

services and supports, whose income and resources are insufficient to meet the costs of necessary medical services; to the Committee on Finance.

By Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico):

S. 1032. A bill to provide for additional Federal district judgeships; to the Committee on the Judiciary.

By Mr. WYDEN:

S. 1033. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the City of Hermiston, Oregon, water recycling and reuse project, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER (for himself, Mrs. GILLIBRAND, Mr. LIEBERMAN, Mr. CARDIN, Ms. MIKULSKI, and Mr. CARPER):

S. 1034. A bill to amend the Internal Revenue Code of 1986 to equalize the exclusion from gross income of parking and transportation fringe benefits and to provide for a common cost-of-living adjustment, and for other purposes; to the Committee on Finance.

By Mr. CARPER (for himself, Ms. COLLINS, and Mr. LAUTENBERG):

S. 1035. A bill to amend the Internal Revenue Code of 1986 to include automated fire sprinkler systems as section 179 property and classify certain automated fire sprinkler systems as 15-year property for purposes of depreciation; to the Committee on Finance.

By Mr. CARDIN (for himself and Mr. VITTER):

S. 1036. A bill to amend title 40, United States Code, to ensure that job opportunities for people who are blind and people with significant disabilities are met by requiring the application of the Javits-Wagner-O'Day Act to certain lease agreements entered into by the Federal Government for private buildings or improvements; to the Committee on Environment and Public Works.

By Mrs. HUTCHISON (for herself and Mr. CORNYN):

S. 1037. A bill to amend the Intermodal Surface Transportation Efficiency Act of 1991 with respect to the identification of high priority corridors and the inclusion of certain route segments on the Interstate System, and for other purposes; to the Committee on Environment and Public Works.

By Mr. REID (for himself and Mr. MCCONNELL):

S. 1038. A bill to extend the expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and the Intelligence Reform and Terrorism Prevention Act of 2004 until June 1, 2015, and for other purposes; read twice.

By Mr. CARDIN (for himself, Mr. MCCAIN, Ms. AYOTTE, Mr. BEGICH, Mr. BLUMENTHAL, Mr. DURBIN, Mr. JOHANNIS, Mr. KIRK, Mr. KYL, Mr. LIEBERMAN, Mr. RUBIO, Mrs. SHAHEEN, Mr. WHITEHOUSE, and Mr. WICKER):

S. 1039. A bill to impose sanctions on persons responsible for the detention, abuse, or death of Sergei Magnitsky, for the conspiracy to defraud the Russian Federation of taxes on corporate profits through fraudulent transactions and lawsuits against Hermitage, and for other gross violations of human rights in the Russian Federation, and for other purposes; to the Committee on Foreign Relations.

By Mr. LIEBERMAN (for himself and Mr. MCCAIN):

S. 1040. A bill to enhance public safety by making more spectrum available to public safety entities, to facilitate the development of a public safety broadband network, to pro-

vide standards for the spectrum needs of public safety entities, and for other purposes; to the Committee on Commerce, Science, and Transportation.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. JOHNSON of South Dakota:

S. Res. 191. A resolution designating June 2011 as "National Aphasia Awareness Month" and supporting efforts to increase awareness of aphasia; to the Committee on the Judiciary.

By Mr. UDALL of Colorado (for himself, Mr. BURR, Mr. BINGAMAN, and Ms. MURKOWSKI):

S. Res. 192. A resolution designating May 21, 2011, as "National Kids to Parks Day"; considered and agreed to.

By Mr. MERKLEY (for himself and Mr. WYDEN):

S. Res. 193. A resolution honoring the bicentennial of the City of Astoria; considered and agreed to.

By Mr. SESSIONS:

S. Con. Res. 18. A concurrent resolution setting forth the President's budget request for the United States Government for fiscal year 2012, and setting forth the appropriate budgetary levels for fiscal years 2013 through 2021; placed on the calendar.

By Mr. TOOMEY:

S. Con. Res. 19. A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2012 and setting forth the appropriate budgetary levels for fiscal years 2013 through 2021; placed on the calendar.

By Mr. PAUL:

S. Con. Res. 20. A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2012 and setting forth the appropriate budgetary levels for fiscal years 2013 through 2016; placed on the calendar.

#### ADDITIONAL COSPONSORS

S. 165

At the request of Mr. VITTER, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from Nebraska (Mr. NELSON) were added as cosponsors of S. 165, a bill to amend the Public Health Services Act to prohibit certain abortion-related discrimination in governmental activities.

