S. 22

At the request of Mrs. GILLIBRAND, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 22, a bill to amend the Internal Revenue Code of 1986 to permanently extend and expand the additional standard deduction for real property taxes for nonitemizers.

S. 89

At the request of Mr. VITTER, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 89, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 163

At the request of Mr. TOOMEY, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 163, a bill to require that the Government prioritize all obligations on the debt held by the public in the event that the debt limit is reached.

S. 228

At the request of Mr. BARRASSO, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 228, a bill to preempt regulation of, action relating to, or consideration of greenhouse gases under Federal and common law on enactment of a Federal policy to mitigate climate change.

S. 239

At the request of Ms. KLOBUCHAR, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 239, a bill to support innovation, and for other purposes.

S. 248

At the request of Mr. WYDEN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 248, a bill to allow an earlier start for State health care coverage innovation waivers under the Patient Protection and Affordable Care Act.

S. 274

At the request of Mrs. HAGAN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 274, a bill to amend title XVIII of the Social Security Act to expand access to medication therapy management services under the Medicare prescription drug program.

S. 328

At the request of Mr. BROWN of Ohio, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 328, a bill to amend title VII of the Tariff Act of 1930 to clarify that countervailing duties may be imposed to address subsidies relating to fundamentally undervalued currency of any foreign country.

S. 359

At the request of Mr. JOHANNS, the names of the Senator from Indiana (Mr. COATS) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 359, a bill to amend the Internal Revenue Code of 1986 to repeal the expansion of information reporting requirements to payments made to corporations, payments for property and other gross proceeds, and rental property expense payments, and for other purposes.

S. 398

At the request of Mr. BINGAMAN, the names of the Senator from Alaska (Mr. BEGICH), the Senator from Massachusetts (Mr. KERRY) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 398, a bill to amend the Energy Policy and Conservation Act to improve energy efficiency of certain appliances and equipment, and for other purposes.

S. 425

At the request of Mr. UDALL of Colorado, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 425, a bill to amend the Public Health Service Act to provide for the establishment of permanent national surveillance systems for multiple sclerosis, Parkinson's disease, and other neurological diseases and disorders.

S.J. RES. 3

At the request of Mr. HATCH, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S.J. Res. 3, a joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget.

S.J. RES. 5

At the request of Mr. LEE, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S.J. Res. 5, a joint resolution proposing an amendment to the Constitution of the United States requiring that the Federal budget be balanced.

S. CON. RES. 4

At the request of Mr. SCHUMER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor 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. CON. RES. 7

At the request of Mr. BARRASSO, the names of the Senator from Mississippi (Mr. COCHRAN), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Idaho (Mr. CRAPO) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. Con. Res. 7, a concurrent resolution supporting the Local Radio Freedom Act.

AMENDMENT NO. 115

At the request of Mr. LEE, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of amendment No. 115 proposed to S. 23, a bill to amend title 35, United States Code, to provide for patent reform.

AMENDMENT NO. 124

At the request of Mr. MENENDEZ, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of amendment No. 124 proposed to S. 23, a bill to amend title 35, United States Code, to provide for patent reform.

AMENDMENT NO. 129

At the request of Mr. RISCH, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of amendment No. 129 intended to be proposed to S. 23, a bill to amend title 35, United States Code, to provide for patent reform.

AMENDMENT NO. 130

At the request of Mr. RISCH, the names of the Senator from Colorado (Mr. UDALL) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of amendment No. 130 intended to be proposed to S. 23, a bill to amend title 35, United States Code, to provide for patent reform.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mr. REID, Mrs. BOXER, and Mr. ENSIGN):

S. 432. A bill to provide for environmental restoration activities and forest management activities in the Lake Tahoe Basin, and for other purposes; to the Committee on Environment and Public Works.

Mrs. FEINSTEIN. Mr. President, I rise today to discuss the need to restore and protect Lake Tahoe. Lake Tahoe is a national treasure. Her alpine beauty has drawn and inspired people for centuries: artists and poets, John Muir and Mark Twain, and millions of visitors from around the world.

As a girl, I went to Lake Tahoe to ride horses through the woods, bike around the magnificent Basin and swim in the clear blue waters.

Today, I am proud to work with representatives from different ends of the political spectrum to restore Lake Tahoe to that pristine State. For 14 years, we have come together to Keep Tahoe Blue.

That is why today I am reintroducing the Lake Tahoe Restoration Act of 2011, which is cosponsored by Senators HARRY REID, JOHN ENSIGN and BARBARA BOXER.

It would authorize $415 million over 10 years to improve water clarity, reduce risk of catastrophic wildfire, and restore the environment.

Specifically, it would provide $248 million over 10 years for the highest priority restoration projects, as established using scientific data. The legislation authorizes at least $72 million for stormwater management and watershed restoration projects scientifically determined to be the most effective ways to improve water clarity.

This bill also requires prioritized ranking of environmental restoration projects and authorizes $136 million for State and local agencies to implement these projects.

Now, and this is an important point, this legislation would direct investment to where it is needed most.

For example, today we know the major sources of stormwater runoff that send sedimentation into the lake, degrading water clarity.

So the monies would go to specific projects addressing California state roads, source of 23 percent of urban particle loads; the city of South Lake Tahoe, Calif., 22 percent; Washoe County, Nevada, 17 percent; and so forth.

In this bill, these stormwater projects are targeted to the areas of greatest concern. Priority projects will improve water quality, forest health, air quality and fish and wildlife habitat around Lake Tahoe. In addition, projects that benefit low-income neighborhoods are encouraged.

The bill authorizes $136 million over 10 years to reduce the threat of wildfire around Lake Tahoe. This would finance hazardous fuels reduction projects, at $17 million per year, including grants to local fire agencies.

It provides the Forest Service up to $10 million for fuels projects that have multiple environmental benefits, with an emphasis in restoring Stream Environment Zones.

This is critical because, again, these streams feed into the lake and form a critical link in the ecosystem. We need to pay attention to these stream zones if we hope to restore water clarity.

The bill protects Lake Tahoe from the threat of quagga mussels and other invasive aquatic species. Quagga mussels pose a very serious threat to Lake Tahoe, a threat made more intractable because these mussels have been shown to survive in cold waters. A few years ago University of California scientists reported that they found up to 3,000 Asian clams per square meter at spots between Zephyr Point and Elk Point in Lake Tahoe. The spreading Asian clam population could put sharp shells and rotting algae on the Lake's beaches and contribute to the spread other invasive species such as quagga mussels.

The bill would authorize $20.5 million for watercraft inspections and removal of existing invasive species. It would require all watercraft to be inspected and decontaminated.

One quagga or zebra mussel can lay 1 million eggs in a year. This means that a single boat carrying quagga could devastate the lake's biology, local infrastructure, and the local economy.

The damage that could be inflicted at Lake Tahoe by a quagga infestation has been estimated at tens of millions of dollars annually. The threat to Lake Tahoe cannot be overstated. There were no quagga mussels in Lake Mead 4 years ago. Today there are more than 3 trillion. The infestation is probably irreversible.

But there is some good news. Last summer, scientists placed long rubber mats across the bottom of Lake Tahoe to cut off the oxygen to the Asian clams. Early research suggests these mats were very effective at killing the clams. And scientists have also discovered how to decontaminate boats and kill quagga mussels.

We can fight off these invaders. But it will require drive and imagination—and the help authorized within this bill.

The bill supports reintroduction of the Lahontan Cutthroat Trout. The legislation authorizes $20 million over 10 years for the Lahontan Cutthroat Trout Recovery Plan. The Lahontan Cutthroat Trout is an iconic species that has an important legacy in Lake Tahoe.

When John C. Fremont first explored the Truckee River in January of 1844, he called it the Salmon Trout River because he found the Pyramid Lake Lahontan Cutthroat Trout. The trout relied on the Truckee River and its tributaries for their spawning runs in spring, traveling up the entire river's length as far as Lake Tahoe and Donner Lake, where they used the cool, pristine waters and clean gravel beds to lay their eggs. But dams, pollution and overfishing caused the demise of the Lahontan Cutthroat Trout.

Lake Tahoe is one of 11 historic lakes where Lahontan Cutthroat Trout flourished in the past, and it's a critical part of the strategy to recover the species.

The bills funds scientific research. The legislation authorizes $30 million over 10 years for scientific programs and research which will produce information on long-term trends in the Basin and inform the most cost-effective projects.

The bill prohibiting mining operations in the Tahoe Basin. The legislation would prohibit new mining operations in the Basin, ensuring that the fragile watershed, and Lake Tahoe's water clarity, are not threatened by pollution from mining operations.

The bill increases accountability and oversight. Every project funded by this legislation will have monitoring and assessment to determine the most cost-effective projects and best management practices for future projects.

The legislation also requires the Chair of the Federal Partnership to work with the Forest Service, Environmental Protection Agency, Fish and Wildlife Service and regional and state agencies, to prepare an annual report to Congress detailing the status of all projects undertaken, including project scope, budget and justification and overall expenditures and accomplishments.

This will ensure that Congress can have oversight on the progress of environmental restoration in Lake Tahoe.

The bill provides for public outreach and education. The Forest Service, Environmental Protection Agency, Fish and Wildlife Service and Tahoe Regional Planning Agency will implement new public outreach and education programs including: encouraging Basin residents and visitors to implement defensible space, conducting best management practices for water quality, and preventing the introduction and proliferation of invasive species.

In addition, the legislation requires signage on federally financed projects to improve public awareness of restoration efforts.

The bill allows for increased efficiency in the management of public land. Under this legislation, the Forest Service would have increased flexibility to exchange land with state agencies which will allow for more cost-efficient management of public land. There is currently a checkerboard pattern of ownership in some areas of the Basin.

Under this new authority, the Forest Service could exchange land with the California Tahoe Conservancy of approximately equal value without going through a lengthy process to assess the land.

For example, if there are several plots of Forest Service land that surround or are adjacent to Tahoe Conservancy land, the Tahoe Conservancy could transfer that land to the Forest Service so that it can be managed more efficiently.

This legislation is needed because the ''Jewel of the Sierra'' is in big trouble. If we don't act now, we could lose Lake Tahoe—and lose it with stunning speed—as climate change increases in severity.

The effects of climate change on Lake Tahoe are already visible. It is making the basin dry and tinder-hot, increasing the risks of catastrophic wildfire. Daily air temperatures have increased 4 degrees since 1911. Snowfall has declined from an average of 52 percent of overall precipitation in 1910 to just 34 percent in recent years.

Climate change has raised Lake Tahoe's water temperature 1.5 degrees in 38 years. That means the cyclical deep-water mixing of the lake's waters will occur less frequently, and this could significantly disrupt Lake Tahoe's ecosystem.

Anyone doubting that climate change poses a considerable threat to Lake Tahoe should read an alarming recent report by the UC Davis Tahoe Environmental Research Center.

It was written for the U.S. Forest Service by scientists who have devoted their professional careers to studying Lake Tahoe. And it paints a distinctly bleak picture of the future for the ''Jewel of the Sierra.''

Among its findings: The Tahoe Basin's regional snowpack could decline by as much as 60 percent in the next century, with increased floods likely by 2050 and prolonged droughts by 2100.

Even ''under the most optimistic projections,'' average snowpack in the Sierra Nevada around Tahoe will decline by 40 to 60 percent by 2100, according to the report.

This would bankrupt Tahoe's ski industry, threaten the water supply of Reno and other communities, and degrade the lake's fabled water clarity. It would be devastating.

Pollution and sedimentation have threatened Lake Tahoe's water clarity for years. In 1968, the first year UC Davis scientists measured clarity, the lake had an average depth of 102.4 feet. Clarity declined over the next 3 decades, hitting a low of 64 feet in 1997.

There has been some improvement this decade. This year scientists recorded average clarity at 69.6 feet—roughly within the range of the past eight years. But it is a fragile gain.

The University of California Davis report has determined that an all-out attack on pollution and sedimentation is the lake's last hope.

Geoff Schladow, director of the UC Davis Tahoe Environmental Research Center and one of the report's authors, has highlighted the need to restore short-term water quality in Lake Tahoe—while there's still time to do it.

According to the report, ''reducing the load of external nutrients entering the lake in the coming decades may be the only possible mitigation measure to reduce the impact of climate change on lake clarity.'' In other words, the sediment and runoff entering the lake could fuel algal growth, creating a downward spiral in water quality and clarity.

The Lake Tahoe Restoration Act of 2011 would directly fund efforts to address water clarity issues and impacts from climate change.

Last year, the Lake Tahoe Restoration Act of 2010 passed the Senate Environment and Public Works Committee unanimously, but there was not enough time for a floor vote. It is my hope that this legislation can be passed early in the legislative session.

A lot of good work has been done. But there's a lot more work to do, and time is running out.

Mark Twain called Lake Tahoe ''the fairest picture the whole world affords.'' We must not be the generation who lets this picture fall into ruin. We must rise to the challenge, and do all we can to preserve this ''noble sheet of water.''

Mr. President, 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. 432

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 ''Lake Tahoe Restoration Act of 2011''.

SEC. 2. FINDINGS AND PURPOSES.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 2 and inserting the following:

''SEC. 2. FINDINGS AND PURPOSES.

''(a) FINDINGS.—Congress finds that—

''(1) Lake Tahoe—

''(A) is 1 of the largest, deepest, and clearest lakes in the world;

''(B) has a cobalt blue color, a biologically diverse alpine setting, and remarkable water clarity; and

''(C) is recognized nationally and worldwide as a natural resource of special significance;

''(2) in addition to being a scenic and ecological treasure, the Lake Tahoe Basin is 1 of the outstanding recreational resources of the United States, which—

''(A) offers skiing, water sports, biking, camping, and hiking to millions of visitors each year; and

''(B) contributes significantly to the economies of California, Nevada, and the United States;

''(3) the economy in the Lake Tahoe Basin is dependent on the protection and restoration of the natural beauty and recreation opportunities in the area;

''(4) the Lake Tahoe Basin continues to be threatened by the impacts of land use and transportation patterns developed in the last century that damage the fragile watershed of the Basin;

''(5) the water clarity of Lake Tahoe declined from a visibility level of 105 feet in 1967 to only 70 feet in 2008;

''(6) the rate of decline in water clarity of Lake Tahoe has decreased in recent years;

''(7) a stable water clarity level for Lake Tahoe could be achieved through feasible control measures for very fine sediment particles and nutrients;

''(8) fine sediments that cloud Lake Tahoe, and key nutrients such as phosphorus and nitrogen that support the growth of algae and invasive plants, continue to flow into the lake from stormwater runoff from developed areas, roads, turf, other disturbed land, and streams;

''(9) the destruction and alteration of wetland, wet meadows, and stream zone habitat have compromised the natural capacity of the watershed to filter sediment, nutrients, and pollutants before reaching Lake Tahoe;

''(10) approximately 25 percent of the trees in the Lake Tahoe Basin are either dead or dying;

''(11) forests in the Tahoe Basin suffer from over a century of fire suppression and periodic drought, which have resulted in—

''(A) high tree density and mortality;

''(B) the loss of biological diversity; and

''(C) a large quantity of combustible forest fuels, which significantly increases the threat of catastrophic fire and insect infestation;

''(12) the establishment of several aquatic and terrestrial invasive species (including bass, milfoil, and Asian clam) threatens the ecosystem of the Lake Tahoe Basin;

''(13) there is an ongoing threat to the Lake Tahoe Basin of the introduction and establishment of other invasive species (such as the zebra mussel, New Zealand mud snail, and quagga mussel);

''(14) the report prepared by the University of California, Davis, entitled the 'State of the Lake Report', found that conditions in the Lake Tahoe Basin had changed, including—

''(A) the average surface water temperature of Lake Tahoe has risen by more than 1.5 degrees Fahrenheit in the past 37 years; and

''(B) since 1910, the percent of precipitation that has fallen as snow in the Lake Tahoe Basin decreased from 52 percent to 34 percent;

''(15) 75 percent of the land in the Lake Tahoe Basin is owned by the Federal Government, which makes it a Federal responsibility to restore environmental health to the Basin;

''(16) the Federal Government has a long history of environmental preservation at Lake Tahoe, including—

''(A) congressional consent to the establishment of the Tahoe Regional Planning Agency with—

''(i) the enactment in 1969 of Public Law 91–148 (83 Stat. 360); and

''(ii) the enactment in 1980 of Public Law 96–551 (94 Stat. 3233);

''(B) the establishment of the Lake Tahoe Basin Management Unit in 1973;

