centers for Excellence in Developmental Disabilities Education, Research, and Service to improve services rendered to children and adults on the autism spectrum, and their families, and for other purposes.

H.R. 6156. An act to renew the authority of the Secretary of Health and Human Services to approve demonstration projects designed to test innovative strategies in State child welfare programs.

At 12:04 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2701. An act to authorize appropriations for fiscal year 2010 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1745. An act to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health centers under section 330 of such Act; to the Committee on Health, Education, Labor, and Pensions.

H.R. 3199. An act to amend the Public Health Service Act to provide grants to State emergency medical service departments to provide for the expedited training and licensing of veterans with prior medical training, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5307. An act to amend the Tariff Act of 1930 to include ultralight vehicles under the definition of aircraft for purposes of the aviation smuggling provisions under that Act; to the Committee on Finance.

H.R. 5710. An act to amend and reauthorize the controlled substance monitoring program under section 3990 of the Public Health Service Act; to the Committee on Health, Education, Labor, and Pensions.

H.R. 5756. An act to amend subtitle D of title I of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 to provide grants and technical assistance to University Centers for Excellence in Developmental Disabilities Education, Research, and Service to improve services rendered to children and adults on the autism spectrum, and their families, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 6156. An act to renew the authority of the Secretary of Health and Human Services to approve demonstration projects designed to test innovative strategies in State child welfare programs; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KERRY, from the Committee on Foreign Relations, with an amendment in the nature of a substitute and with an amended preamble:

S. Res. 573. A resolution urging the development of a comprehensive strategy to ensure stability in Somalia, and for other purposes.

EXECUTIVE REPORT OF COMMITTEE—NOMINATION

The following executive report of a nomination was submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Robert Leon Wilkins, of the District of Columbia, to be United States District Judge for the District of Columbia.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

EXECUTIVE REPORTS OF COMMITTEE—TREATIES

The following executive reports of committee were submitted:

By Mr. KERRY, from the Committee on Foreign Relations:

TREATY DOC. 110-7 TREATY WITH UNITED KINGDOM CONCERNING DEFENSE TRADE COOPERATION WITH 9 CONDITIONS, 7 UNDERSTANDINGS, AND 3 DECLARATIONS (EX. REPT. 111-5); AND TREATY DOC. 110-10 TREATY WITH AUSTRALIA CONCERNING DEFENSE TRADE COOPERATION WITH 8 CONDITIONS, 6 UNDERSTANDINGS, AND 3 DECLARATIONS (EX. REPT. 111-5)

The text of the committee-recommended resolutions of advice and consent to ratification are as follows:

[110-7: Treaty with United Kingdom Concerning Defense Trade Cooperation]

Resolved (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent Subject to Conditions, Understandings And Declarations.

The Senate advises and consents to the ratification of the Treaty Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland Concerning Defense Trade Cooperation, done at Washington and London on June 21 and 26, 2007 (Treaty Doc. 110-7) (as defined in section 5 of this resolution), subject to the conditions in section 2, the understandings in section 3 and the declarations in section 4.

Section 2. Conditions.

The Senate's advice and consent to the ratification of the Treaty with the United Kingdom Concerning Defense Trade Cooperation is subject to the following conditions, which shall be binding upon the President:

(1) United States preparation for treaty implementation.

(A) At least 15 days before any exchange of notes pursuant to Article 20 of the Treaty, the President shall submit to the Congress a report—

(i) describing steps taken to ensure that the Executive branch and United States industry are prepared to comply with Treaty requirements;

(ii) analyzing the implications of the Treaty, and especially of Article 3(3) of the Treaty, for the protection of intellectual property rights of United States persons;

(iii) explaining what steps the United States Government is taking and will take to combat improper or illegal intangible exports (i.e., exports as defined in part 120.17(a)(4) of title 22, Code of Federal Regulations) under the Treaty; and

(iv) setting forth the issues to be addressed in the Management Plan called for by Section 12(3)(f) of the Implementing Arrangement and the procedures that are expected to be adopted in that Plan.

(B) Before any exchange of notes pursuant to Article 20 of the Treaty, the President shall submit to the Congress a certification that changes to the International Traffic in Arms Regulations (parts 120-130 of title 22, Code of Federal Regulations) have been published in the Federal Register pursuant to the Arms Export Control Act, as appro-

priate, that would, upon entry into force of the Treaty,—

(i) make clear the legal obligation for any person involved in an Export, Re-export, Transfer, or Re-transfer under the Treaty to comply with all requirements in the revised International Traffic in Arms Regulations, including by taking all reasonable steps to ensure the accuracy of information received from a member of the Approved Community that is party to an Export, Re-export, Transfer, or Re-transfer under the Treaty;

(ii) make clear the legal obligation for Approved Community members to comply with United States Government instructions and requirements regarding United States Defense Articles added to the list of exempt Defense Articles pursuant to Article 3(2) of the Treaty;

(iii) limit a person from being a member of the United States Community, pursuant to Article 5(2) of the Treaty, if that person is generally ineligible to export pursuant to section 120.1(c) of title 22, Code of Federal Regulations; and

(iv) require any nongovernmental entity that ceases to be included in the United States Community to comply with instructions from authorized United States Government officials and to open its records of transactions under the Treaty to inspection by United States Government and, as appropriate, authorized United Kingdom Government officials pursuant to Article 12 of the Treaty.

(C) Before any exchange of notes pursuant to Article 20 of the Treaty, the President shall submit to the Congress—

(i) a certification that appropriate mechanisms have been established to identify, in connection with the process for determining whether a nongovernmental entity is in the United States Community pursuant to Article 5(2) of the Treaty, persons who meet the criteria in section 38(g)(1) of the Arms Export Control Act (22 U.S.C. 2778(g)(1));

(ii) a certification that appropriate mechanisms have been established to verify that nongovernmental entities in the United States that Export pursuant to the Treaty are eligible to export Defense Articles under United States law and regulation as required by Article 5(2) of the Treaty;

(iii) a certification that United States Department of Homeland Security personnel at United States ports—

(a) have prompt access to a State Department database containing registered exporters, freight forwarders and consignees, and watch lists regarding United States companies; and

(b) are prepared to prevent attempts to export pursuant to the Treaty by United States persons who are not eligible to export Defense Articles under United States law or regulation, even if such person has registered with the United States Government;

(iv) a certification that the Secretary of Defense has promulgated appropriate changes to the National Industrial Security Program Operating Manual and to Regulation DoD 5200.1-R, "Information Security Program," and has issued guidance to industry regarding marking and other Treaty compliance requirements; and

(v) a certification that a capability has been established to conduct post-shipment verification, end-use/end-user monitoring and related security audits for Exports under the Treaty, accompanied by a report setting forth the legal authority, staffing and budget provided for this capability and any further Executive branch or congressional action recommended to ensure its effective implementation.

(2) Treaty partner preparation for treaty implementation.

Before any exchange of notes pursuant to Article 20 of the Treaty, the President shall