S. 214

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 214, a bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 251

At the request of Mr. VITTER, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 251, a bill to prohibit the provision of Federal funds to State and local governments for payment of obligations, to prohibit the Board of Governors of the Federal Reserve System from financially assisting State and local governments, and for other purposes.

S. 312

At the request of Mrs. HUTCHISON, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 312, a bill to amend the Patient Protection and Affordable Care Act to repeal certain limitations on health care benefits.

S. 319

At the request of Ms. SNOWE, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 319, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes.

S. 384

At the request of Mrs. FEINSTEIN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 384, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

S. 406

At the request of Mr. WYDEN, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 406, a bill to modify the Foreign Intelligence Surveillance Act of 1978 to require specific evidence for access to business records and other tangible things, and provide appropriate transition procedures, and for other purposes.

S. 542

At the request of Mr. BEGICH, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 542, a bill to amend title 10, United States Code, to authorize space-available travel on military aircraft for members of the reserve components, a member or former member of a reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents.

S. 547

At the request of Mrs. MURRAY, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 547, a bill to direct the Secretary of Education to establish an award program recognizing excellence exhibited by public school system employees providing services to students in pre-kindergarten through higher education.

S. 570

At the request of Mr. TESTER, the name of the Senator from Nebraska (Mr. JOHANNIS) was added as a cosponsor of S. 570, a bill to prohibit the Department of Justice from tracking and cataloging the purchases of multiple rifles and shotguns.

S. 618

At the request of Mr. RUBIO, his name was added as a cosponsor of S. 618, a bill to promote the strengthening of the private sector in Egypt and Tunisia.

S. 623

At the request of Mr. KOHL, the name of the Senator from California (Mrs.

FEINSTEIN) was added as a cosponsor of S. 623, a bill to amend chapter 111 of title 28, United States Code, relating to protective orders, sealing of cases, disclosures of discovery information in civil actions, and for other purposes.

S. 632

At the request of Mr. SCHUMER, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 632, a bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to extend the authorized period for rebuilding of certain overfished fisheries, and for other purposes.

S. 696

At the request of Mr. TESTER, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 696, a bill to amend title 38, United States Code, to treat Vet Centers as Department of Veterans Affairs facilities for purposes of payments or allowances for beneficiary travel to Department facilities, and for other purposes.

S. 705

At the request of Mr. CARPER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 705, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 707

At the request of Mr. DURBIN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 707, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 720

At the request of Mr. THUNE, the name of the Senator from Tennessee (Mr. CORKER) was added as a cosponsor of S. 720, a bill to repeal the CLASS program.

S. 723

At the request of Mr. VITTER, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 723, a bill to amend section 301 of the Immigration and Nationality Act to clarify those classes of individuals born in the United States who are nationals and citizens of the United States at birth.

S. 833

At the request of Mr. WHITEHOUSE, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 833, a bill to provide grants to States to ensure that all students in the middle grades are taught an academically rigorous curriculum with effective supports so that students complete the middle grades prepared for success in secondary school and postsecondary endeavors, to improve State and district policies and programs relating to the academic achievement of students in the middle grades, to develop and implement effective middle grades models for struggling students, and for other purposes.

S. 838

At the request of Mr. TESTER, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 838, a bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act.

S. 866

At the request of Mr. TESTER, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 866, a bill to amend title 10, United States Code, to modify the per-fiscal year calculation of days of certain active duty or active service used to reduce the minimum age at which a member of a reserve component of the uniformed services may retire for non-regular service.

S. 913

At the request of Mr. ROCKEFELLER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 913, a bill to require the Federal Trade Commission to prescribe regulations regarding the collection and use of personal information obtained by tracking the online activity of an individual, and for other purposes.

S. 949

At the request of Mrs. SHAHEEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 949, a bill to amend the National Oilheat Research Alliance Act of 2000 to reauthorize and improve that Act, and for other purposes.

S. 979

At the request of Mr. DURBIN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 979, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 982

At the request of Ms. AYOTTE, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 982, a bill to reaffirm the authority of the Department of Defense to maintain United States Naval Station, Guantanamo Bay, Cuba, as a location for the detention of unprivileged enemy belligerents held by the Department of Defense, and for other purposes.

S. 1002

At the request of Mr. SCHUMER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1002, a bill to prohibit theft of medical products, and for other purposes.