''(C) the enactment of Public Law 96–586 (94 Stat. 3381) in 1980 to provide for the acquisition of environmentally sensitive land and erosion control grants in the Lake Tahoe Basin;

''(D) the enactment of sections 341 and 342 of the Department of the Interior and Related Agencies Appropriations Act, 2004 (Public Law 108–108; 117 Stat. 1317), which amended the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2346) to provide payments for the environmental restoration projects under this Act; and

''(E) the enactment of section 382 of the Tax Relief and Health Care Act of 2006 (Public Law 109–432; 120 Stat. 3045), which amended the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2346) to authorize development and implementation of a comprehensive 10-year hazardous fuels and fire prevention plan for the Lake Tahoe Basin;

''(17) the Assistant Secretary of the Army for Civil Works was an original signatory in 1997 to the Agreement of Federal Departments on Protection of the Environment and Economic Health of the Lake Tahoe Basin;

''(18) the Chief of Engineers, under direction from the Assistant Secretary of the Army for Civil Works, has continued to be a significant contributor to Lake Tahoe Basin restoration, including—

''(A) stream and wetland restoration;

''(B) urban stormwater conveyance and treatment; and

''(C) programmatic technical assistance;

''(19) at the Lake Tahoe Presidential Forum in 1997, the President renewed the commitment of the Federal Government to Lake Tahoe by—

''(A) committing to increased Federal resources for environmental restoration at Lake Tahoe; and

''(B) establishing the Federal Interagency Partnership and Federal Advisory Committee to consult on natural resources issues concerning the Lake Tahoe Basin;

''(20) at the 2008 and 2009 Lake Tahoe Forums, Senator Reid, Senator Feinstein, Senator Ensign, and Governor Gibbons—

''(A) renewed their commitment to Lake Tahoe; and

''(B) expressed their desire to fund the Federal share of the Environmental Improvement Program through 2018;

''(21) since 1997, the Federal Government, the States of California and Nevada, units of local government, and the private sector have contributed more than $1,430,000,000 to the Lake Tahoe Basin, including—

''(A) $424,000,000 from the Federal Government;

''(B) $612,000,000 from the State of California;

''(C) $87,000,000 from the State of Nevada;

''(D) $59,000,000 from units of local government; and

''(E) $249,000,000 from private interests;

''(22) significant additional investment from Federal, State, local, and private sources is necessary—

''(A) to restore and sustain the environmental health of the Lake Tahoe Basin;

''(B) to adapt to the impacts of changing climatic conditions; and

''(C) to protect the Lake Tahoe Basin from the introduction and establishment of invasive species; and

''(23) the Secretary has indicated that the Lake Tahoe Basin Management Unit has the capacity for at least $10,000,000 and up to

$20,000,000 annually for the Fire Risk Reduction and Forest Management Program.

''(b) PURPOSES.—The purposes of this Act are—

''(1) to enable the Chief of the Forest Service, the Director of the United States Fish and Wildlife Service, and the Administrator of the Environmental Protection Agency, in cooperation with the Planning Agency and the States of California and Nevada, to fund, plan, and implement significant new environmental restoration activities and forest management activities to address in the Lake Tahoe Basin the issues described in paragraphs (4) through (14) of subsection (a);

''(2) to ensure that Federal, State, local, regional, tribal, and private entities continue to work together to manage land in the Lake Tahoe Basin and to coordinate on other activities in a manner that supports achievement and maintenance of—

''(A) the environmental threshold carrying capacities for the region; and

''(B) other applicable environmental standards and objectives;

''(3) to support local governments in efforts related to environmental restoration, stormwater pollution control, fire risk reduction, and forest management activities; and

''(4) to ensure that agency and science community representatives in the Lake Tahoe Basin work together—

''(A) to develop and implement a plan for integrated monitoring, assessment, and applied research to evaluate the effectiveness of the Environmental Improvement Program; and

''(B) to provide objective information as a basis for ongoing decisionmaking, with an emphasis on decisionmaking relating to public and private land use and resource management in the Basin.''.

SEC. 3. DEFINITIONS.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 3 and inserting the following:

''SEC. 3. DEFINITIONS.

''In this Act:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Environmental Protection Agency.

''(2) ASSISTANT SECRETARY.—The term 'Assistant Secretary' means the Assistant Secretary of the Army for Civil Works.

''(3) CHAIR.—The term 'Chair' means the Chair of the Federal Partnership.

''(4) COMPACT.—The term 'Compact' means the Tahoe Regional Planning Compact included in the first section of Public Law 96–551 (94 Stat. 3233).

''(5) DIRECTOR.—The term 'Director' means the Director of the United States Fish and Wildlife Service.

''(6) ENVIRONMENTAL IMPROVEMENT PROGRAM.—The term 'Environmental Improvement Program' means—

''(A) the Environmental Improvement Program adopted by the Planning Agency; and

''(B) any amendments to the Program.

''(7) ENVIRONMENTAL THRESHOLD CARRYING CAPACITY.—The term 'environmental threshold carrying capacity' has the meaning given the term in article II of the compact.

''(8) FEDERAL PARTNERSHIP.—The term 'Federal Partnership' means the Lake Tahoe Federal Interagency Partnership established by Executive Order 13957 (62 Fed. Reg. 41249) (or a successor Executive order).

''(9) FOREST MANAGEMENT ACTIVITY.—The term 'forest management activity' includes—

''(A) prescribed burning for ecosystem health and hazardous fuels reduction;

''(B) mechanical and minimum tool treatment;

''(C) road decommissioning or reconstruction;

''(D) stream environment zone restoration and other watershed and wildlife habitat enhancements;

''(E) nonnative invasive species management; and

''(F) other activities consistent with Forest Service practices, as the Secretary determines to be appropriate.

''(10) NATIONAL WILDLAND FIRE CODE.—The term 'national wildland fire code' means—

''(A) the most recent publication of the National Fire Protection Association codes numbered 1141, 1142, 1143, and 1144;

''(B) the most recent publication of the International Wildland-Urban Interface Code of the International Code Council; or

''(C) any other code that the Secretary determines provides the same, or better, standards for protection against wildland fire as a code described in subparagraph (A) or (B).

''(11) PLANNING AGENCY.—The term 'Planning Agency' means the Tahoe Regional Planning Agency established under Public Law 91–148 (83 Stat. 360) and Public Law 96–551 (94 Stat. 3233).

''(12) PRIORITY LIST.—The term 'Priority List' means the environmental restoration priority list developed under section 8.

''(13) SECRETARY.—The term 'Secretary' means the Secretary of Agriculture, acting through the Chief of the Forest Service.

''(14) TOTAL MAXIMUM DAILY LOAD.—The term 'total maximum daily load' means the total maximum daily load allocations adopted under section 303(d) of the Federal Water Pollution Control Act (33 U.S.C. 1313(d)).

''(15) STREAM ENVIRONMENT ZONE.—The term 'Stream Environment Zone' means an area that generally owes the biological and physical characteristics of the area to the presence of surface water or groundwater.

''(16) WATERCRAFT.—The term 'watercraft' means motorized and non-motorized watercraft, including boats, personal watercraft, kayaks, and canoes.''.

SEC. 4. ADMINISTRATION OF THE LAKE TAHOE BASIN MANAGEMENT UNIT.

Section 4 of the Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2353) is amended—

(1) in subsection (b)(3), by striking ''basin'' and inserting ''Basin''; and

(2) by adding at the end the following:

''(c) TRANSIT.—

''(1) IN GENERAL.—The Lake Tahoe Basin Management Unit shall, consistent with the regional transportation plan adopted by the Planning Agency, manage vehicular parking and traffic in the Lake Tahoe Basin Management Unit, with priority given—

''(A) to improving public access to the Lake Tahoe Basin, including the prioritization of alternatives to the private automobile, consistent with the requirements of the Compact;

''(B) to coordinating with the Nevada Department of Transportation, Caltrans, State parks, and other entities along Nevada Highway 28 and California Highway 89; and

''(C) to providing support and assistance to local public transit systems in the management and operations of activities under this subsection.

''(2) NATIONAL FOREST TRANSIT PROGRAM.—Consistent with the support and assistance provided under paragraph (1)(C), the Secretary, in consultation with the Secretary of Transportation, may enter into a contract, cooperative agreement, interagency agreement, or other agreement with the Department of Transportation to secure operating and capital funds from the National Forest Transit Program.

''(d) FOREST MANAGEMENT ACTIVITIES.—

''(1) COORDINATION.—

''(A) IN GENERAL.—In conducting forest management activities in the Lake Tahoe Basin Management Unit, the Secretary shall, as appropriate, coordinate with the Administrator and State and local agencies and organizations, including local fire departments and volunteer groups.

''(B) GOALS.—The coordination of activities under subparagraph (A) should aim to increase efficiencies and maximize the compatibility of management practices across public property boundaries.

''(2) MULTIPLE BENEFITS.—

''(A) IN GENERAL.—In conducting forest management activities in the Lake Tahoe Basin Management Unit, the Secretary shall conduct the activities in a manner that—

''(i) except as provided in subparagraph (B), attains multiple ecosystem benefits, including—

''(I) reducing forest fuels;

''(II) maintaining or restoring biological diversity;

''(III) improving wetland and water quality, including in Stream Environment Zones; and

''(IV) increasing resilience to changing climatic conditions; and

''(ii) helps achieve and maintain the environmental threshold carrying capacities established by the Planning Agency.

''(B) EXCEPTION.—Notwithstanding clause (A)(i), the attainment of multiple ecosystem benefits shall not be required if the Secretary determines that management for multiple ecosystem benefits would excessively increase the cost of a project in relation to the additional ecosystem benefits gained from the management activity.

''(3) GROUND DISTURBANCE.—Consistent with applicable Federal law and Lake Tahoe Basin Management Unit land and resource management plan direction, the Secretary shall—

''(A) establish post-project ground condition criteria for ground disturbance caused by forest management activities; and

''(B) provide for monitoring to ascertain the attainment of the post-project conditions.

''(e) WITHDRAWAL OF FEDERAL LAND.—

''(1) IN GENERAL.—Subject to valid existing rights and paragraphs (2) and (3), the Federal land located in the Lake Tahoe Basin Management Unit is withdrawn from—

''(A) all forms of entry, appropriation, or disposal under the public land laws;

''(B) location, entry, and patent under the mining laws; and

''(C) disposition under all laws relating to mineral and geothermal leasing.

''(2) DETERMINATION.—

''(A) IN GENERAL.—The withdrawal under paragraph (1) shall be in effect until the date on which the Secretary, after conducting a review of all Federal land in the Lake Tahoe Basin Management Unit and receiving public input, has made a determination on which parcels of Federal land should remain withdrawn.

''(B) REQUIREMENTS.—The determination of the Secretary under subparagraph (A)—

''(i) shall be effective beginning on the date on which the determination is issued;

''(ii) may be altered by the Secretary as the Secretary determines to be necessary; and

''(iii) shall not be subject to administrative renewal.

''(3) EXCEPTIONS.—A land exchange shall be exempt from withdrawal under this subsection if carried out under—

''(A) the Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351); or

''(B) the Santini-Burton Act (Public Law 96–586; 94 Stat. 3381).

''(f) ENVIRONMENTAL THRESHOLD CARRYING CAPACITY.—The Lake Tahoe Basin Management Unit shall support the attainment of the environmental threshold carrying capacities.

''(g) COOPERATIVE AUTHORITIES.—

''(1) IN GENERAL.—During the 4 fiscal years following the date of enactment of the Lake Tahoe Restoration Act of 2011, the Secretary, in conjunction with land adjustment projects or programs, may enter into contracts and cooperative agreements with States, units of local government, and other public and private entities to provide for fuel reduction, erosion control, reforestation, Stream Environment Zone restoration, and similar management activities on Federal land and non-Federal land within the projects or programs.

''(2) REPORT ON LAND STATUS.—

''(A) IN GENERAL.—Not later than 2 years after the date of enactment of the Lake Tahoe Restoration Act of 2011, the Secretary shall submit to Congress a report regarding the management of land in the Lake Tahoe Basin Management Unit Urban Lots Program, including—

''(i) a description of future plans and recent actions for land consolidation and adjustment; and

''(ii) the identification of any obstacles to desired conveyances or interchanges.

''(B) INCLUSIONS.—The report submitted under subparagraph (A) may contain recommendations for additional legislative authority.

''(C) EFFECT.—Nothing in this paragraph delays the conveyance of parcels under—

''(i) the authority of this Act; or

''(ii) any other authority available to the Secretary.

''(3) SUPPLEMENTAL AUTHORITY.—The authority of this subsection is supplemental to all other cooperative authorities of the Secretary.''.

SEC. 5. CONSULTATION.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 5 and inserting the following:

''SEC. 5. CONSULTATION.

''In carrying out this Act, the Secretary, the Administrator, and the Director shall, as appropriate and in a timely manner, consult with the heads of the Washoe Tribe, applicable Federal, State, regional, and local governmental agencies, and the Lake Tahoe Federal Advisory Committee.''.

SEC. 6. AUTHORIZED PROJECTS.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 6 and inserting the following:

''SEC. 6. AUTHORIZED PROJECTS.

''(a) IN GENERAL.—The Secretary, the Director, and the Administrator, in coordination with the Planning Agency and the States of California and Nevada, may carry out or provide financial assistance to any project or program described in subsection (c) or included in the Priority List under section 8 to further the purposes of the Environmental Improvement Program if the project has been subject to environmental review and approval, respectively, as required under Federal law, article 7 of the Compact, and State law, as applicable. The Administrator shall use no more than 3 percent of the funds provided for administering the projects or programs described in subsection (c) (1) and (2).

''(b) MONITORING AND ASSESSMENT.—All projects authorized under subsection (c) and section 8 shall—

''(1) include funds for monitoring and assessment of the results and effectiveness at the project and program level consistent with the program developed under section 11; and

''(2) use the integrated multiagency performance measures established under that section.

''(c) DESCRIPTION OF ACTIVITIES.—

''(1) STORMWATER MANAGEMENT, EROSION CONTROL, AND TOTAL MAXIMUM DAILY LOAD IMPLEMENTATION.—Of the amounts made available under section 18(a), $40,000,000 shall be made available for grants by the Administrator for the Federal share of the following projects:

''(A) Bijou Stormwater Improvement Project in the City of South Lake Tahoe, California.

''(B) Christmas Valley Stormwater Improvement Project in El Dorado County, California.

''(C) Kings Beach Watershed Improvement Project in Placer County, California.

''(D) Lake Forest Stormwater and Watershed Improvement Project in Placer County, California.

''(E) Crystal Bay Stormwater Improvement Project in Washoe County, Nevada.

''(F) Washoe County Stormwater Improvement Projects 4, 5, and 6 in Washoe County, Nevada.

''(G) Upper and Lower Kingsbury Project in Douglas County, Nevada.

''(H) Lake Village Drive-Phase II Stormwater Improvement in Douglas County, Nevada.

''(I) State Route 28 Spooner to Sand Harbor Stormwater Improvement, Washoe County, Nevada.

''(J) State Route 431 Stormwater Improvement, Washoe County, Nevada.

''(2) STREAM ENVIRONMENT ZONE AND WATERSHED RESTORATION.—Of the amounts made available under section 18(a), $32,000,000 shall be made available for grants by the Administrator for the Federal share of the following projects:

''(A) Upper Truckee River and Marsh Restoration Project.

''(B) Upper Truckee River Mosher, Reaches 1 & 2.

''(C) Upper Truckee River Sunset Stables.

''(D) Lower Blackwood Creek Restoration Project.

''(E) Ward Creek.

''(F) Third Creek/Incline Creek Watershed Restoration.

''(G) Rosewood Creek Restoration Project.

''(3) FIRE RISK REDUCTION AND FOREST MANAGEMENT.—

''(A) IN GENERAL.—Of the amounts made available under section 18(a), $136,000,000 shall be made available for assistance by the Secretary for the following projects:

''(i) Projects identified as part of the Lake Tahoe Basin Multi-Jurisdictional Fuel Reduction and Wildfire Prevention Strategy 10-Year Plan.

''(ii) Competitive grants for fuels work to be awarded by the Secretary to communities that have adopted national wildland fire codes to implement the applicable portion of the 10-year plan described in clause (i).

''(iii) Biomass projects, including feasibility assessments and transportation of materials.

''(iv) Angora Fire Restoration projects under the jurisdiction of the Secretary.

''(v) Washoe Tribe projects on tribal lands within the Lake Tahoe Basin.

