As a member of Somerset City Council from 1964 to 1982, Eastham played an active role in helping to establish Somerset Community College and finding a location for what is now Lake Cumberland Regional Hospital. He considered running for mayor, but his job as a regional salesman for Morton Salt Co. created time constraints that caused him not to seek office.

According to Clarence Love, city clerk during the years Eastham served on council, ''he was very conscientious.'' In Love's opinion, Eastham was an ''excellent councilman.''

Jimmy Eastham said he thought his father most likely would be remembered most for ''standing for what he believed in.''

The Reid S. Jones Memorial Fund was established, first and foremost, to help veterans with educational issues.

''A veteran might return from Afghanistan ready to go to law school and need some assistance,'' Dr. Jones said. ''Or, a veteran might return and want to become a law enforcement officer or a mechanic.''

As interest on the fund grows, money will be awarded to veterans who demonstrate great potential for success in professional and vocational arenas.

Primarily, the Reid S. Jones Memorial Fund intends to honor ''the warrior spirit,'' Dr. Jones said, ''the spirit of courage and bravery'' that has helped keep the United States free.

The Reid S. Jones Memorial Fund is now open for tax-deductible contributions. Interested parties may e-mail Dr. Jones at: drjones@jonesfoundation.net or phone her at 606–875–2967.

BELLARMINE UNIVERSITY KNIGHTS

Mr. MCCONNELL. Mr. President, I rise today to recognize the impressive accomplishments of a remarkable men's basketball team in the Commonwealth, the Bellarmine University Knights.

On March 26, the Knights made school history by winning the 2011 National Collegiate Athletic Association Division II basketball championship. By defeating the Brigham Young University-Hawaii Seasiders 71 to 68, Bellarmine brought home its first national championship title in any sport. Senior guard Justin Benedetti described the atmosphere in the MassMutual Center in Springfield, MA, where the championship game was held to be like a home game for the Knights, as many fans traveled to fill the crowd of nearly 3,000.

The morning following their championship win, hundreds of fans, alumni, and students cheered as the team returned to campus and filed off the bus holding high their national trophy. I applaud not only the team's athletic achievement, but also the teamwork and sportsmanship on display as they represented my hometown, Louisville, and our Commonwealth in front of the country's basketball fans.

A state that honors basketball will honor the 2011 Bellarmine Knights team as among the best for seasons to come. Fans will remember a team of unselfish players whose only goal was to win. And they will remember head coach Scott Davenport, who taught his players to play basketball the way it was meant to be played.

Coach Davenport built this team around talented local players—the entire roster hails from Kentucky, Indiana, and Ohio. A Louisville native, he led his Knights to a 33–2 overall record this year on their way to the Division II championship. He can now add this collegiate championship to the one he earned coaching the Ballard High School Bruins of Louisville, KY, to the State championship in 1988. It is no wonder he was recently named the 2011 Schelde North America/Division II Bulletin Coach of the Year. I would like to extend my sincere congratulations to Scott Davenport upon receiving this distinguished honor.

Family members, friends, and the Louisville community are justifiably proud of this team's achievement and the recognition they have earned. This season was a special one for Bellarmine University that we will remember for a long time to come.

I ask my colleagues to join me in congratulating the Bellarmine University Knights men's basketball team upon earning their first national title. I wish them continued success both on and off the court.

HEALTH CARE RALLY

Mr. SANDERS. Mr. President, on Saturday, March 26 several hundred medical students from across the country came to our State Capital in Montpelier, VT, to rally in support of Vermont going forward with a Medicare for All Single Payer health care system.

These young people were absolutely clear in understanding that for them to be the great physicians and nurses that they want to be, our health care system must change. They believe, as I do, that health care is a right and not a privilege and that a single payer program is the most cost-effective way of achieving that goal. I am very pleased to submit for the RECORD the statement of principle signed by these medical school students.

I ask unanimous consent it be printed in the RECORD.

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

As medical students from around the country converge this weekend on the steps of the State House to support Vermont's movement toward a single-payer health system, we want to contribute additional perspectives on our state's discussion of Health Care Reform.