S. 1023

At the request of Mr. DURBIN, the names of the Senator from Indiana (Mr. LUGAR), the Senator from Vermont (Mr. LEAHY), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Vermont (Mr. SANDERS),

the Senator from Ohio (Mr. BROWN), and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 1023, a bill to authorize the President to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, and for other purposes.

S. CON. RES. 4

At the request of Mr. SCHUMER, the names of the Senator from Delaware (Mr. CARPER) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. Con. Res. 4, a concurrent resolution expressing the sense of Congress that an appropriate site on Chaplains Hill in Arlington National Cemetery should be provided for a memorial marker to honor the memory of the Jewish chaplains who died while on active duty in the Armed Forces of the United States.

S. RES. 80

At the request of Mr. KIRK, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Res. 80, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 172

At the request of Mrs. FEINSTEIN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. Res. 172, a resolution recognizing the importance of cancer research and the contributions made by scientists and clinicians across the United States who are dedicated to finding a cure for cancer, and designating May 2011, as "National Cancer Research Month".

S. RES. 175

At the request of Mrs. SHAHEEN, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. Res. 175, a resolution expressing the sense of the Senate with respect to ongoing violations of the territorial integrity and sovereignty of Georgia and the importance of a peaceful and just resolution to the conflict within Georgia's internationally recognized borders.

S. RES. 184

At the request of Mr. DURBIN, his name was added as a cosponsor of S. Res. 184, a resolution recognizing the life and service of the Honorable Hubert H. Humphrey, distinguished former Senator from the State of Minnesota and former Vice President of the United States, upon the 100th anniversary of his birth.

S. RES. 188

At the request of Mr. KIRK, the names of the Senator from Maine (Ms. COLLINS), the Senator from Indiana (Mr. COATS), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Idaho (Mr. RISCH), the Senator from Wisconsin (Mr. JOHNSON), the

Senator from Wyoming (Mr. BARRASSO), the Senator from Florida (Mr. RUBIO), the Senator from Kansas (Mr. ROBERTS), the Senator from Idaho (Mr. CRAPO), the Senator from Alabama (Mr. SHELBY), the Senator from Maine (Ms. SNOWE), the Senator from Mississippi (Mr. WICKER), the Senator from Tennessee (Mr. ALEXANDER) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. Res. 188, a resolution opposing State bailouts by the Federal Government.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself and Mr. GRAHAM).

S. 1025. A bill to amend title 10, United States Code, to enhance the national defense through empowerment of the National Guard, enhancement of the functions of the National Guard Bureau, and improvement of Federal-State military coordination in domestic emergency response, and for other purposes; to the Committee on Armed Services.

Mr. LEAHY. Mr. President, today I am proud to introduce the National Guard Empowerment and State-National Defense Integration Act of 2011 along with my National Guard Caucus Co-Chair, Senator LINDSEY GRAHAM. Our bill builds upon earlier reforms proposed and enacted through the work of the Guard Caucus to give the Guard and Reserve a seat at the Pentagon's budget and policymaking tables and to update jurisdictional and operational lines of authority in Guard matters, recognizing that the Guard has evolved to become a front-line, 21st Century force that is still trapped in a 20th Century Pentagon bureaucracy. This bill represents a bipartisan effort to do the right thing by the men and women of our National Guard, and Senator GRAHAM and I hope that it will receive speedy consideration and passage.

Ten years ago, the National Guard of the United States was very different than the Guard protecting our country today. A young private joining the National Guard on September 10, 2001, was joining a force designed to participate in an all-out, no-holds-barred war with the Soviet Union, even though the Soviet Union had ceased to exist a decade before. When that private showed up for drill, he or she found facilities in disrepair, a Guard demoralized by inattention from Pentagon leaders, and equipment that seemed to predate the Cold War. Of course, the life of that private, and of our entire nation, would change dramatically in the days to come.

September 11, 2001, woke us up to new realities. Yes, the United States still faced threats from overseas, and like the rest of us, the National Guard wanted to do its part. But as we began to call on the Guard to deploy, those of us who pay special attention to the Guard started to ask questions. Was the Pentagon actually going to send

our Guard overseas to fight with its ancient and decrepit fleet of vehicles? What about training? Who would help get these units ready for the battlefield?