''(B) MULTIPLE BENEFIT FUELS PROJECTS.—Consistent with the requirements of section 4(d)(2), not more than $10,000,000 of the amounts made available to carry out subparagraph (A) shall be available to the Secretary for the planning and implementation of multiple benefit fuels projects with an emphasis on restoration projects in Stream Environment Zones.

''(C) MINIMUM ALLOCATION.—Of the amounts made available to carry out subparagraph (A), at least $80,000,000 shall be made available to the Secretary for projects under subparagraph (A)(i).

''(D) PRIORITY.—Units of local government that have dedicated funding for inspections and enforcement of defensible space regulations shall be given priority for amounts provided under this paragraph.

''(E) COST-SHARING REQUIREMENTS.—

''(i) IN GENERAL.—As a condition on the receipt of funds, communities or local fire districts that receive funds under this paragraph shall provide a 25 percent match.

''(ii) FORM OF NON-FEDERAL SHARE.—

''(I) IN GENERAL.—The non-Federal share required under clause (i) may be in the form of cash contributions or in-kind contributions, including providing labor, equipment, supplies, space, and other operational needs.

''(II) CREDIT FOR CERTAIN DEDICATED FUNDING.—There shall be credited toward the non-Federal share required under clause (i) any dedicated funding of the communities or local fire districts for a fuels reduction management program, defensible space inspections, or dooryard chipping.

''(III) DOCUMENTATION.—Communities and local fire districts shall—

''(aa) maintain a record of in-kind contributions that describes—

''(AA) the monetary value of the in-kind contributions; and

''(BB) the manner in which the in-kind contributions assist in accomplishing project goals and objectives; and

''(bb) document in all requests for Federal funding, and include in the total project budget, evidence of the commitment to provide the non-Federal share through in-kind contributions.

''(4) INVASIVE SPECIES MANAGEMENT.—Of the amounts to be made available under section 18(a), $20,500,000 shall be made available to the Director for the Aquatic Invasive Species Program and the watercraft inspections described in section 9.

''(5) SPECIAL STATUS SPECIES MANAGEMENT.—Of the amounts to be made available under section 18(a), $20,000,000 shall be made available to the Director for the Lahontan Cutthroat Trout Recovery Program.

''(6) LAKE TAHOE BASIN PROGRAM.—Of the amounts to be made available under section 18(a), $30,000,000 shall be used to develop and implement the Lake Tahoe Basin Program developed under section 11.

''(d) USE OF REMAINING FUNDS.—Any amounts made available under section 18(a) that remain available after projects described in subsection (c) have been funded shall be made available for projects included in the Priority List under section 8.''.

SEC. 7. ENVIRONMENTAL RESTORATION PRIORITY LIST.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended—

(1) by striking sections 8 and 9;

(2) by redesignating sections 10, 11, and 12 as sections 16, 17, and 18, respectively; and

(3) by inserting after section 7 the following:

''SEC. 8. ENVIRONMENTAL RESTORATION PRIORITY LIST.

''(a) FUNDING.—Subject to section 6(d), of the amounts to be made available under section 18(a), at least $136,000,000 shall be made available for projects identified on the Priority List.

''(b) DEADLINE.—Not later than February 15 of the year after the date of enactment of the Lake Tahoe Restoration Act of 2011, the Chair, in consultation with the Secretary, the Administrator, the Director, the Planning Agency, the States of California and Nevada, the Federal Partnership, the Washoe

Tribe, the Lake Tahoe Federal Advisory Committee, and the Tahoe Science Consortium shall submit to Congress a prioritized list of all Environmental Improvement Program projects for the Lake Tahoe Basin, regardless of program category.

''(c) CRITERIA.—

''(1) IN GENERAL.—The priority of projects included in the Priority List shall be based on the best available science and the following criteria:

''(A) The 5-year threshold carrying capacity evaluation.

''(B) The ability to measure progress or success of the project.

''(C) The potential to significantly contribute to the achievement and maintenance of the environmental threshold carrying capacities identified in the Compact for—

''(i) air quality;

''(ii) fisheries;

''(iii) noise;

''(iv) recreation;

''(v) scenic resources;

''(vi) soil conservation;

''(vii) forest health;

''(viii) water quality; and

''(ix) wildlife.

''(D) The ability of a project to provide multiple benefits.

''(E) The ability of a project to leverage non-Federal contributions.

''(F) Stakeholder support for the project.

''(G) The justification of Federal interest.

''(H) Agency priority.

''(I) Agency capacity.

''(J) Cost-effectiveness.

''(K) Federal funding history.

''(2) SECONDARY FACTORS.—In addition to the criteria under paragraph (1), the Chair shall, as the Chair determines to be appropriate, give preference to projects in the Priority List that benefit existing neighborhoods in the Basin that are at or below regional median income levels, based on the most recent census data available.

''(3) EROSION CONTROL PROJECTS.—For purposes of the Priority List and section 6(c)(1), erosion control projects shall be considered part of the stormwater management and total maximum daily load program of the Environmental Improvement Program. The Administrator shall coordinate with the Secretary on such projects.

''(d) REVISIONS.—

''(1) IN GENERAL.—The Priority List submitted under subsection (b) shall be revised—

''(A) every 4 years; or

''(B) on a finding of compelling need under paragraph (2).

''(2) FINDING OF COMPELLING NEED.—

''(A) IN GENERAL.—If the Secretary, the Administrator, or the Director makes a finding of compelling need justifying a priority shift and the finding is approved by the Secretary, the Executive Director of the Planning Agency, the California Natural Resources Secretary, and the Director of the Nevada Department of Conservation, the Priority List shall be revised in accordance with this subsection.

''(B) INCLUSIONS.—A finding of compelling need includes—

''(i) major scientific findings;

''(ii) results from the threshold evaluation of the Planning Agency;

''(iii) emerging environmental threats; and

''(iv) rare opportunities for land acquisition.

''SEC. 9. AQUATIC INVASIVE SPECIES PREVENTION.

''(a) IN GENERAL.—Not later than 60 days after the date of enactment of the Lake Tahoe Restoration Act of 2011, the Director, in coordination with the Planning Agency, the California Department of Fish and Game, and the Nevada Department of Wildlife, shall deploy strategies that meet or exceed the criteria described in subsection (b) for preventing the introduction of aquatic invasive species into the Lake Tahoe Basin.

''(b) CRITERIA.—The strategies referred to in subsection (a) shall provide that—

''(1) combined inspection and decontamination stations be established and operated at not less than 2 locations in the Lake Tahoe Basin;

''(2) watercraft not be allowed to launch in waters of the Lake Tahoe Basin if the watercraft—

''(A) has been in waters infested by quagga or zebra mussels;

''(B) shows evidence of invasive species that the Director has determined would be detrimental to the Lake Tahoe ecosystem; and

''(C) cannot be reliably decontaminated in accordance with paragraph (3);

''(3) subject to paragraph (4), all watercraft surfaces and appurtenance (such as anchors and fenders) that contact with water shall be reliably decontaminated, based on standards developed by the Director using the best available science;

''(4) watercraft bearing positive verification of having last launched within the Lake Tahoe Basin may be exempted from decontamination under paragraph (3); and

''(5) while in the Lake Tahoe Basin, all watercraft maintain documentation of compliance with the strategies deployed under this section.

''(c) CERTIFICATION.—The Director may certify State agencies to perform the decontamination activities described in subsection (b)(3) at locations outside the Lake Tahoe Basin if standards at the sites meet or exceed standards for similar sites in the Lake Tahoe Basin established under this section.

''(d) APPLICABILITY.—The strategies and criteria developed under this section shall apply to all watercraft to be launched on water within the Lake Tahoe Basin.

''(e) FEES.—The Director may collect and spend fees for decontamination only at a level sufficient to cover the costs of operation of inspection and decontamination stations under this section.

''(f) CIVIL PENALTIES.—

''(1) IN GENERAL.—Any person that launches, attempts to launch, or facilitates launching of watercraft not in compliance with strategies deployed under this section shall be liable for a civil penalty in an amount not to exceed $1,000 per violation.

''(2) OTHER AUTHORITIES.—Any penalties assessed under this subsection shall be separate from penalties assessed under any other authority.

''(g) LIMITATION.—The strategies and criteria under subsections (a) and (b), respectively, may be modified if the Secretary of the Interior, in a nondelegable capacity and in consultation with the Planning Agency and State governments, issues a determination that alternative measures will be no less effective at preventing introduction of aquatic invasive species into Lake Tahoe than the strategies and criteria.

''(h) FUNDING.—Of the amounts made available under section 6(c)(4), not more than $500,000 shall be made available to the Director, in coordination with the Planning Agency and State governments—

''(1) to evaluate the feasibility, cost, and potential effectiveness of further efforts that could be undertaken by the Federal Government, State and local governments, or private entities to guard against introduction of aquatic invasive species into Lake Tahoe, including the potential establishment of inspection and decontamination stations on major transitways entering the Lake Tahoe Basin; and

''(2) to evaluate and identify options for ensuring that all waters connected to Lake Tahoe are protected from quagga and zebra mussels and other aquatic invasive species.

''(i) SUPPLEMENTAL AUTHORITY.—The authority under this section is supplemental to all actions taken by non-Federal regulatory authorities.

''(j) SAVINGS CLAUSE.—Nothing in this title shall be construed as restricting, affecting, or amending any other law or the authority of any department, instrumentality, or agency of the United States, or any State or political subdivision thereof, respecting the control of invasive species.

''SEC. 10. ARMY CORPS OF ENGINEERS; INTERAGENCY AGREEMENTS.

''(a) IN GENERAL.—The Assistant Secretary may enter into interagency agreements with non-Federal interests in the Lake Tahoe Basin to use Lake Tahoe Partnership-Miscellaneous General Investigations funds to provide programmatic technical assistance for the Environmental Improvement Program.

''(b) LOCAL COOPERATION AGREEMENTS.—

''(1) IN GENERAL.—Before providing technical assistance under this section, the Assistant Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for the technical assistance.

''(2) COMPONENTS.—The agreement entered into under paragraph (1) shall—

''(A) describe the nature of the technical assistance;

''(B) describe any legal and institutional structures necessary to ensure the effective long-term viability of the end products by the non-Federal interest; and

''(C) include cost-sharing provisions in accordance with paragraph (3).

''(3) FEDERAL SHARE.—

''(A) IN GENERAL.—The Federal share of project costs under each local cooperation agreement under this subsection shall be 65 percent.

''(B) FORM.—The Federal share may be in the form of reimbursements of project costs.

''(C) CREDIT.—The non-Federal interest may receive credit toward the non-Federal share for the reasonable costs of related technical activities completed by the non-Federal interest before entering into a local cooperation agreement with the Assistant Secretary under this subsection.

''SEC. 11. LAKE TAHOE BASIN PROGRAM.

''The Administrator, in cooperation with the Secretary, the Planning Agency, the States of California and Nevada, and the Tahoe Science Consortium, shall develop and implement the Lake Tahoe Basin Program that—

''(1) develops and regularly updates an integrated multiagency programmatic assessment and monitoring plan—

''(A) to evaluate the effectiveness of the Environmental Improvement Program;

''(B) to evaluate the status and trends of indicators related to environmental threshold carrying capacities; and

''(C) to assess the impacts and risks of changing climatic conditions and invasive species;

''(2) develops a comprehensive set of performance measures for Environmental Improvement Program assessment;

''(3) coordinates the development of the annual report described in section 13;

''(4) produces and synthesizes scientific information necessary for—

''(A) the identification and refinement of environmental indicators for the Lake Tahoe Basin; and

''(B) the evaluation of standards and benchmarks;

''(5) conducts applied research, programmatic technical assessments, scientific data management, analysis, and reporting related to key management questions;

''(6) develops new tools and information to support objective assessments of land use and resource conditions;

''(7) provides scientific and technical support to the Federal Government and State and local governments in—

''(A) reducing stormwater runoff, air deposition, and other pollutants that contribute to the loss of lake clarity; and

''(B) the development and implementation of an integrated stormwater monitoring and assessment program;

''(8) establishes and maintains independent peer review processes—

''(A) to evaluate the Environmental Improvement Program; and

''(B) to assess the technical adequacy and scientific consistency of central environmental documents, such as the 5-year threshold review; and

''(9) provides scientific and technical support for the development of appropriate management strategies to accommodate changing climatic conditions in the Lake Tahoe Basin.

''SEC. 12. PUBLIC OUTREACH AND EDUCATION.

''(a) IN GENERAL.—The Secretary, Administrator, and Director will coordinate with the Planning Agency to conduct public education and outreach programs, including encouraging—

''(1) owners of land and residences in the Lake Tahoe Basin—

''(A) to implement defensible space; and

''(B) to conduct best management practices for water quality; and

''(2) owners of land and residences in the Lake Tahoe Basin and visitors to the Lake Tahoe Basin, to help prevent the introduction and proliferation of invasive species as part of the private share investment in the Environmental Improvement Program.

''(b) REQUIRED COORDINATION.—Public outreach and education programs for aquatic invasive species under this section shall—

''(1) be coordinated with Lake Tahoe Basin tourism and business organizations; and

''(2) include provisions for the programs to extend outside of the Lake Tahoe Basin.

''SEC. 13. REPORTING REQUIREMENTS.

''Not later than February 15 of each year, the Administrator, in cooperation with the Chair, the Secretary, the Director, the Planning Agency, and the States of California and Nevada, consistent with section 6(c)(6) and section 11, shall submit to Congress a report that describes—

''(1) the status of all Federal, State, local, and private projects authorized under this Act, including to the maximum extent practicable, for projects that will receive Federal funds under this Act during the current or subsequent fiscal year—

''(A) the project scope;

''(B) the budget for the project; and

''(C) the justification for the project, consistent with the criteria established in section 8(c)(1);

''(2) Federal, State, local, and private expenditures in the preceding fiscal year to implement the Environmental Improvement Program and projects otherwise authorized under this Act;

''(3) accomplishments in the preceding fiscal year in implementing this Act in accordance with the performance measures and other monitoring and assessment activities; and

''(4) public education and outreach efforts undertaken to implement programs and projects authorized under this Act.

''SEC. 14. ANNUAL BUDGET PLAN.

''As part of the annual budget of the President, the President shall submit information regarding each Federal agency involved in the Environmental Improvement Program (including the Forest Service, the Environmental Protection Agency, and the United States Fish and Wildlife Service), including—

''(1) an interagency crosscut budget that displays the proposed budget for use by each Federal agency in carrying out restoration activities relating to the Environmental Improvement Program for the following fiscal year;

''(2) a detailed accounting of all amounts received and obligated by Federal agencies to achieve the goals of the Environmental Improvement Program during the preceding fiscal year; and

''(3) a description of the Federal role in the Environmental Improvement Program, including the specific role of each agency involved in the restoration of the Lake Tahoe Basin.

''SEC. 15. GRANT FOR WATERSHED STRATEGY.

''(a) IN GENERAL.—Of the amounts to be made available under section 18(a), the Administrator shall use not more than $500,000 to provide a grant, on a competitive basis, to States, federally recognized Indian tribes, interstate agencies, other public or nonprofit agencies and institutions, or institutions of higher education to develop a Lake Tahoe Basin watershed strategy in coordination with the Planning Agency, the States of California and Nevada, and the Secretary.

''(b) COMMENT.—In developing the watershed strategy under subsection (a), the grant recipients shall provide an opportunity for public review and comment.

''(c) COMPONENTS.—The watershed strategy developed under subsection (a) shall include—

''(1) a classification system, inventory, and assessment of stream environment zones;

''(2) comprehensive watershed characterization and restoration priorities consistent with—

''(A) the Lake Tahoe total maximum daily load; and

''(B) the environmental threshold carrying capacities of Lake Tahoe;

''(3) a monitoring and assessment program consistent with section 11; and

''(4) an adaptive management system—

''(A) to measure and evaluate progress; and

''(B) to adjust the program.

''(d) DEADLINE.—The watershed strategy developed under subsection (a) shall be completed by the date that is 2 years after the date on which funds are made available to carry out this section.''.

SEC. 8. RELATIONSHIP TO OTHER LAWS.

Section 17 of The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2358) (as redesignated by section 7(2)) is amended by inserting '', Director, or Administrator'' after ''Secretary''.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

The Lake Tahoe Restoration Act (Public Law 106–506; 114 Stat. 2351) is amended by striking section 18 (as redesignated by section 7(2)) and inserting the following:

''SEC. 18. AUTHORIZATION OF APPROPRIATIONS.

''(a) FUNDING.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act $415,000,000 for a period of 10 fiscal years beginning the first fiscal year after the date of enactment of the Lake Tahoe Restoration Act of 2011.

''(2) USE OF FUNDS.—As of the date of enactment of the Lake Tahoe Restoration Act of 2011, of the funds authorized to be appropriated to be used to carry out sections 6 and 7, the Secretary may use such sums as are necessary to implement projects on the Priority List, to remain available until expended.

''(b) EFFECT ON OTHER FUNDS.—Amounts authorized under this section and any amendments made by this Act—

''(1) shall be in addition to any other amounts made available to the Secretary, Administrator, or Director for expenditure in the Lake Tahoe Basin; and

''(2) shall not reduce allocations for other Regions of the Forest Service, Environmental Protection Agency, or United States Fish and Wildlife Service.

''(c) COST-SHARING REQUIREMENT.—Except as provided in subsection (d) and section 6(c)(3)(E), the States of California and Nevada shall pay 50 percent of the aggregate costs of restoration activities in the Lake Tahoe Basin funded under section 6 or 8.

''(d) RELOCATION COSTS.—Notwithstanding subsection (c), the Secretary shall provide to local utility districts \2/3\ the costs of relocating facilities in connection with—

''(1) environmental restoration projects under sections 6 and 8; and

''(2) erosion control projects under section 2 of Public Law 96–586 (94 Stat. 3381).

''(e) SIGNAGE.—To the maximum extent practicable, a project provided assistance under this Act shall include appropriate signage at the project site that—

''(1) provides information to the public on—

''(A) the amount of Federal funds being provided to the project; and

''(B) this Act; and

''(2) displays the visual identity mark of the Environmental Improvement Program.''.

SEC. 10. CONFORMING AMENDMENTS.

(a) ADMINISTRATION OF ACQUIRED LAND.—Section 3(b) of Public Law 96–586 (94 Stat. 3384) is amended—

(1) by striking ''(b) Lands'' and inserting the following:

''(b) ADMINISTRATION OF ACQUIRED LAND.—

''(1) IN GENERAL.—Land''; and

(2) by adding at the end the following:

''(2) INTERCHANGE.—

''(A) IN GENERAL.—Notwithstanding paragraph (1), the Secretary of Agriculture (acting through the Chief of the Forest Service) (referred to in this paragraph as the 'Secretary') may interchange (as defined in the first section of Public Law 97–465 (16 U.S.C. 521c)) any land or interest in land within the Lake Tahoe Basin Management Unit described in subparagraph (B) with appropriate units of State government.

''(B) ELIGIBLE LAND.—The land or interest in land referred to in subparagraph (A) is land or an interest in land that the Secretary determines is not subject to efficient administration by the Secretary because of the location or size of the land.

''(C) CONSIDERATION.—In any interchange under this paragraph, the Secretary shall accept land within the Lake Tahoe Basin Management Unit of approximately equal value (as defined in accordance with section 6(2) of Public Law 97–465 (16 U.S.C. 521h)).

''(D) ENVIRONMENTAL ANALYSIS.—For the purposes of any environmental analysis of an interchange under this paragraph, the Secretary shall—

''(i) assume the maintenance of the environmental status quo; and

''(ii) not be required to individually assess each parcel that is managed under the Lake Tahoe Basin Management Unit Urban Lots Program.

''(E) USE OF LAND ACQUIRED BY STATE GOVERNMENT.—In any interchange under this paragraph, the Secretary shall—

''(i) insert in the applicable deed such terms, covenants, conditions, and reservations as the Secretary determines to be necessary to ensure—

''(I) protection of the public interest, including protection of the ecological, scenic, wildlife, and recreational values of the National Forest System; and

''(II) the provision for appropriate access to, and use of, land within the National Forest System;

''(III) that land subject to exchange is monitored for compliance with subclauses (I) and (II); and

''(IV) if the land conveyed under this paragraph is used in a manner that is inconsistent with this section, the land shall, at the discretion of the Secretary, revert to the United States; or

''(ii) reserve a conservation easement to ensure that the land conveyed is managed in accordance with subclauses (I) through (IV) of clause (i).

''(F) DELEGATION OF MONITORING AND ENFORCEMENT BY TRANSFER OF CONSERVATION EASEMENT.—

''(i) DEFINITION OF ELIGIBLE ENTITY.—In this subparagraph, the term 'eligible entity' means—

''(I) a conservation agency of a local government or an Indian tribe;

''(II) the Tahoe Regional Planning Agency; or

''(III) an organization that—

''(aa) is organized for, and at all times since the formation of the organization, has been operated principally for 1 or more of the conservation purposes specified in clause (i), (ii), (iii), or (iv) of section 170(h)(4)(A) of the Internal Revenue Code of 1986;

''(bb) is an organization described in section 501(c)(3) of that Code that is exempt from taxation under section 501(a) of that Code;

''(cc) is described in paragraph (1) or (2) of section 509(a) of that Code; or

''(dd)(AA) is described in section 509(a)(3) of that Code; and

''(BB) is controlled by an organization described in section 509(a)(2) of that Code.

''(ii) DELEGATION.—Subject to clause (iii), the Secretary may delegate to an eligible entity any monitoring and enforcement duties relating to a conservation easement under this paragraph by transferring title of ownership to an easement to an eligible entity to hold and enforce.

''(iii) RESTRICTION.—The Secretary may delegate monitoring or enforcement duties under clause (ii) if—

''(I) the Secretary retains the right to conduct periodic inspections and enforce the easement;

''(II) the Secretary determines that the transfer will promote protection of ecological, scenic, wildlife, and recreational values;

''(III) the eligible entity assumes the costs incurred in administering and enforcing the easement;

''(IV) the Secretary determines that the eligible entity has the resources necessary to carry out monitoring and enforcement activities; and

''(V) all delegated monitoring and enforcement duties revert to the Secretary if the eligible entity cannot perform the delegated duties, at the discretion of the Secretary.

''(G) TRANSFER OF LAND ACQUIRED BY UNITS OF STATE GOVERNMENT.—Any unit of State government that receives National Forest System land through an interchange under this paragraph shall not convey the land to any person or entity other than the Federal Government or a State government.''.

(b) INTERAGENCY AGREEMENT FUNDING.—Section 108(g) of title I of division C of the Consolidated Appropriations Act, 2005 (Public Law 108–447; 118 Stat. 2942) is amended by striking ''$25,000,000'' and inserting ''$75,000,000''.

Mr. REID. Mr. President, today I join Senator FEINSTEIN in introducing the Lake Tahoe Restoration Act of 2011 along with Senator ENSIGN and Senator BOXER. Our bill protects Lake Tahoe by helping federal agencies work more collaboratively with local governments to manage federal lands, preventing catastrophic wildfires, keeping invasive species out of the lake, using sound science to prioritize projects, and leveraging state and local funding. Senator FEINSTEIN has done a lot of work to improve this legislation while maintaining a broad coalition of support and I want to thank her for her good work.

Lake Tahoe is a place of incredible beauty. When Mark Twain first saw Lake Tahoe in 1861, he described it as ''a noble sheet of blue water lifted 6,300 feet above the level of the sea, and walled in by a rim of snow-clad mountain peaks that towered aloft full three thousand feet higher still!'' He went on to proclaim the view in front of him as surely ''the fairest picture the whole earth affords.'' I could not agree more.

But for all its beauty, Lake Tahoe Basin is in peril. The famed clarity of the lake declined by over a third during the last 50 years; it is estimated that 25 percent of the trees in the basin are dead or dying; the prized Lahontan cutthroat trout sport fish that once grew to more than 40 pounds are no longer present; and many of the basin's natural marshes and wetlands have been altered or drained. This perilous decline jeopardizes the 23,000 jobs and $1.8 billion in annual revenues that Lake Tahoe contributes to the Nevada and California economies.

It became clear to me in the 1990s that a major commitment and coordinated efforts were necessary to turn things around for the health and future of Lake Tahoe and the Lake Tahoe Basin. In 1996, I called then-President Clinton and Vice President Gore and asked if they would come to Lake Tahoe with me so that they could see both the incredible beauty of the place and many threats facing it. When we convened in July 1997, the President and Vice President brought four cabinet secretaries with them and we had a multi-day session on the future of Lake Tahoe. President Clinton promised to make Lake Tahoe a priority—for the people of Nevada, for the people of California, and for the whole country. An executive order and the subsequent Lake Tahoe Restoration Act of 2000 were the result of that commitment.

It would have been difficult to imagine at that first summit how much progress we would be able to make in the last 14 years. The clarity of the lake now appears to have stabilized, thousands of acres of forest lands have been restored, roads and highways across the basin have been improved to limit runoff, and the natural function of many miles of stream zones and riparian areas has been restored. But there is a great deal yet to be done. We offer the Lake Tahoe Restoration Act of 2011 as the next step.

Our bill focuses federal attention on the areas where we can be most effective and it builds on the lessons we have learned since 1997. The basic summary of the bill is that it authorizes $415 million over 10 years to improve water clarity, reduce the threat of fire, and restore the environment.

I would like to make a very important point about the federal role in protecting Lake Tahoe. The U.S. Forest Service manages 75 percent of the land surrounding the lake and it is impossible to make real progress in the Lake Tahoe Basin without providing the Forest Service with the tools they need to manage that land. With that in mind, we call on the Forest Service to support the thresholds put forth by the Tahoe Regional Planning Agency, we provide encouragement and funding to work on the restoration of stream environment zones, and we withdraw all Forest Service in the Basin lands from mineral entry in order to minimize soil disturbance. The Forest Service is also granted increased flexibility to exchange land with the states of Nevada and California which will allow for more cost-efficient management of the over 8,000 publicly owned urban parcels spread throughout the Basin. Currently, the Forest Service owns over 3,280 of these urban parcels and there are questions about whether it is in the public interest for the Forest Service to manage these urban lands or whether it would be better to pass them to other responsible entities that could provide more efficient management. We have asked the Forest Service to report to Congress on their plans for improving this part of their program, including any suggestions for how Congress might be able to help. Along with these new authorities and direction for forest management, the bill authorizes $136 million to reduce the threat of wildfire. This includes work on Forest Service lands as well as work done by local fire agencies. Local communities and fire districts that receive grants from this generous program will provide a 25 percent cash match.

Lake Tahoe is uniquely beautiful and it's worth fighting to protect it. It is my sincere hope that my grandchildren will see the day when the lake's clarity is restored to 100 feet or more, when Tahoe's giant native trout are once again plentiful, and when nearby forests are diverse and healthy. Mark Twain saw something amazing when he crested into the Lake Tahoe Basin. We owe it to ourselves and to subsequent generations to restore as much of that splendor as we can. This bill is the next step in that journey.

By Mr. COCHRAN (for himself and Ms. MIKULSKI):

S. 434. A bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education; to the Committee on Health, Education, Labor, and Pensions.

Mr. COCHRAN. Mr. President, today I am introducing the Teaching Geography is Fundamental Act. I am pleased to be joined as a cosponsor by my friend, the distinguished Senator from Maryland, Ms. MIKULSKI. The purpose of this bill is to improve geographic literacy among K through 12 students by supporting professional development programs for their teachers that are administered in institutions of higher learning. The bill also assists States in measuring the impact of education in geography.

Ensuring geographic literacy prepares students to be good citizens of both our Nation and the world. John Fahey, who is Chairman and CEO of the National Geographic Society, once stated that, ''Geographic illiteracy impacts our economic well-being, our relationships with other nations and the environment, and isolates us from the world.'' When students understand their own environment, they can better understand the differences in other places, and the people who live in them. Knowledge of the diverse cultures, environment, and distances between states and countries helps our students to understand national and international policies, economies, societies and political structures on a global scale.

To expect that Americans will be able to work successfully with other people around the world, we need to be able to communicate and understand each other. It is a fact that we have a global marketplace, and we need to be preparing our younger generation for competition in the international economy. A strong base of geography knowledge improves these opportunities.

The U.S. Bureau of Economic Analysis reports that in 2010, the overall volume of international trade, as the sum of imports and exports, was over $4.3 trillion. Geographic knowledge is increasingly needed for U.S. businesses in international markets to understand such factors as physical distance, time zones, language differences and cultural diversity.

Geospatial technology is an emerging career that is now available to people with an extensive background in geography education. Professionals in geospatial technology are employed in federal government agencies, and in the private and non-profit sectors in areas such as agriculture, archeology, ecology, land appraisal, and urban planning and development. It is important to improve and expand geography education so that students in the United States can attain the necessary expertise to fill and retain the estimated 70,000 new jobs that are becoming available each year in the geospatial technology industry.

Former Secretary of State Colin Powell once said, ''To solve most of the major problems facing our country today—from wiping out terrorism, to minimizing global environmental problems, to eliminating the scourge of AIDS—will require every young person to learn more about other regions, cultures, and languages.'' It is clear to me that we need to do more to ensure that the teachers responsible for the education of our students, from kindergarten through high school graduation, are prepared and trained to teach the skills necessary to solve these problems.

Over the last 15 years, the National Geographic Society has awarded more than $100 million in grants to educators, universities, geography alliances, and others for the purposes of advancing and improving the teaching of geography. Their models are successful, and research shows that students who have benefitted from this teaching outperform other students. State geography alliances exist in 26 states and the District of Columbia endowed by grants from the Society. But, their efforts alone are not enough.

In my home state of Mississippi, teachers and university professors are making progress to increase geography education in schools through additional professional training. Based at the University of Mississippi, hundreds of geography teachers are members of the Mississippi Geography Alliance. This Alliance conducts regular workshops for graduate and undergraduate students who are preparing to be certified to teach elementary and high school-level geography in our State. These workshops have provided opportunities for model teaching sessions and discussion of best practices in the classroom.

The bill I am introducing establishes a Federal commitment to enhance the education of our teachers, focuses on geography education research, and develops reliable and advanced technology based classroom materials. I hope the Senate will consider the seriousness of the need to make this enhanced investment in geography.

By Mrs. FEINSTEIN:

S. 440. A bill for the relief of Jose Buendia Balderas, Alicia Aranda De Buendia, and Ana Laura Buendia Aranda; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I am reintroducing a private relief bill on behalf of the Buendias, a family who has lived in the Fresno area of California for more than 20 years. The beneficiaries of this bill include Jose Buendia Balderas, his wife, Alicia Aranda de Buendia, and their daughter, Ana Laura Buendia Aranda. I believe this family merits Congress' special consideration.

I would like to start with the story of Jose Buendia, a remarkable father and husband who has embraced the hard work ethic of this country. Many years ago, Jose's father worked as an agricultural worker on the Bracero program.

In 1981, he brought his son to the United States. Jose worked hard, providing financial support to his family in Mexico and working his way up through jobs in landscaping and construction.

Today, Jose is a valuable employee with Bone Construction, Inc. He has worked with this California-based company for nearly 10 years, developing skills and experience and now serving as a lead foreman. Timothy Bone, the owner of the company, calls Jose a ''reliable, hardworking and conscientious'' worker.

Jose is married to Alicia, who goes to work season after season in California's labor-intensive agriculture industry. She currently works for a fruit packing company in Reedley, California. Jose and Alicia have raised two outstanding children, Ana Laura, age 22, and Alex, age 20, who have both always excelled in school.

Ana Laura earned a 4.0 GPA at Reedley High School, and was offered an academic scholarship at the University of California, Berkeley. Unfortunately, she could not accept the scholarship because of her undocumented status.

Ana Laura nonetheless persisted. She enrolled at the University of California, Irvine and is on track to graduate this spring with a major in Chicano Studies and Art.

Ana Laura's younger brother, Alex, is a United States citizen. He graduated high school with a 3.85 GPA and now studies engineering at the University of California, Merced. Last spring, he graduated with honors and a scholarship from Reedley College with an Associate of Science degree in Engineering.

Remarkably, the Buendias should have been able to correct their immigration status years ago. Jose should have qualified for legalization pursuant to the Immigration and Reform Control Act of 1986; however, his application was never acted upon because his attorney was convicted of fraudulently submitting legalization and Special Agricultural Worker applications, tainting all of his clients.

The Immigration and Naturalization Service took nearly 7 years to determine that Jose's application contained no fraudulent information, but at that point it was too late. Jose was no longer eligible for relief due to changes in U.S. immigration law.

Still, the Buendia family continued to seek legal status through other means. In 1999, it appeared they had succeeded when an Immigration Judge granted the family cancellation of removal based on the hardship their son, Alex, would face if deported to Mexico. However, the decision was appealed and ultimately overturned. At this point, the Buendias have exhausted their options to remain together as a family here in the United States.

In the more than 20 years of living in California, the Buendias have shown that they are committed to working to achieve the American dream. They have a strong connection to their local community, as active members of the Parent Teachers Association and their

church. They pay their taxes every year, paid off their mortgage, and remain free of debt. They have shown that they are responsible, maintaining health insurance, savings accounts, and retirement accounts.

Moreover, the Buendia children are excellent students pursuing higher education here in the United States. Without this private bill, these young adults will be separated from their family or forced to relocate to a country they simply do not know. I do not believe it is in the Nation's best interest to prevent talented youth raised here in the United States, who have good moral character and outstanding academic records, from realizing their future.

I respectfully ask my colleagues for their support of the Buendia family. I hope the Senate will consider this private relief legislation in the 112th Congress.

Mr. President, 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. 440

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

SECTION 1. PERMANENT RESIDENT STATUS FOR JOSE BUENDIA BALDERAS, ALICIA ARANDA DE BUENDIA, AND ANA LAURA BUENDIA ARANDA.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Jose Buendia Balderas, Alicia Aranda De Buendia, and Ana Laura Buendia Aranda shall each be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Jose Buendia Balderas, Alicia Aranda De Buendia, or Ana Laura Buendia Aranda enter the United States before the filing deadline specified in subsection (c), Jose Buendia Balderas, Alicia Aranda De Buendia, or Ana Laura Buendia Aranda, as appropriate, shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of an immigrant visa or permanent residence to Jose Buendia Balderas, Alicia Aranda De Buendia, and Ana Laura Buendia Aranda, the Secretary of State shall instruct the proper officer to reduce by 3, during the current or next following fiscal year—

(1) the total number of immigrant visas that are made available to natives of the country of birth of Jose Buendia Balderas, Alicia Aranda De Buendia, and Ana Laura Buendia Aranda under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)); or

(2) if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Jose Buendia Balderas, Alicia Aranda De Buendia, and Ana Laura Buendia Aranda under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—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 Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 441. A bill for the relief of Esidronio Arreola-Saucedo, Maria Elna Cobain Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today, I offer private immigration relief legislation to provide lawful permanent resident status to Esidronio Arreola-Saucedo, Maria Elena Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola. The Arreolas are Mexican nationals living in the Fresno area of California.

Esidronio and Maria Elena have lived in the United States for over 20 years. Two of their five children, Nayely, age 25, and Cindy, age 20, also stand to benefit from this legislation.

The other three Arreola children, Robert, age 19, Daniel, age 15, and Saray, age 14, are United States citizens. Today, Esidronio and Maria Elena and their two eldest children face deportation.

The story of the Arreola family is compelling and I believe they merit Congress' special consideration for such an extraordinary form of relief as a private bill.

The Arreolas are facing deportation in part because of grievous errors committed by their previous counsel, who has since been disbarred. In fact, the attorney's conduct was so egregious that it compelled an immigration judge to write the Executive Office of Immigration Review seeking the attorney's disbarment for his actions in his client's immigration cases.

Esidronio came to the United States in 1986 and was an agricultural migrant worker in the fields of California for several years. As a migrant worker at that time, he would have been eligible for permanent residence through the Seasonal Agricultural Workers SAW, program, had he known about it.

Maria Elena was living in the United States at the time she became pregnant with her daughter Cindy. She returned to Mexico to give birth because she wanted to avoid any problems with the Immigration and Naturalization Service.

Because of the length of time that the Arreolas were in the United States, it is likely that they would have qualified for suspension of deportation, which would have allowed them to remain in the United States legally. However, their poor legal representation foreclosed this opportunity.

One of the most compelling reasons for my introduction of this private bill is the devastating impact the deportation of Esidronio and Maria Elena would have on their children—three of whom are American citizens—and the other two who have lived in the United States since they were toddlers. For these children, this country is the only country they really know.

Nayely, the oldest, was the first in her family to graduate from high school and the first to graduate college. She attended Fresno Pacific University, a regionally ranked university, on a full tuition scholarship package and worked part-time in the admissions office. She graduated from Fresno Pacific University with a degree in Business Administration and is working on her graduate degree. Nayely recently got married.

At a young age, Nayely demonstrated a strong commitment to the ideals of citizenship in her adopted country. She worked hard to achieve her full potential both through her academic endeavors and community service. As the Associate Dean of Enrollment Services at Fresno Pacific University states in a letter of support, ''[T]he leaders of Fresno Pacific University saw in Nayely, a young person who will become exemplary of all that is good in the American dream.''

In high school, Nayely was a member of Advancement Via Individual Determination, AVID, college preparatory program in which students commit to determining their own futures through achieving a college degree. Nayely was also President of the Key Club, a community service organization. Perhaps the greatest hardship to this family, if forced to return to Mexico, will be her lost opportunity to realize her dreams and further contribute to her community and to this country.

Nayely's sister, Cindy, also recently married and has a one-year-old daughter. Neither Nayely nor Cindy are eligible to adjust their status based on their marriages because they grew up in the United States undocumented.

The Arreolas also have other family who are United States citizens or lawful permanent residents of this country. Maria Elena has three brothers who are American citizens, and Esidronio has a sister who is an American citizen. It is also my understanding that they have no immediate family in Mexico.

According to immigration authorities, this family has never had any problems with law enforcement. I am told that they have filed their taxes for every year from 1990 to the present. They have always worked hard to support themselves.

As I previously mentioned, Esidronio was previously employed as a farm worker, but now has his own business in California repairing electronics. His business has been successful enough to

enable him to purchase a home for his family. He and his wife are active in their church community and in their children's education.

It is clear to me that this family has embraced the American dream. Enactment of the legislation I have reintroduced today will enable the Arreolas to continue to make significant contributions to their community as well as the United States.

I ask my colleagues to support this private bill.

Mr. President, 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. 441

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

SECTION 1. ADJUSTMENT OF STATUS.

(a) IN GENERAL.—Notwithstanding any other provision of law or any order, for the purposes of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), Esidronio Arreola-Saucedo, Maria Elna Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola shall be deemed to have been lawfully admitted to, and remained in, the United States, and shall be eligible for issuance of an immigrant visa or for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255).

(b) APPLICATION AND PAYMENT OF FEES.—Subsection (a) shall apply only if the applications for issuance of immigrant visas or the applications for adjustment of status are filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(c) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of immigrant visas to Esidronio Arreola-Saucedo, Maria Elna Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola, the Secretary of State shall instruct the proper officer to reduce by 4, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Esidronio Arreola-Saucedo, Marina Elna Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Esidronio Arreola-Saucedo, Maria Elna Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola under section 202(e) of such Act (8 U.S.C. 1152(c)).

(d) PAYGO.—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 Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 442. A bill for the relief of Robert Liang and Alice Liang; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise to reintroduce private relief legislation for Robert Kuan Liang and his wife, Chun-Mei, ''Alice'', Hsu-Liang.

I first introduced a private bill for Robert and Alice in 2003. Since then this family has only further demonstrated their hard work ethic and commitment to realizing the American dream. I continue to believe that Robert and Alice merit Congress' special consideration and the extraordinary relief provided by private legislation.

Robert and Alice have been living in San Bruno, California, for the last 27 years. Robert is a national and refugee from Laos, and Alice is originally from Taiwan. They have three children who are all United States citizens. I am concerned that forcing Robert and Alice to return to their home countries would tear this family apart and cause immense and unwarranted hardship to them and their children.

Robert and Alice have called California their home since they first entered the United States in 1983. They came here legally on tourist visas. They face deportation today because they remained in the United States past the terms of their visas, and because their attorney failed to handle their immigration case on a timely basis before federal immigration laws changed in 1996.

In many ways, the Liang family represents a uniquely American success story. Robert was born in Laos, but fled the country as a teenager after his mother was killed by Communists. He witnessed many traumatic experiences in his youth, including the attack that killed his mother and frequent episodes of wartime violence. He routinely witnessed the brutal persecution and deaths of others in his village in Laos. In 1975, he was granted refugee status in Taiwan.

Robert and his wife risked everything to come to the United States. Despite the challenges of their past, they built a family in California and established a place for themselves in the local community. They are homeowners. They own a successful business, Fong Yong Restaurant. They file annual income taxes and are financially stable.

Robert and Alice support their three children, Wesley, Bruce, and Eva, who are all American citizens. Wesley is now 18 years old and studying at City College of San Francisco. The younger children, Bruce and Eva, attend schools in the San Bruno area and continue to do well in their classes.

There are many reasons to believe that deporting Robert and Alice would have a harmful impact on the children, who have all of their ties to the United States. Deportation would either break this family apart or force them to relocate to a country entirely foreign to the one they know to be home.

The Immigration Judge who presided over Robert and Alice's case in 1997 also concluded that Robert and Alice's deportation would adversely impact the Liang children.

Moreover, Robert would face significant hurdles if deported, having fled Laos as a refugee more than 27 years ago. The emotional impact of the wartime violence Robert experienced at a young age was traumatic and continues to strain him. He battles severe clinical depression here in the United States. Robert fears that if he is deported and moves to his wife's home country, Taiwan, he will face discrimination on account of his nationality. Robert does not speak Taiwanese, and he worries about how he would pursue mental health treatment in a foreign country.

Robert and Alice have worked since 1993 to resolve their immigration status. They filed for relief from deportation; however, it took nearly five years for the Immigration and Naturalization Service, INS, to act on the case. By the time their case went through in 1997, the immigration laws had changed and the Liangs were no longer eligible for relief. I supported these changes, set forth in the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. But, I also believe there may be situations worthy of special consideration.

Robert and Alice Liang represent one such example. They are long-term residents of the United States. Their children are all U.S. citizens. The Immigration Judge that presided over the appeal of this case determined that Robert and Alice would have qualified for relief from deportation, in light of these positive factors, had the INS given their case timely consideration. Unfortunately, their immigration case took nearly five years to move forward.

A private bill is the only way for both Robert and Alice to remain in the United States together with their family. They have worked extraordinarily hard to make the United States their home. I believe Robert and Alice deserve the relief provided by a private bill.

I respectfully ask my colleagues to support this private relief bill on behalf of the Liangs.

Mr. President, 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. 442

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

SECTION 1. ADJUSTMENT OF STATUS.

(a) IN GENERAL.—Notwithstanding any other provision of law or any order, for the purposes of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), Robert Liang and Alice Liang shall be deemed to have been lawfully admitted to, and remained in, the United States, and shall be eligible for issuance of an immigrant visa or for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255).

(b) APPLICATION AND PAYMENT OF FEES.—Subsection (a) shall apply only if the applications for issuance of immigrant visas or the applications for adjustment of status are filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(c) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of immigrant visas

to Robert Liang and Alice Liang, the Secretary of State shall instruct the proper officer to reduce by 2, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Robert Liang and Alice Liang under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)), or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Robert Liang and Alice Liang under section 202(e) of that Act (8 U.S.C. 1152(e)).

(d) PAYGO.—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 Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.–

By Mrs. FEINSTEIN:

S. 443. A bill for the relief of Javier Lopez-Urenda and Maria Leticia Arenas; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise today to reintroduce a private relief bill on behalf of Javier Lopez-Urenda and Maria Leticia Arenas. Javier and Leticia, originally from Mexico, are the parents of three U.S. citizen children, Bryan, age 17, Ashley, age 13, and Nancy, age 7. This family lives in Fremont, California.

I first introduced a bill for Javier and Leticia in 2009, and I continue to believe they deserve Congress' special consideration for such an extraordinary form of relief as a private bill. Javier and Leticia are outstanding parents, volunteers, workers, and leaders in their community. Javier and Leticia came to the United States after each suffered the loss of a parent.

Leticia left Mexico at age 17 after her mother died from cancer. Javier came to the United States in 1990, at age 23, several years after the murder of his father in Michoacán, Mexico.

Javier had been living and working in the United States for over 25 years when I first learned about this case. He originally entered the country looking for work to support his extended family. Today, Javier is a Manager at Full Bloom Baking Company in San Mateo, California, where he has been an employee for over 18 years. In fact, Javier was the second employee hired at Full Bloom when the company first began.

Javier's fellow co-workers at Full Bloom have written compelling letters to me about Javier's hard work ethic and valuable contributions. The company owners assert that with his help, the company grew to be one of the largest commercial bakeries in the Bay Area, today employing approximately 385 people.

They write that Javier is a mentor to others and maintains a ''tremendous amount of 'institutional knowledge' that can never be replaced.'' One of his co-workers wrote, ''Without Javier at the bakery, the lives of hundreds of people will change.''

Javier made attempts to legalize his status in the United States. At one point, he received an approved labor certification. However, his case could not be finalized due to poor timing and a lengthy immigration process. It took three years, for example, for his labor certification to be approved. By that time, Javier was already in removal proceedings and his case is now closed.

During consideration of Javier's case, the Ninth Circuit Court of Appeals acknowledged the difficult situation Javier faces. The Court wrote, ''We are not unmindful of the unique and extremely sympathetic circumstances of this case. By all accounts, Petitioner has been an exemplary father, employee, and member of his local community. If he were to be deported, he would be separated from his wife, three U.S. citizen children, and the life he has worked so hard to build over the past 17 years. In light of the unfortunate sequence of events leading up this juncture and Petitioner's positive contributions to society, Petitioner may very well be deserving of prosecutorial grace.''

Unfortunately, the Court ultimately denied the case. Javier and his wife have no additional avenues for adjusting their status. A private bill is the only way for them to remain in the United States.

I believe it is important to consider the potentially harmful impact on Javier and Maria Leticia's three U.S. citizen children, Bryan, Ashley, and Nancy, should their parents be deported. Bryan, Ashley, and Nancy are all in school in California. Javier owns their home in Fremont. He is the sole financial provider for his wife and children, while also providing some financial support to extended family members in Mexico. Javier and Leticia are good parents and play active roles in their children's lives. The Principal of Patterson Elementary School described Javier and Leticia as ''two loving and supportive parents who are committed to their children's success.''

All too often, deportation separates U.S. citizen children from their parents. In 2009, the Inspector General of the Department of Homeland Security found that, in the last ten years, at least 108,434 immigrant parents of American citizen children were removed from this country. Other reports show that deporting a parent causes trauma and long-lasting harm to children.

Moreover, the deportation of Javier and Leticia would be a significant loss to the community. Leticia is currently volunteering and training for a job with Bay Area Women Against Rape in Oakland, which provides services to survivors of sexual assault. She is also a certified health promoter and volunteer at Vazquez Health Center in Fremont.

Javier's community involvement is just as impressive. He has volunteered with the Women's Foundation of California, Lance Armstrong's Livestrong Foundation, the Saint Patrick Proto Cathedral Parish, the American Red Cross, and the California AIDS Ride.

Patricia W. Chang, a long-time community leader in California and current CEO of Feed the Hunger, writes: ''Asking Mr. Urenda to leave the United States would deprive his children of their father, an upstanding resident of the country. It would deprive the community of an active participant, leader, and volunteer.''

Judy Patrick, President/CEO of the Women's Foundation of California, states that Javier ''is a model participant in this society.''

Clearly, Javier and Leticia have earned the admiration of their community here in the United States. They are the loving parents of three American children. Javier is a valued employee at Full Bloom Baking Company. This family shows great potential, and I believe it is in our Nation's best interest to allow them to remain here with their children and to continue making significant contributions to California and the Nation as a whole.

I respectfully ask my colleagues to support this private relief bill.

Mr. President, 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. 443

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

SECTION 1. PERMANENT RESIDENT STATUS FOR JAVIER LOPEZ-URENDA AND MARIA LETICIA ARENAS.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Javier Lopez-Urenda and Maria Leticia Arenas shall each be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Javier Lopez-Urenda or Maria Leticia Arenas enter the United States before the filing deadline specified in subsection (c), that alien shall be considered to have entered and remained lawfully and shall, if otherwise eligible, be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only to an application for issuance of an immigrant visa or an application for adjustment of status that is filed, with appropriate fees, within 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBER.—Upon the granting of an immigrant visa or permanent residence to Javier Lopez-Urenda and Maria Leticia Arenas, the Secretary of State shall instruct the proper officer to reduce by two, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of the aliens' birth under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of the aliens' birth under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—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 Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 444. A bill for the relief of Shirley Constantino Tan; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today, I am introducing a bill for the private relief of Shirley Constantino Tan. Shirley is a Filipina national living in Pacifica, California. She is the proud mother of 14–year-old U.S. citizen twin boys, Jashley and Joreine, and the spouse of Jay Mercado, a naturalized U.S. citizen.

I believe Shirley merits Congress' special consideration for this extraordinary form of relief because I believe her removal from the United States would cause undue hardship for her and her family. Shirley faces deportation to the Philippines, which would separate her from her family and jeopardize her safety.

Shirley experienced horrific violence in the Philippines before she left to come to the United States. When Shirley was only 14 years old, her cousin murdered her mother and her sister and shot Shirley in the head. While the cousin who committed the murders was eventually prosecuted, he received a short jail sentence. Fearing for her safety, Shirley fled the Philippines just before her cousin was due to be released from jail. She entered the United States legally on a visitor's visa in 1989.

Shirley's current deportation order is the result of negligent counsel. Shirley applied for asylum in 1995. While her case appeal was pending at the Board of Immigration Appeals, her attorney failed to submit a brief to support her case. As a result, the case was dismissed, and the Board of Immigration Appeals granted Shirley voluntary departure from the United States.

Shirley never received notice that the Board of Immigration Appeals granted her voluntary departure. Shirley's attorney moved offices, did not receive the order, and ultimately never informed her of the order. As a result, Shirley did not depart the United States and the grant of voluntary departure automatically became a deportation order. Shirley learned about the deportation order for the first time on January 28, 2009, when Immigration and Customs Enforcement agents took her into immigration custody.

Because of her attorney's negligent actions, Shirley was denied the opportunity to present her case in U.S. immigration proceedings. Shirley later filed a complaint with the State Bar of California against her former attorney. She is not the first person to file such a complaint against this attorney.

In addition to the hardship that would come to Shirley if she is deported, Shirley's deportation would be a serious hardship to her two United States citizen children, Jashley and Joreine, who are minors.

Jashley and Joreine are currently attending Terra Nova High School in Pacifica, California, where they continue to be excellent students on the honor roll. The children are involved in their school's music program, playing the clarinet and the flute. The children's teacher wrote a letter to me in which she described Shirley's involvement in Jashley and Joreine's lives, referring to Shirley as a ''model'' parent and describing her active role in the school community. In addition to caring for her two children, Shirley is the primary caregiver for her elderly mother-in-law.

If Shirley were forced to leave the United States, her family has expressed that they would go with Shirley to the Philippines or try and find a third country where the entire family could relocate. This would mean that Jashley and Joreine would have to leave behind their education and the only home they know in the United States.

While Shirley and Jay are legally married under California law at this time, Shirley cannot legally adjust her immigration status through the regular family-based immigration procedures.

I do not believe it is in our Nation's best interest to force this family, with two United States citizen children, to make the choice between being separated and relocating to a country where they may face safety concerns or other serious hardships.

Shirley and her family are involved in their community in Pacifica and own their own home. The family attends Good Shepherd Catholic Church, volunteering for the church and the Mother Theresa of Calcutta's Daughters of Charity. Shirley has the support of dozens of members of her community who shared with me the family's spirit of commitment to their community.

Enactment of the legislation I am introducing on behalf of Shirley today will enable this entire family to continue their lives in California and make positive contributions to their community.

I ask my colleagues to support this private bill.

Mr. President, 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. 444

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

SECTION 1. PERMANENT RESIDENT STATUS FOR SHIRLEY CONSTANTINO TAN.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Shirley Constantino Tan shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Shirley Constantino Tan enters the United States before the filing deadline specified in subsection (c), she shall be considered to have entered and remained lawfully and shall, if otherwise eligible, be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees within 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBER.—Upon the granting of an immigrant visa or permanent residence to Shirley Constantino Tan, the Secretary of State shall instruct the proper officer to reduce by one, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—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 Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs, FEINSTEIN:

S. 445. A bill for the relief of Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, and Jorge Rojas Gonzalez; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am reintroducing a private relief bill on behalf of Jorge Rojas Gutierrez, his wife, Oliva Gonzalez Gonzalez, and their son, Jorge Rojas Gonzalez. The Rojas family, originally from Mexico, is living in the San Jose area of California.

The story of the Rojas family is compelling, and I believe they merit Congress' special consideration for such an extraordinary form of relief as a private bill.

Jorge and his wife, Oliva, originally came to the United States in 1990 when their son Jorge Rojas, Jr. was just 2 years old. In 1995, they left the country to attend a funeral, and then re-entered the United States on visitor's visas.

The family has since expanded to include two sons, Alexis Rojas, now 18 years old, Matias, now a year old, a daughter Tania Rojas, now age 16, and a granddaughter, Mina Rojas, who is less than a year old.

The Rojas family first attempted to legalize their status in the United

States when an unscrupulous immigration consultant, who was not an attorney, advised them to apply for asylum. Unfortunately, without proper legal guidance, this family did not realize at the time that they lacked a valid basis for asylum. The asylum claim was denied in 2008, leaving the Rojas family with no further options to legalize their status.

Since their arrival in the United States more than 20 years ago, the Rojas family has demonstrated a robust work ethic and a strong commitment to their community in California. They have paid their taxes and worked hard to contribute to this country.

Jorge is a hard-working individual who has been employed by Valley Crest Landscape Maintenance in San Jose, California, for the past 16 years. Currently, he works on commercial landscaping projects. Jorge is well-respected by his supervisor and his peers.

In addition to supporting his family, Jorge has volunteered his time to provide modern green landscaping and building projects at his children's school in California. He is active in his neighborhood association, working with his neighbors to open a library and community center in their community.

Oliva, in addition to raising her three children, has also been very active in the local community. She works to help other immigrants assimilate to American life by acting as a translator and a tutor for immigrant children in local schools and after school programs in Northern California.

Before her youngest son was born, Oliva volunteered with the People Acting in Community Together, PACT, organization, where she worked to prevent crime, gangs and drug dealing in San Jose neighborhoods and schools.

Both Jorge and Oliva are active volunteers with the Second Harvest Food Bank, assisting in distributing food to the needy at a community center.

Perhaps one of the most compelling reasons for permitting the Rojas family to remain in the United States is the impact that their deportation would have on their three children. Two of the Rojas children, Alexis and Tania, are American citizens. Jorge Rojas, Jr. has lived in the United States since he was a toddler.

For Alexis, Tania, and Jorge, this country is the only country they really know.

Jorge Rojas, Jr., who entered the United States as an infant with his parents, recently became a father. He is now 22 years old and working at a job that allows him to support his daughter, Mina. Jorge graduated from Del Mar High School in 2007 and is taking classes at San Jose City College.

Alexis, age 18, graduated from Del Mar High School and is now a student at West Valley College in Saratoga, California. He is interested in studying linguistics. Tania, age 16, still attends Del Mar High School and plans to graduate next year. Their teachers describe them as ''fantastic, wonderful and gifted'' students.

It seems so clear to me that this family has embraced the American dream and their continued presence in our country would do so much to enhance the values we hold dear.

When I first introduced this bill, I received dozens of letters from the community in Northern California in support of this family. Enactment of the legislation I have reintroduced today will enable the Rojas family to continue to make significant contributions to their community as well as the United States.

I ask my colleagues to support this private bill.

Mr. President, 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. 445

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

SECTION 1. PERMANENT RESIDENT STATUS FOR JORGE ROJAS GUTIERREZ, OLIVA GONZALEZ GONZALEZ, AND JORGE ROJAS GONZALEZ.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, and Jorge Rojas Gonzalez shall each be eligible for the issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, or Jorge Rojas Gonzalez enters the United States before the filing deadline specified in subsection (c), Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, or Jorge Rojas Gonzalez, as appropriate, shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon granting an immigrant visa or permanent residence to Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, and Jorge Rojas Gonzalez, the Secretary of State shall instruct the proper officer to reduce by 3, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, and Jorge Rojas Gonzalez under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, and Jorge Rojas Gonzalez under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—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 Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 446. A bill for the relief of Ruben Mkoian, Asmik Karapetian, and Arthur Mkoyan; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise to reintroduce private relief legislation in the 112th Congress on behalf of Ruben Mkoian, Asmik Karapetian, and their son, Arthur Mkoyan. The Mkoian family has been living in Fresno, California, for over 15 years. I continue to believe this family deserves Congress' special consideration for such an extraordinary form of relief as a private bill.

The Mkoian family is originally from Armenia. They decided to leave Armenia for the United States in the early 1990s, following several incidents in which the family experienced vandalism and threats to their well-being.

In Armenia, Ruben worked as a police sergeant on vehicle licensing. At one point, he was offered a bribe to register stolen vehicles, which he refused and reported to his superior, the police chief. He later learned that a co-worker had gone ahead and registered the vehicles at the request of the chief.

Several disturbing incidents occurred after Ruben reported the bribe offer to illegally register vehicles. Ruben's store was vandalized; after he said he would call the police, he received threatening phone calls telling him to keep quiet. At one point, the Mkoians suffered the loss of their home when a bottle of gasoline was thrown into their residence, burning it to the ground. In April 1992, several men entered the family store and assaulted Ruben, hospitalizing him for 22 days.

Ruben, Asmik, and their three-year-old son, Arthur, left Armenia soon thereafter and entered the United States on visitor visas. They applied for political asylum in 1992 on the grounds that they would be subject to physical attacks if returned to Armenia. It took 16 years for their case to be finalized, and the Ninth Circuit Court of Appeals denied their asylum case in January 2008.

At this time, Ruben, Asmik, and Arthur have exhausted every option to remain legally in the United States.

The Mkoians have worked hard to build a place for their family in California. Ruben works as a truck driver for a California trucking company. He has been described as ''trustworthy,'' ''knowledgeable,'' and an asset to the company. Asmik has completed training at a local community college and is now a full-time medical assistant with Fresno Shields Medical Group.

The Mkoians attend St. Paul Armenian Apostolic Church in Fresno. They do charity work to send medical equipment to Armenia. Asmik also teaches

Armenian School on Saturdays at the church.

I would particularly like to highlight the achievements of the Ruben and Asmik's two children, Arthur and Arsen, who were raised in California and have been recognized publicly for their scholastic achievements.

I first introduced a private bill for this family on Arthur's high school graduation day. Despite being undocumented, Arthur maintained a 4.0 grade point average in high school and was a valedictorian for the class of 2008. Arthur, now 20 years old, is in his third year at the University of California, Davis. He is studying biochemistry, maintains excellent grades, and was on the Dean's Merit List again this past quarter.

Arthur's brother, Arsen, is 14 years old and a United States citizen. He is currently a freshman at Bullard High School in Fresno, where he does well in his classes, maintaining a 3.9 grade point average.

I believe Arthur and Arsen are two young individuals with great potential here in the United States. Like their parents, they have demonstrated their commitment to working hard—and they are succeeding. They clearly aspire to do great things here in the United States.

It has been more than 18 years since Ruben, Asmik, and Arthur left Armenia. This family has few family members and virtually no supporting contacts in Armenia. They invested their time, resources, and effort in order to remain in the United States legally, to no avail. A private relief bill is the only means to prevent them from being forced to return to a country that long ago became a closed chapter of their past.

When I first introduced a bill on behalf of the Mkoian family in 2008, I received written endorsements from Representatives George Radanovich, R–CA, and JIM COSTA, D–CA, in strong support of the family. I also received more than 200 letters of support and dozens of calls of support from friends and community members, attesting to the positive impact that this family has had in Fresno California.

I believe that this case warrants our compassion and our extraordinary consideration. I respectfully ask my colleagues to support this private legislation on behalf of the Mkoian family.

Mr. President, 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. 446

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

SECTION 1. PERMANENT RESIDENT STATUS FOR RUBEN MKOIAN, ASMIK KARAPETIAN, AND ARTHUR MKOYAN.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Ruben Mkoian, Asmik Karapetian, and Arthur Mkoyan shall each be eligible for the issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Ruben Mkoian, Asmik Karapetian, or Arthur Mkoyan enters the United States before the filing deadline specified in subsection (c), Ruben Mkoian, Asmik Karapetian, or Arthur Mkoyan, as appropriate, shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon granting an immigrant visa or permanent resident status to Ruben Mkoian, Asmik Karapetian, and Arthur Mkoyan, the Secretary of State shall instruct the proper officer to reduce by 3, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Ruben Mkoian, Asmik Karapetian, and Arthur Mkoyan under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Ruben Mkoian, Asmik Karapetian, and Arthur Mkoyan under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—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 Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 447. A bill for the relief of Jose Alberto Martinez Moreno, Micaela Lopez Martinez, and Adilene Martinez; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am reintroducing private immigration relief legislation to provide lawful permanent resident status to Jose Alberto Martinez Moreno, Micaela Lopez Martinez, and their daughter, Adilene Martinez. This family is originally from Mexico but has been living in California for twenty years. I believe they merit Congress' special consideration for this extraordinary form of relief.

When Jose came to the United States from Mexico, he began working as a busboy in restaurants in San Francisco, California. In 1990, he started working as a cook at Palio D'Asti, an award-winning Italian restaurant in San Francisco.

Jose worked his way through the ranks, eventually becoming Palio's sous chef. His colleagues describe him as a reliable and cool-headed coworker, and as ''an exemplary employee'' who not only is ''good at his job but is also a great boss to his subordinates.''

He and his wife, Micaela, call San Francisco home. Micaela works as a housekeeper. They have three daughters, two of whom are United States citizens. Their oldest child Adilene, age 22, is undocumented. Adilene graduated from the Immaculate Conception Academy and attended San Francisco City College. She is now studying nursing at Los Medranos College.

The Martinez's second daughter, Jazmin, is a senior at Leadership High School and has applied to attend several Universities in California. Jazmin is a United States citizen and has been diagnosed with asthma. According to her doctor, if the family returns to Mexico, the high altitude and air pollution in Mexico City could be fatal to Jazmin.

The Martinez family attempted to legalize their status through several channels.

In 2001, Jose's sister, who has legal status, petitioned for Jose to get a green card. However, the current green card backlog for siblings from Mexico is long, and it will be many years before Jose will be eligible to legalize his status though his sister.

In 2002, the Martinez family applied for political asylum. Their application was denied. An immigration judge denied their subsequent application for cancellation of removal because he could not find the ''requisite hardship'' required for this form of immigration relief. Ironically, the immigration judge who reviewed their case found that Jose's culinary ability was a negative factor weighing against keeping the family in the United States, finding that Jose's skills indicated that he could find a job in Mexico.

Finally, Daniel Scherotter, the executive chef and owner of Palio D'Asti, petitioned for legal status for Jose based upon Jose's unique skills as a chef. Even though U.S. Citizenship and Immigration Services approved Jose's work petition, there is a backlog for employment based visas and it may be many years before Jose can get a visa. Until then, he and his family remain subject to deportation.

Jose, Micaela, and their daughter, Adilene, have no other administrative options to legalize their status. If they are deported, they will face a several-year ban from returning to the United States. Jose and Micaela will be separated from their American citizen-children and their community.

The Martinez family has become an integral part of their community in California. They are active in their faith community and their children's schools. They volunteer with community-based organizations and are, in turn, supported by their community. When I first introduced this bill, I received dozens of letters of support from their fellow parishioners, teachers, and members of their community.

The Martinez family truly embraces the American dream. Jose worked his way through the restaurant industry to become a chef and an indispensable employee at a renowned restaurant. Adelene worked hard in high school and is now attending college.

I believe the Martinez family's presence in the United States allows them to continue making significant contributions to their community in California.

I ask my colleagues to support this private bill.

Mr. President, 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. 447

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

SECTION 1. ADJUSTMENT OF STATUS.

(a) IN GENERAL.—Notwithstanding any other provision of law, for the purposes of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), Jose Alberto Martinez Moreno, Micaela Lopez Martinez, and Adilene Martinez shall each be deemed to have been lawfully admitted to, and remained in, the United States, and shall be eligible for adjustment of status to that of an alien lawfully admitted for permanent residence under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) upon filing an application for such adjustment of status.

(b) APPLICATION AND PAYMENT OF FEES.—Subsection (a) shall apply only if the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(c) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of permanent resident status to Jose Alberto Martinez Moreno, Micaela Lopez Martinez, and Adilene Martinez, the Secretary of State shall instruct the proper officer to reduce by 3, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of the birth of Jose Alberto Martinez Moreno, Micaela Lopez Martinez, and Adilene Martinez under section 202(e) or 203(a) of the Immigration and Nationality Act (8 U.S.C. 1152(e) and 1153(a)), as applicable.

(d) PAYGO.—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 Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 448. A bill for the relief of Shing Ma ''Steve'' Li; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am introducing a private relief bill on behalf of Shing Ma ''Steve'' Li. Steve is a Peruvian national who lives in San Francisco, California. He was brought to the United States as a child and is now a student at City College of San Francisco hoping to become a nurse.

I decided to introduce a private bill on Steve's behalf because I believe that Steve would suffer undue hardship if he were removed to Peru. Without this legislation, Steve would be separated from his family and his community, and returned to a country he does not know.

Steve was only 12 years old when his parents brought him to the United States. Steve's parents are Chinese nationals who originally fled China to escape economic oppression and the Chinese government's policies on reproductive rights. From China, his parents went to Peru, where Steve was born.

The family then sought asylum in the United States, which was denied. Steve was ordered removed to Peru, where he was born, while his parents were ordered removed to China, the country of their nationality. Steve's parents would not be able to accompany their son to Peru.

Steve's parents never told him about the asylum denial or the removal orders. Steve did not know that he was in the United States illegally, and he went through all of his teenage years in the United States believing he was legally allowed to be here. He did not learn about his deportation order until one morning this past September when Immigration and Customs Enforcement agents arrived at his home and took him into custody.

All too often, youngsters like Steve are put in the position of being returned to a country they do not know. These young people did not make the choice to come to the United States but were brought to this country by their parents. Many of these young people grew up in America and have little or no memory of the countries they came from. They are hard working young people dedicated to their education. They have stayed out of trouble. Some are valedictorians and honor roll students. Many are community leaders and have an unwavering commitment to serving the United States.

I hoped that the Senate would pass the DREAM Act last year to provide qualified young people the opportunity to contribute to this country and their communities. Unfortunately, the bill fell short of the 60 votes it needed to move forward. I hope the Senate will one day pass the DREAM Act. The legislation I am introducing today will provide one of these youngsters the opportunity give back to the country he calls home.

Steve attended George Washington High School in San Francisco, California. While there, he was enrolled in the Honor's Program and became very involved in his high school community. Steve was an athlete on the cross country and track team. He worked for the school newspaper as a reporter, editor, and cameraman. Demonstrating his desire to educate his community on health issues, Steve also provided presentations to other students through his high school's wellness program on the risks of drinking and driving and sexually transmitted diseases.

Steve graduated high school in 2008 and enrolled at City College of San Francisco to pursue a career in nursing. City College of San Francisco awarded Steve the Goldman Scholarship to cover the cost of his tuition. Steve has continued his active involvement in his community, joining the Asian American Student Success Center, as well as the Science, Technology, Engineering and Mathematics Program, which is a 2-year outreach and educational support program.

Steve continued his commitment to academic achievement when he attended the San Francisco State University Summer Science Institute, which provided a year-long internship to prepare him for a career in health care upon his graduation from college.

Educators working with Steve highlight his potential for giving back to the United States, while Steve's friends and other community members have contacted me about the impact his compassion and helpfulness has had on the community. Steve's teachers call him a ''great student,'' ''hard working,'' ''an exceptional student,'' and ''goal directed.''

This private bill is an opportunity for Steve to finish his education and remain in the country he considers his only home. If he were forced to relocate to Peru, his education would be cut short, and Steve would be sent to a place where he knows no one. I believe that, by staying in California, Steve will only continue to serve his community and serve this country as a health care professional.

I ask my colleagues to support this private bill.

Mr. President, 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. 448

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

SECTION 1. PERMANENT RESIDENT STATUS FOR SHING MA "STEVE" LI.

(a) IN GENERAL.—Notwithstanding any other provision of law or any order, for purposes of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), Shing Ma ''Steve'' Li shall be—

(1) deemed to have been lawfully admitted to, and remained in, the United States; and

(2) eligible for issuance of an immigrant visa or for adjustment of status under section 245 of such Act (8 U.S.C. 1255).

(b) APPLICATION AND PAYMENT OF FEES.—Subsection (a) shall apply only if the applications for issuance of an immigrant visa or for adjustment of status are filed, with appropriate fees, not later than 2 years after the date of the enactment of this Act.

(c) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of an immigrant visa to Shing Ma ''Steve'' Li, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of the birth of Shing Ma ''Steve'' Li under—

(1) section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)); or

(2) section 202(e) of such Act (8 U.S.C. 1152(e)), if applicable.

(d) PAYGO.—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 Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 449. A bill for the relief of Joseph Gabra and Sharon Kamel; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today, I am reintroducing private relief legislation on behalf of Joseph Gabra and Sharon Kamel, a couple living with their family in Camarillo, California.

Joseph and Sharon are nationals of Egypt who fled their home country over twelve years ago after being targeted for their religious involvement in the Christian Coptic Church in Egypt. They became involved with this church during the 1990s, Joseph as an accountant and project coordinator helping to build community facilities and Sharon as the church's training director in human resources.

Unfortunately, Joseph and Sharon were also subjected to threats and abuse. Joseph was jailed repeatedly because of his involvement with the church. Sharon's family members were violently targeted, including her cousin who was murdered and her brother whose business was firebombed. When Sharon became pregnant with her first child, she was threatened by a member of a different religious organization against raising her child in a non-Muslim faith.

Joseph and Sharon came to the United States legally seeking refuge in November 1998. They immediately notified authorities of their intent to seek protection in the United States, filing for political asylum in May 1999.

However, Joseph, who has a speech impediment, had difficulty communicating why he was afraid to return to Egypt, and one year later their asylum application was denied because they could not adequately establish that they were victims of persecution. Joseph and Sharon pursued the appropriate means for appealing this decision, to no avail.

It should be noted that sometime later Sharon's brother applied for asylum in the United States. He, too, applied on the basis of persecution he and his family faced in Egypt, but his application was approved and he was granted this status in the United States.

There are no other avenues for Joseph and Sharon to pursue relief here in the United States. If they are deported, they will be forced back to a country where they sincerely fear for their safety.

Since arriving in the United States more than twelve years ago, Joseph and Sharon have built a family here, including four children who are United States citizens: Jessica, age 12, Rebecca, age 11, Rafael, age 10, and Veronica, age 6. Jessica, Rebecca, and Rafael attend school in California and maintain good grades. Veronica is attending kindergarten at Camarillo Heights Elementary School.

Joseph and Sharon worked hard to achieve financial security for their children, and they created a meaningful place for their family in California. Both earned college degrees in Egypt. Joseph, who has his Certified Public Accountant license, has been working in the accounting department for a technology company in California.

Joseph also volunteers for his son's Boy Scout Troop, and has expressed interest in pursuing opportunities as an Arabic language expert here in the United States. Joseph and Sharon carry strong support from friends, coworkers, members of their local church, and other Californians who attest to their good character and community contributions.

I am concerned that the entire family would face serious and unwarranted hardships if forced to relocate to Egypt. For Jessica, Rebecca, Rafael, and Veronica, the only home they know is in the United States. It is quite possible these four American children would face discrimination or worse in Egypt on account of their religion, as was the experience of many of their family members.

Joseph and Sharon have made a compelling plea to remain in the United States. These parents emphasize their commitment to supporting their children and making a healthy and productive place for them to grow up in California. I believe this family deserves that opportunity.

I respectfully ask my colleagues to support this private relief bill on behalf of Joseph Gabra and Sharon Kamel.

Mr. President, 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. 449

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

SECTION 1. ADJUSTMENT OF STATUS.

(a) IN GENERAL.—Notwithstanding any other provision of law, for the purposes of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), Joseph Gabra and Sharon Kamel shall each be deemed to have been lawfully admitted to, and remained in, the United States, and shall be eligible for adjustment of status to that of an alien lawfully admitted for permanent residence under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) upon filing an application for such adjustment of status.

(b) APPLICATION AND PAYMENT OF FEES.—Subsection (a) shall apply only if the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(c) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of permanent resident status to Joseph Gabra and Sharon Kamel, the Secretary of State shall instruct the proper officer to reduce by 2, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Joseph Gabra and Sharon Kamel under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)), or, if applicable, the total number of immigrant visas that are made available to natives to the country of birth of Joseph Gabra and Sharon Kamel under section 202(e) of that Act (8 U.S.C. 1152(e)).

(d) PAYGO.—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 Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 450. A bill for the relief of Jacqueline W. Coats; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I come to the floor to reintroduce private relief legislation on behalf of Jacqueline Coats, a widow living in the San Francisco Bay Area. I rise today to ask my colleagues to support this legislation in the 112th Congress, which would provide Jacqueline with the extraordinary relief I believe she deserves.

Jacqueline came to the United States from Kenya in 2001 on a student visa to study Mass Communications at San Jose State University. In January 2002, based on the advice she received from a college advisor, Jacqueline attempted to transfer to City College of San Francisco, which required her to file for reinstatement. However, the request for reinstatement was denied in October 2002, and Jacqueline's immigration status lapsed the following year.

Jacqueline married Marlin Coats, an American citizen, on April 17, 2006, at San Francisco City Hall. But not even a month after the marriage, on May 13, 2006, Jacqueline's husband died while heroically attempting to save two boys from drowning at Ocean Beach in San Francisco. The two children survived with the help of a rescue crew, but Mr. Coats was caught in a riptide and died. The sudden and unexpected loss of her husband devastated Jacqueline.

Unfortunately, a loophole in U.S. immigration laws meant that Jacqueline's status in the United States was suddenly in jeopardy due to the death of her husband. Jacqueline and her husband had prepared and signed an application for a green card at their attorney's office just four days before Mr. Coats died. However, the petition did not get filed until after his death, meaning it could no longer be considered valid.

Jacqueline very likely would have received permanent residence in the United States were it not for the abrupt death of Mr. Coats. At the time, Jacqueline received a medal honoring her husband's heroic actions. The San

Francisco Board of Supervisors, the San Francisco Police Department, and the San Francisco chapter of the NAACP all passed resolutions in support of her remaining in the United States.

In 2009, I co-sponsored legislation known as the Fairness to Surviving Spouses Act to address this hole in U.S. immigration laws that creates unnecessary hardship for foreign-born men and women—like Jacqueline—whose immigration status is at risk when the sponsoring U.S. citizen spouse dies. I do not believe our immigration system should penalize individuals whose earnest efforts to become permanent legal residents of this country are cut short when their sponsoring spouse dies.

I was pleased that the President signed the Fairness to Surviving Spouses Act into law as part of a Department of Homeland Security appropriations bill on October 28, 2009. U.S. Citizenship and Immigration Services is now implementing this law, which allows widows of American citizens to continue to petition for permanent residency as long as they can prove that they entered into their marriage in good faith. Jacqueline may be eligible for this form of relief; however, I believe that a private bill remains necessary until this process can be finalized.

Jacqueline has been a hard-working employee for a transit company in Oakland, California, since 2004. She is taking three classes at St. Mary's College, and she remains close with the family of her late husband. For Jacqueline, the Coats family here in the United States has become her own.

Ramona Burton, one of Mr. Coats' siblings, wrote in a letter to me: ''She spent her first American Christmas with us, her first American Thanksgiving . . . I can't imagine looking around and not seeing her there. She needs to be there.'' Another concerned California constituent wrote to me that common fairness, morality and decency'' should be the standards by which we view this case. I agree. Despite the tragedy of losing her husband, Jacqueline continues to work hard, take classes, and integrate herself within her community.

Without some form of relief, Jacqueline will be deported to Kenya, a country she has not lived in since she was 21 years old. This is never what her late husband, a citizen of the United States, intended.

I believe Congress should honor this family by granting Jacqueline permanent residency in the United States. I urge my colleagues to give consideration to Jacqueline and to support this private relief immigration bill.

Mr. President, 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. 450

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

SECTION 1. PERMANENT RESIDENT STATUS FOR JACQUELINE W. COATS.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Jacqueline W. Coats shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of that Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Jacqueline W. Coats enters the United States before the filing deadline specified in subsection (c), Jacqueline W. Coats shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of an immigrant visa or permanent residence to Jacqueline W. Coats, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Jacqueline W. Coats under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Jacqueline W. Coats under section 202(e) of that Act (8 U.S.C. 1152(e)).

(e) PAYGO.—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 Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 451. A bill for the relief of Claudia Marquez Rico; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I come to the floor today to reintroduce private relief legislation for Claudia Marquez Rico. I first introduced a private bill for Claudia back in 2006. This young woman has lived in California for most of her life. She suffered tremendous hardship after the sudden death of her parents more than ten years ago. I believe she deserves the special relief granted by a private bill.

Claudia was born in Jalisco, Mexico. She was only 6 years old when her parents brought her, and her two younger brothers, to the United States.

Ten years ago, tragedy struck this family. Early in the morning on October 4, 2000, while driving to work, Claudia's parents were killed in a horrific car accident when their vehicle collided with a truck on a rural road.

Suddenly orphaned, Claudia and her siblings were fortunate enough to have a place to go. They were welcomed into the loving home of their aunt, Hortencia, and uncle, Patricio, who are both United States citizens. Hortencia and Patricio are active at Buen Pastor Catholic Church. Patricio is a youth soccer coach. This couple raised the Marquez children as their own, counseling them through the loss of their parents and helping them with their school work. They became the legal guardians of the Marquez children in 2001.

Claudia likely would have resolved her immigration status, were it not for poor legal representation. The death of the Marquez parents meant that Claudia and her siblings should have qualified for special immigrant juvenile status. Congress created this special immigrant status to protect children under extraordinary circumstances and spare them the hardship of deportation when a state court deems the children to be dependents as a result of abuse, abandonment, or neglect. In fact, Claudia's younger brother, Omar, was granted this special immigrant juvenile status, providing him legal permanent residency.

However, the lawyer for the Marquez children failed to secure this relief for Claudia. She has now reached the age of majority without having resolved her immigration status, making her ineligible for this special relief.

It is important to take note that the lawyer who handled this case currently faces charges on numerous counts of professional incompetence and moral turpitude for mishandling immigration cases. The California State Bar accused him of a ''despicable and far-reaching pattern of misconduct.'' The Bar sought to disbar the attorney before he resigned with pending charges.

Claudia deserved a fair chance at resolving her immigration status, but her attorney's egregious behavior stripped her of this opportunity.

Claudia, nonetheless, finished school despite these adverse circumstances. She secured a job in Redwood City, California, and she currently lives with her younger sister, Maribel, in Menlo Park, where they care for their grandfather. Claudia also provides financial support to her two brothers, Jose and Omar, whenever necessary. She is still active in the local community, attending San Clemente Catholic Church in Hayward.

It would be an injustice to add to the Marquez family's misfortune by tearing these siblings apart. Claudia and her siblings have come to rely on each other in the absence of their deceased parents, and Claudia is clearly a central support of this family. Moreover, Claudia has never visited Mexico and has no close relatives in the country. She was so young when her parents brought her to the United States that she has no memories of Mexico.

I am reintroducing a private relief bill on Claudia's behalf because I believe her removal from the United

States would go against our standard of fairness and would only cause additional hardship on a family that already endured so much.

I respectfully ask my colleagues to support this private relief legislation on behalf of Claudia Marquez Rico.

Mr. President, 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. 451

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

SECTION 1. PERMANENT RESIDENT STATUS FOR CLAUDIA MARQUEZ RICO.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Claudia Marquez Rico shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Claudia Marquez Rico enters the United States before the filing deadline specified in subsection (c), she shall be considered to have entered and remained lawfully and, if otherwise eligible, shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBER.—Upon the granting of an immigrant visa or permanent residence to Claudia Marquez Rico, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Claudia Marquez Rico under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Claudia Marquez Rico under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) DENIAL OF PREFERENTIAL IMMIGRATION TREATMENT FOR CERTAIN RELATIVES.—The natural parents, brothers, and sisters of Claudia Marquez Rico shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(f) PAYGO.—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 Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 452. A bill for the relief of Alfredo Plascencia Lopez and Maria Del Refugio Plascencia; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise today to offer legislation to provide lawful permanent residence status to Alfredo Plascencia Lopez and his wife, Maria del Refugio Plascencia, Mexican nationals who live in the San Bruno area of California.

I have decided to offer legislation on their behalf because I believe that, without it, this hardworking couple and their five children, all United States citizens, would face extreme hardship. Their children would either face separation from their parents or be forced to leave the only country they know and give up on their education in the United States.

The Plascencias have been in the United States for over 20 years. They worked for years to adjust their status through appropriate legal channels, but poor legal representation ruined their opportunities. The Plascencias' lawyer refused to return their calls or otherwise communicate with them in any way. He also failed to forward crucial immigration documents, or even notify the Plascencias that he had them. Because of the poor representation they received, Alfredo and Maria only became aware that they had been ordered to leave the United States fifteen days prior to their scheduled deportation.

The Plascencias were shocked to learn of their attorney's malfeasance, but they acted quickly to secure legitimate counsel and to file the appropriate paperwork to delay their deportation to determine if any other legal action could be taken.

Since arriving in the United States in 1988, Alfredo and Maria have proven themselves a civic-minded couple who share our American values of hard work, dedication to family, and devotion to community.