As the Vermont legislature considers Health Care Reform, we, a group of UVM medical students who are invested in the future of Vermont, believe that current and future health care legislation should work toward the following goals:

1. Ensure that every Vermonter has health care coverage through a sustainable system that maintains a desirable environment in which to practice medicine.

2. Replace the current fee for service system that both limits access to physicians and compromises the quality of care given to patients.

3. Empower Vermont to retain and attract high quality physicians to ensure adequate health care for future Vermonters.

Our proposals to help meet these goals are:

1. Initiate a program that reduces the tuition of out-or-state students to in-state levels in exchange for commitment to practice in Vermont after training is complete.

2. Improve funding for the existing loan repayment program through Vermont AHEC to encourage primary care providers to practice in under-served areas of the state.

3. Address the current inequity in the ''provider tax'' such that out of state providers treating Vermont patients contribute fairly to the Vermont Medicaid program.

4. Simplify the administrative burden upon the provider by developing a system that has a single payer with best-practice guidelines as opposed to the current fee-for-service system.

By addressing these issues in upcoming legislation, we are of the opinion that the quality of health care in Vermont will improve. A sustainable system that addresses many of the national problems with medicine will encourage a strong physician population throughout the state, as well as secure Vermont's future as the healthiest state in America.

As medical students who will inherit the reform currently being debated in Montpelier, we are committed to help shape a sustainable universal health care system. It is our great hope that these changes will be enacted to enable us to provide the best care possible to our future patients.

Larry Bodden, Calvin Kagan, Bud Vana, Ben Ware, John Malcolm, JJ Galli, Vanessa Patten, Nick Koch, Uz Robison, Pete Cooch, Rich Tan, Bianca Yoo, Prabu Selvam, Dave Reisman, Adam Ackrman, Nazia Kabani, Stas Lazarev, Sara Staples, Therese Ray, Kelly Cunningham, Hannah Foote, Laura Sturgill, Megan Malgeri, Kati Anderson, Serena Chang, Caitlan Baran, Leah Carr, Mariah Stump, Daniel Edberg, Franki Boulos, Chelsea Harris, Vinnie Kan, Mairin Jerome, Jimmy Corbett-Detig, Dan Liebowitz, Laura Caldwell, Damian Ray, Mei Lee Frankish.

The University of Vermont does not endorse this organization or their position in connection with this or any other political campaign, policy position or election.

Ms. SNOWE. Mr. President, I wish to discuss an amendment entitled ''the Greater Accountability in the Treasury Small Business Lending Fund Act of 2011.''

As ranking member of the Senate Small Business Committee, it is my responsibility to ensure that small businesses have access to affordable credit. In this regard, I have worked on a bipartisan basis with Senator LANDRIEU, chair of the Small Business Committee, to include provisions in the American Recovery and Reinvestment Act that enhanced the SBA's 7(a) and 504 loan programs. Those measures resulted in a 90-percent national increase in SBA lending at a crucial time in our Nation's lending crisis. I also authored provisions, recently enacted into law, to increase the SBA's maximum loan limits for its microloan, 7(a), and 504 loans, to make the SBA more relevant to the needs of today's borrowers. Additionally, I have been supportive of efforts to increase the arbitrarily imposed cap on member business lending at credit unions—at no cost to taxpayers—so that credit unions can play

a greater role in helping to address the problems that small businesses continue to face in accessing credit.

But, unfortunately, I was unable to vote in favor of the Small Business Jobs Act of 2010, even though it included many of my priorities, due to my significant concerns with the Treasury Small Business Lending Fund—SBLF or lending fund—provisions included into that bill. I opposed the inclusion of the lending fund for several reasons. While I will not reiterate all of those here, I will discuss a few of them briefly.

First, the lending fund is essentially an extension of the Troubled Assets Relief Program, TARP, which was terminated by the Dodd-Frank Wall Street Reform and Consumer Protection Act. This fact was confirmed by the bipartisan Congressional Oversight Panel for TARP in its May Oversight Report.

Second, it is possible that instead of promoting quality loans, the lending fund could encourage unnecessarily risky behavior by banks. Under the current law, the Treasury Department lends funds to banks at a 5-percent interest rate, which can be reduced to as low as 1 percent if the institutions in turn increase their small business lending. If the banks fail to increase their small business lending, the interest rate they pay could rise to a more punitive 7 percent. This could lead to an untenable situation where banks would make risky loans to avoid paying higher interest rates—a behavior known as ''moral hazard.''

Third, I still believe that the lending fund could put taxpayer resources at risk. The score for the Small Business Lending Fund is convoluted. The Congressional Budget Office, CBO, score for the lending fund listed it as raising $1.1 billion over 10 years, based on a cash-based estimate. However, the very same CBO score highlighted that if CBO were permitted to base its score on a fair-value estimate, which accounts for market risk, the score would be a $6.2 billion loss. In fact, the CBO score stated:

Estimates prepared on a ''fair-value'' basis include the cost of the risk that the government has assumed; as a result, they provide a more comprehensive measure of the cost of the financial commitments than estimates done on a FCRA [Federal Credit Reform Act of 1990 (FCRA)] basis or on a cash basis. CBO estimates that the cost of the SBLF on such a fair-value basis (that is, reflecting market risk) would be $6.2 billion.

While I favor outright repeal of the Small Business Lending Fund, I know that will be very difficult—and likely impossible, given that the majority party in the Senate and the President strongly supported its enactment. And so I am focusing my efforts on making as many improvements to the fund as possible, a responsibility that all of us in Congress, Republicans and Democrats alike, should be able to coalesce around.

We undoubtedly have a shared responsibility to ensure that taxpayer's dollars, in this case $30 billion for the Small Business Lending Fund, are used in a transparent, prudent, and responsible manner. If we foster an environment in which banks are free to make risky loans to avoid higher interest rates, if we permit banks to accept loans without any formal guarantee of repayment, we fail our responsibility to our constituents and do a disservice to our Nation's 30 million small businesses.

The following is a description of some of the amendment's provisions. One section would require that banks that receive Small Business Lending Fund distributions, must—within 10 years—repay the money they receive. While the current law directs that within 10 years of receiving the funds, the banks should repay them to the Treasury Department, it also gives discretion to the Treasury Secretary to extend—even indefinitely—the period of time that banks have, to repay the government. Again, this is a commonsense provision to ensure that taxpayer's dollars do not go to waste.

Another provision would establish a sunset of 15 years for the Small Business Lending Fund. Under the current law, no such end date exists. The Lending Fund must not be authorized to continue in perpetuity.

The amendment would also prohibit, moving forward, banks that have received TARP distributions from also obtaining small business lending funds. Under the current law, banks that have received money through the TARP program remain eligible to receive small business lending funds as well, unless they default on TARP repayment. My provision is not inferring that banks who received TARP funds are bad actors, or that they are being penalized for participating in the program. Rather, it is a simple recognition that the Federal government should be limiting the frequency with which it subsidizes private banks with taxpayer funds at favorable interest rates. This crucial amendment will prohibit banks from ''double dipping'' into taxpayer funds.

Another provision would provide that the Small Business Lending Fund cease operations if the Federal Deposit Insurance Corporation is appointed receiver of 5 percent or more of any eligible institutions. It is essential that the lending fund is not a bailout and if there are strong indications that this fund has serious systemic difficulties, it must be halted until the problems within the program are corrected.

Another provision would provide that only healthy banks participate in the Small Business Lending Fund. This amendment prevents banks who apply for the SBLF from counting expected SBLF funds as tier 1 capital in order to artificially strengthen their capital position in order to receive government funds. This provision ensures that banks would have to stand on their own two feet, rather than being able to count the anticipated future receipts of taxpayer funds, when determining if the banks are healthy enough to be provided those funds in the first place.

My amendment would also help ensure that regulators have more meaningful controls over the Small Business Lending Fund. For there to be meaningful controls over the SBLF, it is essential that all bank regulators, whether State or Federal, have a real voice in the lending fund's ability to lend to regulated banks. This amendment gives State bank regulators the ability to determine whether or not a bank which they regulate should receive capital investment through the SBLF program. The current lending fund only gives State bank regulators an advisory role over whether or not a bank they regulate will receive SBLF funds. As this fund is targeted towards community banks, most of the banks applying for this program will be regulated at the State level. If we are really going to include State regulators and make this an inclusive regulator process, it is essential that State regulators have the power to affect a bank's application.

And my amendment would also establish an appropriate benchmark for assessing changes in small business lending by recipients of capital investments under the Small Business Lending Fund. As it is currently written, the SBLF uses 2008 as a benchmark year to determine how much banks will have to increase their lending to small firms. My concern is that 2008 was a true low mark for small business lending. This benchmark shortchanges small businesses. Using 2007, or some other measure, as a benchmark may increase the number of loans, banks participating in the SBLF program would have to make to small firms.

This legislation is not a silver bullet, and I recognize that we should continue to vet these issues further. But it does attempt to deal with many of the significant problems that I have with the lending fund. Regrettably, these are precisely the types of issues that could have been resolved, had the lending fund received hearings and been properly vetted in the Senate—as one would expect of any legislative proposal of this magnitude.

I ask unanimous consent that a copy of the section by section of the bill be printed in the RECORD.

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

THE GREATER ACCOUNTABILITY IN THE TREASURY SMALL BUSINESS LENDING FUND ACT (''ACT'')

*This Act revises the Department of Treasury (''Treasury'') Small Business Lending Fund (''Lending Fund'') program established in H.R. 5297, the Small Business Jobs Act of 2010 (''Jobs Act'').

SEC. 1. SHORT TITLE.

This legislation shall be referred to as ''the Greater Accountability in the Lending Fund Act of 2011.''

SEC. 2. REPAYMENT REQUIREMENT.

This section requires that financial institutions that receive Lending Fund distributions must—within 10 years—repay the

money that they receive. Under current law, the Secretary of Treasury (''Secretary'') has the authority to postpone, indefinitely, repayment.

SEC. 3. SUNSET ON THE LENDING FUND.

Under existing law, the Lending Fund is authorized to exist forever. This section requires that the Lending Fund sunset within 15 years of the date that the Lending Fund was enacted.

SEC. 4. TRIGGER TO PROTECT AND PRESERVE TAXPAYER DOLLARS.

This section prohibits the Secretary from making any new purchases (i.e. prohibits the Secretary from providing additional money, through the Lending Fund) if the Federal Deposit Insurance Corporation is appointed receiver of 5 percent or more of the number of eligible financial institutions that have obtained a capital investment under the Lending Fund program.

SEC. 5. DISALLOWING FUTURE LENDING FUND PURCHASES OF FINANCIAL INSTITUTIONS THAT PARTICIPATED IN THE TROUBLED ASSET RELIEF PROGRAM ("TARP").

This section prohibits—as of the date of this Act being enacted—the Secretary from making additional purchases, through the Lending Fund, of a financial institution (i.e. providing money to a bank) that participated in the TARP program. This section would end the double-dipping practice of financial institutions that have previously received taxpayer funds, at low (subsidized) interest rates, through TARP, doing so again, through the Lending Fund.

SEC. 6. ALLOWING ONLY "HEALTHY" FINANCIAL INSTITUTIONS TO PARTICIPATE IN THE LENDING FUND.

Under current law, when determining whether a bank is financially sound, for the purpose of receiving Lending Fund dollars, the Secretary can take into consideration what the bank's strength would be after receiving the funds. This section changes the law to require that the Secretary determine whether a bank is financially stable, without being able to include future Lending Fund distributions into the equation. Therefore, a bank must be stable on its own, (without regard to future Lending Fund dollars), in order to be approved to participate in the program.

SEC. 7. ENSURING THAT REGULATORS HAVE MORE MEANINGFUL CONTROLS OVER THE LENDING FUND.

This section requires that the Secretary must obtain prudential regulators' approval—rather than consultation—before an individual applicant financial institution can receive distributions through the Lending Fund program.

SEC. 8. BENCHMARK ADJUSTMENT.

This section changes the benchmark by which a financial institution's small business lending has increased from the current level (the 4 full quarters immediately preceding the date of the Jobs Act being enacted) to a new benchmark of calendar year 2007. This section addresses concerns that the Lending Fund may reward banks that would have increased their lending even in the absence of government support, as the Fund's incentive structure is calculated in reference to lending levels, which were low by historical standards.

NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM IMPROVEMENT ACT

Mr. COBURN. Mr. President, the intent of the National Instant Criminal Background Check System, NICS, Improvement Act of 2007 is to increase compliance with existing law in order to prevent guns from getting into the hands of those with mental health concerns who might cause harm to others.

Unfortunately, the initial draft of this legislation would have expanded the existing classes of people forbidden by statute from possessing or purchasing a weapon to include people who simply had trouble managing their finances or other personal affairs. This expansion of existing law would have legitimized overly broad regulations that included people who have never been found to be a danger to themselves or to others.

This is problematic because these overly broad regulations have allowed for the criminalization of veterans who needed help managing the benefits they received for serving our country. These veterans lost their constitutional right to bear arms without committing a crime, without going before a court of law, and without being found to be a possible danger to themselves or anyone else. Furthermore, they lost their rights without their knowledge, and without a way to restore them.

For this reason I did not consent to H.R. 2640 until these concerns were adequately addressed.

Nobody wants firearms in the hands of individuals who are a danger to themselves or to others, but this desire for safety must be adequately balanced with a respect for our Constitution and the right to bear arms. While I favor keeping guns out of the hands of criminals and those who are a danger to themselves or to others, I was concerned that this bill would unnecessarily and unfairly hurt our veterans and other law-abiding Americans.

The initial version of this bill codified overly broad regulations for what it means to be ''adjudicated as a mental defective'' to include individuals who are in no danger to themselves or to others, but cannot manage their own finances or other personal affairs. These regulations were determined independent of congressional intent and are overly inclusive.

As a result of this definition, Americans who have never committed a crime and are of no danger to themselves or to others have been unfairly included in NICS. Once added to this list, it has been nearly impossible for an individual to remove their name from this list, meaning they are prohibited from owning a firearm for the rest of their life.

Among those unfairly added are up to 140,000 veterans who receive benefits for their service to our country, because they cannot manage their own affairs. This bill would have made this overly inclusive definition law.

Fortunately, Senator SCHUMER and I were able to work together to erase all mention of this definition in the bill. The term ''adjudicated as a mental defective'' is not defined in law. By not codifying these overly inclusive regulations, Congress and the Bureau of Alcohol, Tobacco, and Firearms Enforcement have a another chance to develop regulations for what ''adjudicated as a mental defective'' means to more accurately protect the second amendment rights of law-abiding citizens.

Additionally, we made several other changes to improve this bill. The bill now ensures: Veterans are notified when they are added to this list to ensure they do not knowingly violate Federal law and also lets them know when they enter into a determination process that could lead to them being added to this list; those who believe they have been unfairly added to NICS have their applications for removal from this list processed; those who previously were adjudicated as a mental defective but no longer pose a threat to society are cleared from this list; a State program exists that allows those wrongfully included on this list to appeal their inclusion; and that compensation is available for those who prove they were wrongfully included on NICS in court.

These changes strike a much healthier balance between ensuring the second amendment rights of our veterans and other law-abiding citizens and removing guns from those who are a threat to our society.

It is also important for Americans to realize that this bill, if enacted earlier, would not have prevented the tragic Virginia Tech shootings. This bill does not change Federal law regarding who should be added to NICS. States still have to decide to what extent they will report those adjudicated as a mental defective to the national list.

Under existing law, the Virginia Tech gunman already was considered a mentally dangerous person and should not have been allowed to purchase a weapon. At the time of the shootings, he was prohibited from purchasing any guns because two different judges found him to be a danger to himself or others. Additionally, the gunman should have been barred from buying a gun because he had been involuntarily committed for mental treatment.

He should have been reported to NICS because of a law passed last decade that required States to report people like him to the Federal system so that they would be prohibited from purchasing weapons. Unfortunately, because of a communications breakdown among Virginia authorities, this did not occur.

Since the Virginia Tech tragedy, several States have begun submitting these records to NICS and added hundreds of thousands of persons to the database without any additional Federal law being passed. According to the Washington Post, nearly 220,000 names have been added to this FBI list of people prohibited from buying guns because of mental health problems—a more than double increase in only 7 months.

While the intent of this legislation is good, Congress owes it to all Americans to pass legislation that is necessary and does not have unintended