Senator GRAHAM and I wish we could say that every necessary measure was taken to correct these problems before our National Guard deployed. But we are still correcting them, and that's what this piece of legislation is all about. Ever since 9/11, I worked with my friend Senator Bond to make sure that these equipment, staffing, training, and other issues that our National Guard faced would be fixed. Our efforts culminated just a few years ago in the first National Guard Empowerment Act, which accomplished things like getting the Chief of the National Guard Bureau a fourth star—and a louder voice in the Pentagon bureaucracy. Now Senator GRAHAM and I are continuing that work. We will not rest until every soldier and airman in the Guard has the training, equipment, and leadership he or she needs to accomplish the mission.

I would like to highlight a few things the bill will do. It will make the Chief of the National Guard Bureau a statutory member of the Joint Chiefs of Staff, a change we have needed for a full decade to make sure Pentagon decision makers consider the unique nature of the Guard when making decisions. The bill authorizes appropriations for Guard domestic operations. It authorizes the State Partnership Program, which has had such great success in my home state of Vermont. The bill will also help our emergency response operations. During Hurricane Katrina, we saw military forces so confused by state and federal distinctions. This bill includes a section focused on a new unity of effort plan that the Pentagon and the Department of Homeland Security have been working on with the Council of Governors and others. The bill will also clarify the relationship between the National Guard Bureau and the U.S. Northern and Pacific Commands and increase the Guard representation in U.S. Northern Command.

Overall, this bill moves our Guard and our country forward. It makes our Guard more effective in accomplishing the missions assigned to it. We ask so much of our men and women in the Guard. Senator GRAHAM and I are proud today to continue looking out for them and empowering them to get the job done when we call them away from civilian life to put on the uniform. We look forward to many of our colleagues joining us in this effort.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1025

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "National Guard Empowerment and State-National Defense Integration Act of 2011".

#### SEC. 2. REESTABLISHMENT OF POSITION OF VICE CHIEF OF THE NATIONAL GUARD BUREAU AND TERMINATION OF POSITION OF DIRECTOR OF THE JOINT STAFF OF THE NATIONAL GUARD BUREAU.

(a) REESTABLISHMENT AND TERMINATION OF POSITIONS.—Section 10505 of title 10, United States Code, is amended to read as follows:

##### "§ 10505. Vice Chief of the National Guard Bureau

"(a) APPOINTMENT.—(1) There is a Vice Chief of the National Guard Bureau, selected by the Secretary of Defense from officers of the Army National Guard of the United States or the Air National Guard of the United States who—

"(A) are recommended for such appointment by their respective Governors or, in the case of the District of Columbia, the commanding general of the District of Columbia National Guard;

"(B) have had at least 10 years of federally recognized service in an active status in the National Guard; and

"(C) are in a grade above the grade of colonel.

"(2) The Chief and Vice Chief of the National Guard Bureau may not both be members of the Army or of the Air Force.

"(3)(A) Except as provided in subparagraph (B), an officer appointed as Vice Chief of the National Guard Bureau serves for a term of four years, but may be removed from office at any time for cause.

"(B) The term of the Vice Chief of the National Guard Bureau shall end within a reasonable time (as determined by the Secretary of Defense) following the appointment of a Chief of the National Guard Bureau who is a member of the same armed force as the Vice Chief.

"(b) DUTIES.—The Vice Chief of the National Guard Bureau performs such duties as may be prescribed by the Chief of the National Guard Bureau.

"(c) GRADE.—The Vice Chief of the National Guard Bureau shall be appointed to serve in the grade of lieutenant general.

"(d) FUNCTIONS AS ACTING CHIEF.—When there is a vacancy in the office of the Chief of the National Guard Bureau or in the absence or disability of the Chief, the Vice Chief of the National Guard Bureau acts as Chief and performs the duties of the Chief until a successor is appointed or the absence of disability ceases."

(b) CONFORMING AMENDMENTS.—

(1) Section 10502 of such title is amended by striking subsection (e).

(2) Section 10506(a)(1) of such title is amended by striking "and the Director of the Joint Staff of the National Guard Bureau" and inserting "and the Vice Chief of the National Guard Bureau".

(c) CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of section 10502 of such title is amended to read as follows:

**"§ 10502. Chief of the National Guard Bureau: appointment; advisor on National Guard matters; grade".**

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 1011 of such title is amended—

(A) by striking the item relating to section 10502 and inserting the following new item:

"10502. Chief of the National Guard Bureau: appointment; advisor on National Guard matters; grade."; and

(B) by striking the item relating to section 10505 and inserting the following new item: