

SEC. 2. AMENDMENTS TO NATIONAL CHILDREN'S ISLAND ACT OF 1995.

(a) **EXPANSION OF ALLOWABLE USES FOR KINGMAN AND HERITAGE ISLAND.**—The National Children's Island Act of 1995 (sec. 10-1401 et seq., D.C. Official Code) is amended by adding at the end the following:

“SEC. 7. COMPREHENSIVE AND ANACOSTIA WATERFRONT FRAMEWORK PLANS.

“(a) **COMPLIANCE WITH PLANS.**—Notwithstanding any other provision of this Act, it is not a violation of the terms and conditions of this Act for the District of Columbia to use the lands conveyed and the easements granted under this Act in accordance with the Anacostia Waterfront Framework Plan and the Comprehensive Plan.

“(b) **DEFINITIONS.**—For purposes of this section, the following definitions apply:

“(1) **ANACOSTIA WATERFRONT FRAMEWORK PLAN.**—The term ‘Anacostia Waterfront Framework Plan’ means the November 2003 Anacostia Waterfront Framework Plan to redevelop and revitalize the Anacostia waterfront in the District of Columbia, as may be amended from time to time, developed pursuant to a memorandum of understanding dated March 22, 2000, between the General Services Administration, Government of the District of Columbia, Office of Management and Budget, Naval District Washington, Military District Washington, Marine Barracks Washington, Department of Labor, Department of Transportation, National Park Service, Army Corps of Engineers, Environmental Protection Agency, Washington Metropolitan Area Transit Authority, National Capital Planning Commission, National Arboretum, and Small Business Administration.

“(2) **COMPREHENSIVE PLAN.**—The term ‘Comprehensive Plan’ means the Comprehensive Plan of the District of Columbia approved by the Council of the District of Columbia on December 28, 2006, as such plan may be amended or superseded from time to time.”

(b) **MODIFICATION OF REVERSIONARY INTEREST.**—Paragraph (1) of section 3(d) of the National Children's Island Act of 1995 (sec. 10-1402(d)(1), D.C. Official Code) is amended by striking “The transfer under subsection (a)” and all that follows and inserting the following: “Title in the property transferred under subsection (a) and the easements granted under subsection (b) shall revert to the United States upon the expiration of the 60-day period which begins on the date on which the Secretary provides written notice to the District that the Secretary has determined that [the] a portion of the District is not using the property for recreational, environmental, or educational purposes in accordance with National Children's Island, the Anacostia Waterfront Framework Plan, or [for another recreational, environmental, or educational purpose, except that the reversionary interest of the United States under this paragraph shall expire upon the expiration of the 30-year period which begins on the date of the enactment of the Kingman and Heritage Islands Act of 2009.] the Comprehensive Plan. Such notice shall be made in accordance with chapter 5 of title 5, United States Code (relating to administrative procedures).”

Mr. CASEY. I ask unanimous consent that the committee-reported amendments be agreed to, and the bill, as amended, be read a third time and passed; the motions to reconsider be laid upon the table, without intervening action or debate; and any statements related to the bill be printed in the RECORD.

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

The committee amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 2092), as amended, was read the third time and passed.

UNITED STATES SECRET SERVICE UNIFORMED DIVISION MODERNIZATION ACT OF 2010

Mr. CASEY. Mr. President, I ask that the Chair lay before the Senate a message from the House with respect to S. 1510, U.S. Secret Service Uniformed Division Modernization Act of 2010.

The PRESIDING OFFICER laid before the Senate the following message:

S. 1510

Resolved, That the bill (S. 1510) entitled “An Act to transfer statutory entitlements to pay and hours of work authorized by laws codified in the District of Columbia Official Code for current members of the United States Secret Service Uniformed Division from such laws to the United States Code, do pass with amendments.

Mr. CASEY. I ask unanimous consent that the Senate concur in the House amendments to the Senate bill, with an amendment which is at the desk; that the motion to concur be agreed to and the motion to reconsider be laid upon the table; further that the Senate agree to the title amendment.

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

The amendment (No. 4664) was agreed to.

The amendment is printed in today's RECORD under “Text of Amendments.”

The title amendment was agreed to, as follows: “An Act to transfer statutory entitlements to pay and hours of work authorized by laws codified in the District of Columbia Official Code for current members of the United States Secret Service Uniformed Division from such laws to the United States Code, and for other purposes.”

ACCESS TO THE GENERAL SERVICES ADMINISTRATION'S SCHEDULES PROGRAM

Mr. CASEY. Mr. President, I ask the Chair to lay before the Senate a message from the House on S. 2868.

The PRESIDING OFFICER laid before the Senate the following message:

S. 2868

Resolved, That the bill from the Senate (S. 2868) entitled “An Act to provide increased access to the General Services Administration's Schedules Program by the American Red Cross and State and local governments,” do pass with the following amendments:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Supply Schedules Usage Act of 2010”.

SEC. 2. AUTHORITY OF THE AMERICAN RED CROSS AND OTHER QUALIFIED ORGANIZATIONS TO USE FEDERAL SUPPLY SCHEDULES FOR CERTAIN GOODS AND SERVICES.

Section 502 of title 40, United States Code, is amended by adding at the end the following new subsection:

“(e) **USE OF SUPPLY SCHEDULES BY THE RED CROSS AND OTHER QUALIFIED ORGANIZATIONS.**—

“(1) **IN GENERAL.**—The Administrator may provide for the use by the American National Red Cross and other qualified organizations of Federal supply schedules. Purchases under this authority by the American National Red Cross shall be used in furtherance of the purposes of the American National Red Cross set forth in section 300102 of title 36, United States Code. Purchases under this authority by other qualified organizations shall be used in furtherance of purposes determined to be appropriate to facilitate emergency preparedness and disaster relief and set forth in guidance by the Administrator of General Services, in consultation with the Administrator of the Federal Emergency Management Agency.

“(2) **LIMITATION.**—The authority under this subsection may not be used to purchase supplies for resale.

“(3) **QUALIFIED ORGANIZATION.**—In this subsection, the term ‘qualified organization’ means a relief or disaster assistance organization as described in section 309 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5152).”

SEC. 3. DUTY OF USERS REGARDING USE OF FEDERAL SUPPLY SCHEDULES.

Section 502 of title 40, United States Code, as amended by section 2, is further amended by adding at the end the following new subsection:

“(f) **DUTY OF USERS REGARDING USE OF SUPPLY SCHEDULES.**—All users of Federal supply schedules, including non-Federal users, shall use the schedules in accordance with the ordering guidance provided by the Administrator of General Services.”

SEC. 4. AUTHORITY OF STATE AND LOCAL GOVERNMENTS TO USE SUPPLY SCHEDULES FOR CERTAIN GOODS AND SERVICES.

Subsection (d)(1) of section 502 of title 40, United States Code, is amended by inserting “, to facilitate disaster preparedness or response,” after “Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)”.

SEC. 5. PAYGO COMPLIANCE.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

Amend the title so as to read: “An Act to provide increased access to the Federal supply schedules of the General Services Administration to the American Red Cross, other qualified organizations, and State and local governments.”

Mr. CASEY. I ask unanimous consent the Senate concur in the House amendments and the motion to reconsider be laid upon the table, with no intervening action.

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

INTERSTATE RECOGNITION OF NOTARIZATIONS ACT OF 2009

Mr. CASEY. Mr. President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of H.R. 3808, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 3808) to require any Federal or State court to recognize any notarization made by a notary public licensed by a State other than the State where the court is located when such notarization occurs in or affects interstate commerce.

The PRESIDING OFFICER. There being no objection, the Senate proceeded to consider the bill.

Mr. CASEY. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The bill (H.R. 3808) was ordered to a third reading, was read the third time, and passed.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2010

Mr. CASEY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2701, the Intelligence Authorization Act, received from the House and at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2701) 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.

There being no objection, the Senate proceeded to consider the bill.

Mr. BOND. Mr. President, I rise today to join the distinguished Chair of the Select Committee on Intelligence in supporting the passage of H.R. 2701, the Intelligence Authorization Act for Fiscal Year 2010, with a Senate substitute amendment. This substitute amendment is very similar to S. 3611, which the Senate passed by unanimous consent nearly 2 months ago in an effort to encourage House Speaker NANCY PELOSI to allow consideration of an intelligence authorization bill.

It is often said that the third time is the charm. I certainly hope so. Last summer, we passed our intelligence authorization bill through the Senate in time for the Intelligence Committee to impact fiscal year spending. Unfortunately, our bill got held up in the House for political reasons. So, in August of this year, we tried again. Still, our bill was held up. Now, here we are, on the eve of a new fiscal year, and it looks like we finally have a compromise that will allow Congress to pass an intelligence authorization bill once again.

Why does passing an authorization bill matter at this late date in the fiscal year? This bill does more than just authorize funding for intelligence activities—a vital purpose in and of itself. By providing current congressional guidance and statutory authori-

ties, we can ensure that the intelligence community has the maximum flexibility and capability it needs to function effectively, spend taxpayer funds wisely, and keep our Nation safe.

The intelligence authorization bill before us is a good bill. It will give the intelligence community much-needed flexibility and authority and will ensure appropriate intelligence oversight by this committee.

Two months ago, the Senate confirmed a new Director of National Intelligence. I have often said that in creating the DNI, we gave him an awful lot of responsibility without all the authority he needed. Well, our bill attempts to address that problem by giving the DNI clearer authority and greater flexibility in overseeing the intelligence community. As Director Clapper takes on his new assignment, I expect these provisions will play a big part in helping him lead the intelligence community—and ensuring the rest of the intelligence community recognizes his role, too.

There are also a number of provisions in this bill that I believe are essential for promoting good government and smarter spending. Too often, we have seen programs or acquisitions of major systems balloon in cost and decrease in performance. That is unacceptable. We are in difficult economic times and the taxpayers are spending substantial sums of their hard-earned money to ensure that the intelligence community has the tools it needs to keep us safe. If we do not demand accountability for how these tools are operated or created, we are failing the intelligence community and, ultimately, we are failing the American people.

So, for the past several years, I have sponsored amendments that require the intelligence community to perform vulnerability assessments of major systems and to keep track of excessive cost growth of major systems. This latter provision is modeled on the Nunn-McCurdy provision which has guided Defense Department acquisitions for years. I am happy to say that these provisions are part of this bill. I believe that these, and other good-government provisions, will encourage earlier identification and solving of problems relating to the acquisition of major systems. Too often, such problems are not identified until exorbitant sums of money have been spent—and, unfortunately, at that point, bureaucratic inertia takes over and there is often reluctance to cancel the project.

Similarly, the intelligence community must get a handle on its personnel levels. In these tough economic times, it is more important than ever to make sure that the intelligence community is appropriately resourced so it can effectively perform its national security missions.

This is not, however, an open invitation for more contractors. Far too many times, contractors are used by the intelligence community to perform functions better left to government

employees. There are some jobs that demand the use of contractors—for example, certain technical jobs or short-term functions—but the easy, quick fix has been to just hire contractors, not long-term support. And so, our bill includes a provision calling for annual personnel level assessments for the intelligence community. These assessments will ensure that, before more people are brought in, there are adequate resources to support them and enough work to keep them busy.

These are just a few of the provisions in this bill that I believe are important for the success of our intelligence collection efforts and equally important for ensuring sound oversight by the Intelligence Committee.

Now, the substitute amendment does not change any of these provisions. It does make some minor technical changes, and because the fiscal year will be over before the bill becomes law, some of the authorizing provisions have been removed.

The most significant changes in the substitute reflect the compromise reached by Speaker PELOSI with the Senate and the administration on the issues of congressional notification and the relationship between the intelligence community and the Government Accountability Office.

This new version of the congressional notification provision revives language similar to the first fiscal year 2010 intelligence authorization bill that passed the Senate by unanimous consent last year. This language provides that the executive branch will be required to provide a “general description” to all of the members of the congressional intelligence committees regarding a covert action finding or congressional notification that has been limited to the “Gang of Eight.” This provision is limited to a description that is consistent with the reasons for not yet fully informing all the members of the intelligence committees, so the provision is somewhat weaker than our original language.

Another change to the congressional notification provision is the insertion of a requirement that the decision to limit access to “Gang of Eight” findings and notifications be reviewed within the executive branch every 180 days. If the President determines that such limitations are no longer necessary, then all the members of the congressional intelligence committees will be provided access to such findings and notifications.

These limitations are often revisited periodically by the executive branch, so this time period should not cause difficulty for the administration. We have seen in the past the benefits that come from bringing the full committees into the loop as soon as possible. Moreover, operational sensitivities can change over time. By requiring a periodic review, this provision ensures that highly sensitive matters will remain protected as long as necessary, while also promoting a full cooperative relationship between the two branches.