For over 15 years, Alfredo has been gainfully employed at Vince's Shellfish, where his dedication and willingness to learn have propelled him from part-time work to a managerial position. He now oversees the market's entire packing operation and several employees.

The president of the market, in one of the several dozen letters I received in support of Alfredo, referred to him as ''a valuable and respected employee'' who ''handles himself in a very professional manner'' and serves as ''a role model'' to other employees. Others who have written to me praising Alfredo's job performance refer to him as ''gifted,'' ''trusted,'' ''honest'' and ''reliable.''

Maria has distinguished herself as a medical assistant at a Kaiser Permanente hospital in the Bay Area. Not satisfied with working as a maid at a local hotel, she went to school, earned her high school equivalency degree, and improved her skills to become a medical assistant. She is now in a program to become a Licensed Vocational Nurse. She plans to graduate next year and start a nursing program with Kaiser to become a registered nurse.

Several Californians who wrote to me in support of Maria describe her as ''responsible,'' ''efficient,'' and ''compassionate.'' Kaiser Permanente's Director of Internal Medicine wrote to say that Maria is ''an asset to the community and exemplifies the virtues we Americans extol: hardworking, devoted to her family, trustworthy and loyal, [and] involved in her community. She and her family are a solid example of the type of immigrant that America should welcome wholeheartedly.''

Together, Alfredo and Maria have used their professional successes to realize many of the goals dreamed of by all Americans. They saved up and bought a home. They own a car. They have good health care benefits, and they each have begun saving for retirement. They are sending their daughter, Christina, age 19, to college and plan to send the rest of their children to college as well.

Allowing the Plascencias to remain in the United States would preserve their achievements and ensure that they will be able to make substantive contributions to the community in the future.

In addition, this bill will have a positive impact on the couple's United States citizen children, who are dedicated to pursuing their educations and becoming productive members of their community.

Christina is the Plascencias' oldest child. She is 20 years old, working and taking classes at Skyline Community College and the College of San Mateo. She would like to be a paralegal. Erika, age 16, attends Peninsula High School in San Bruno and was recently named Student of the Month. Erika's teachers praise her abilities and have referred to her as a ''bright spot'' in the classroom.

Alfredo and Maria also have three young children: Alfredo, Jr., age 14, Daisy, age 9, and Juan-Pablo, age 5.

Removing Alfredo and Maria from the United States would be tragic for their children. The Plascencia children were born in America and through no fault of their own have been thrust into a situation that has the potential to dramatically alter their lives.

It would be especially tragic if Erika, Alfredo, and Daisy have to leave the United States. They are old enough to understand that they are leaving their schools, their teachers, their friends, and their home. They would leave everything that is familiar to them.

The Plascencia family would then be in Mexico without a means for supporting themselves and with no place to live. The children would have to acclimate to a different culture, language, and way of life.

The only other option would be for Alfredo and Maria to leave their children here with relatives. This separation is a choice which no parents should have to make.

I am reintroducing this legislation because I believe that the Plascencias will continue to make positive contributions to their community in California and this country. The Plascencia

children should be given the opportunity to realize their full potential in the United States, with their family intact.

I respectfully ask my colleagues to support this bill.

Mr. President, 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. 452

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

SECTION 1. PERMANENT RESIDENT STATUS FOR ALFREDO PLASCENCIA LOPEZ AND MARIA DEL REFUGIO PLASCENCIA.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Alfredo Plascencia Lopez and Maria Del Refugio Plascencia shall each be eligible for the issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of that Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Alfredo Plascencia Lopez or Maria Del Refugio Plascencia enter the United States before the filing deadline specified in subsection (c), Alfredo Plascencia Lopez or Maria Del Refugio Plascencia, as appropriate, shall be considered to have entered and remained lawfully and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of immigrant visas or the application for adjustment of status are filed with appropriate fees within 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of immigrant visas or permanent residence to Alfredo Plascencia Lopez and Maria Del Refugio Plascencia, the Secretary of State shall instruct the proper officer to reduce by 2, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Alfredo Plascencia Lopez and Maria Del Refugio Plascencia under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Alfredo Plascencia Lopez and Maria Del Refugio Plascencia under section 202(e) of that Act (8 U.S.C. 1152(e)).

(e) PAYGO.—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 Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mr. GRASSLEY:

S. 454. A bill to amend titles XVIII and XIX of the Social Security Act to prevent fraud, waste, and abuse under Medicare, Medicaid and CHIP, and for other purposes; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, earlier today the Finance Committee held a hearing to discuss the serious problems of fraud in Medicare and Medicaid. Over the last 9 years, the Finance Committee has held more than 20 oversight hearings dealing with Medicare and Medicaid fraud. These hearings highlighted the flaws in how the Federal Government administers Medicare and Medicaid. They also stress the need to create disincentives for those who seek to defraud these vital programs.

Every dollar lost to Medicare or Medicaid fraud is a dollar that is not available for beneficiaries. Of course, we ought to be very cognizant of that considering the impending bankruptcy of Medicare. In 2009, the Federal Government spent $502 billion on Medicare and $379 billion on Medicaid. It is estimated that between $40 billion and $70 billion was lost to fraud that year. However, officials from the Department of Health and Human Services and the Department of Justice announced last month that their health care fraud prevention and enforcement efforts recovered $4 billion in fraud. So compare that $4 billion with the $44 billion to $70 billion, and it means we still have a very long way to go.

When it comes to public programs such as Medicare and Medicaid, it is clear the Federal Government needs to be more effective in combating waste, fraud, and abuse. The Federal Government has simply made it too easy for bad actors to steal from each of these programs. It says a lot when we hear that organized crime has moved into health care fraud because it is more lucrative than organized crime. Medicare and Medicaid also attract more criminals because the profits of fraud greatly outweigh the consequences if you get caught. Then there are those who don't even get caught.

Taxpayer dollars should only go to bona fide providers and medical suppliers. But the reimbursement system is set up so that the Federal Government pays first and asks questions later. In other words, the system is based on a program we call the pay-and-chase system.

Over the years, Congress has given the executive branch more authority to improve enforcement of fraud, waste, and abuse laws. During health care reform, Senator BAUCUS and I developed a bipartisan set of legislative proposals to combat fraud, waste, and abuse. Many of these proposals are in the bill I introduced in the last Congress, S. 2964, the Strengthening Program Integrity and Accountability in Health Care Act, and many were even included in the Patient Protection and Affordable Care Act. These provisions did not draw opposition from either side of the aisle.

Tackling fraud, waste, and abuse in health care is one of the areas where there is widespread agreement. But our work does not end with the passage of legislation. Congress needs to keep the pressure on Federal officials to do everything possible to prevent and stop fraud.

There is also more Congress must do in ways of reform to enhance the government's ability to fight this fraud. We need to ensure that phantom doctors, pharmacies, and durable medical equipment suppliers cannot simply bill Medicare millions of dollars in just a few months and then get out of town scot-free. Health and Human Services and the Center for Medicare and Medicaid Services need to use the tools already available to them to make sure claims are legitimate before they are paid.

But even with all of that, we must remain vigilant in our oversight efforts, which is the constitutional responsibility of the legislative branch of government, because tomorrow's criminals will find ways to get around the laws and regulations we put in place today. That is why I am introducing the Strengthening Program Integrity and Accountability in Health Care Act of 2011. This bill contains the remaining proposals from S. 2964 that are necessary to enhance the government's ability to combat Medicare and Medicaid fraud. It builds on reforms we made in the last Congress.

The bill would require the Secretary of Health and Human Services to issue regulations to make Medicare claims and payment data available to the public similar to other Federal spending disclosed through www.USAspending.gov. This Web site lists almost all Federal spending, but it doesn't include Medicare payments made to physicians. That means virtually every other government program, including even some defense spending, is more transparent, or responds to the citizens' right to know, than spending by the Medicare Program. So that differential between defense spending and most other government programs and what we allow the public to know about the Medicare tax dollars being spent is too big of a gap and one we should not tolerate anymore because a taxpayer dollar spent on Medicare isn't any different from the public's right to know about a taxpayer dollar spent on defense programs. Let's say even for this Senator, with my background in farming and participating in a family farm operation, the public can read in the newspapers of Iowa, as they can for every State, the amount of money a certain Senator—or I shouldn't say Senator—a certain farmer gets from the farm program. It is all taxpayers' dollars.

In addition, this bill also goes on to create a national clearinghouse of information so that we can better detect, prevent, and thereby deter medical identity theft. This is about the Federal Government sharing information it already has in ways that protect the taxpayer and work against those defrauding the system.

The bill would also change Federal laws that require Medicare to pay providers quickly regardless of the risks of fraud, waste, and abuse. Under current law, the government is required to

make payments for what is called a clean claim within 14 to 30 days before interest accrues on the claim. That is not enough time for the limited number of Medicare auditors to determine if a claim is legitimate before a payment has to be made. The result is that this what we call prompt-payment rule requires that Medicare pay bad actors first and ask questions later, which leads to that pay-and-chase system I previously mentioned.

So this bill would add to the tools Congress provided to the executive branch last year to prevent fraudulent payment on the front end. It would extend the time payments must be made if the Secretary of Health and Human Services determines there is a likelihood of fraud, waste, and abuse.

In addition, the bill would expand the Health and Human Services inspector general's authority to exclude an individual from participating in the Federal health care program. I wish to give an example. The inspector general would be able to exclude an individual if the individual had ownership or control interests in an entity at the time the entity engaged in misconduct such as health care fraud. Now, I know that is common sense to the taxpayers of America, but it is not something the inspector general can do today.

I still have other areas my bill addresses, and one is in the area of illegal, unapproved drugs. Just last week, the Los Angeles Times reported that the Food and Drug Administration is struggling to keep unapproved drugs off the market. It reported that ''in many cases, the agency doesn't even know what the drugs are or where they are.'' This is another example of how the Federal reimbursement system creates an incentive for bad actors to get around the rules.

In this case, those rules are the Food and Drug Administration requirements for putting a drug on the market.

Medicaid pays until the Food and Drug Administration identifies a drug or class of drugs as not approved for marketing and then takes formal action.

Under such circumstances, the Federal Government doesn't even have the option to chase after the previous payments.

My bill would stop such payments, unless the State Medicaid Programs first verify with the Food and Drug Administration that the drug is being legally marketed.

Again, that may sound like common sense, but it is something that can't be done without a change in the law.

The changes I am proposing would go a long way to deter those who would defraud our health care system. It also would provide greater protections to the taxpayers.

Fighting fraud, waste, and abuse in Medicare and Medicaid is vital to the sustainability of each program. My bill will help add to the reforms we passed last year. It will fix some of the blatant problems that incentivize and reward waste, fraud, and abuse. Over 100 million Americans rely on Medicare and Medicaid for health insurance.

Right now, these programs, as we all know—every Member of the Senate knows and most of the public knows—these programs are on an unsustainable path. My bill takes necessary steps to move these programs toward sustainability.

I urge my colleagues to support this legislation and help me by cosponsoring it.

By Ms. SNOWE (for herself and Mr. KERRY):

S. 455. A bill to promote development and opportunity with regards to spectrum occupancy and use, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Ms. SNOWE. Mr. President, I rise today, along with Senator KERRY, to re-introduce comprehensive spectrum reform legislation to modernize our nation's radio spectrum planning, management, and coordination activities. Taking this corrective action will allow us to meet the future telecommunications needs of all spectrum users. For consumers, these fixes will lead to additional choices, greater innovation, lower prices, and more reliable services.

Over the past year, there has been growing concern about a looming radio spectrum crisis. It is not without reason—growth and innovation within spectrum-based services have exploded over the past decade. In particular, the cellular industry has been a prominent driver of this expansion. Currently, there are more than 290 million wireless subscribers in the U.S., and American consumers use more than 6.4 billion minutes of air time per day.

While the foundation for wireless services has been voice communication, more subscribers are utilizing it for broadband through the use of smartphones and netbooks—smartphones actually outsold personal computers in the last quarter of 2010. According to the Pew Research Center, 56 percent of adult Americans have accessed the Internet via a wireless device. ABI Research forecasts there will be 150 million mobile broadband subscribers by 2014—a 2,900 percent increase from 2007. Spectrum is so important that both the Federal Communications Commission and the President have made it a priority to find additional spectrum for wireless broadband so providers have the necessary capacity to meet the growing demand of consumers and businesses alike.

There are constraints however, spectrum is a finite resource, and we cannot manufacture new spectrum. Making matters worse, the government's current spectrum management framework is inefficient and has not kept up with technological advancements. As evidence, the Government Accountability Office, in a series of reports, concluded ''the current structure and management of spectrum use in the U.S. does not encourage the development and use of some spectrum efficient technologies.''

The legislation we are re-introducing today fixes the fundamental deficiencies that exist in spectrum management and promotes efforts to improve spectrum efficiency. Specifically, the Reforming Airwaves by Developing Incentives and Opportunistic Sharing, RADIOS, Act tasks the FCC and the National Telecommunications and Information Administration, NTIA, to conduct the fundamental first step of a comprehensive inventory of radio spectrum and to perform much-needed spectrum measurements to determine actual usage and occupancy rates. This data would provide decision makers at the FCC, NTIA, and Congress a clearer, more detailed, and up-to-date understanding of how spectrum is currently being used and by whom—data essential to sound policy decisions and spectrum management.

The bill also requires a cost-benefit analysis of spectrum relocation opportunities to move certain incumbent users and services to more efficient spectrum bands. Many legacy wireless services could employ newer technologies to provide more efficient use of spectrum. The legislation would also establish Wi-Fi hot-spots and allow the installation of wireless antenna systems and base stations, such as femtocells, in all publicly accessible Federal buildings as well as streamline Federal rights-of-way and wireless tower sitings on Federal buildings. Such efforts would improve wireless and broadband coverage for Americans and also result in lower costs to taxpayers since spectrum would be utilized more effectively by Federal agencies.

In addition, my bill requires greater collaboration between the FCC and NTIA on spectrum policy and management related issues, implementation of spectrum sharing and reuse programs, as well as more market-based incentives to promote efficient spectrum use. It also sets a deadline for the creation of the National Strategic Spectrum Plan, which will provide a long-term vision for domestic spectrum use and strategies to meet those needs. While the National Broadband Plan touches on several of these areas, this legislation will provide greater assistance in developing the 21st Century comprehensive spectrum policy necessary to meet the future spectrum needs of all users.

It should be noted the RADIOS Act is intended to complement the National Broadband Plan and the recently announced Presidential Wireless Initiative in promoting more efficient use of spectrum and ensuring that the proper framework is in place to meet America's future telecommunications needs. But it also encourages greater focus on other areas outside the Plan and the Initiative by promoting technological innovation and more robust spectrum management.

Senator KERRY and I envision this legislation to be a supplement to other legislative efforts related to spectrum. And we look forward to working with our colleagues in the Senate and with all stakeholders to advance comprehensive 21st Century spectrum policy necessary to meet the future spectrum needs of all users.

Our Nation's competitiveness, economy, and national security demand that we allocate the necessary attention to this policy shortcoming—it is the only way we will be able to avert a looming spectrum crisis and continue to realize the boundless benefits of spectrum-based services. That is why I sincerely hope that my colleagues will join Senator KERRY and me in supporting this critical legislation.

By Mr. RISCH (for himself, Mr. COBURN, Mr. DEMINT, Mr. LEE, and Mr. JOHNSON of Wisconsin):

S. 460. A bill to prohibit the Secretary of Education from promulgating or enforcing regulations or guidance regarding gainful employment; to the Committee on Health, Education, Labor, and Pensions.

Mr. RISCH. Mr. President, I am pleased to be joined by my colleagues, Senators COBURN, DEMINT, JOHNSON and LEE, in introducing the Education for All Act. This important piece of legislation would preserve educational and economic opportunities for all Americans.

The U.S. Department of Education is proposing new ''gainful employment'' rules that would deny federal financial aid to students who attend proprietary colleges and vocational certificate programs. These rules would disqualify students from receiving federal education loans if their chosen programs do not meet a complex formula comparing student debt to future earning potential. Why should students be discouraged from attending a school they want or a profession they chose because of Washington bureaucrats?

The bill I am introducing today would prohibit these regulations from going into effect.

The ''gainful employment'' rules could deny hundreds of thousands of students access to the training and skills development they need to secure a job in today's troubled economy. There is high demand in some sectors for highly skilled workers and propriety schools are uniquely qualified to meet the training needs of these employers. It is simply irresponsible for the government to throw roadblocks in front of students and institutions at a time when job creation in America should be the administration's number one priority.

Further, the ''gainful employment'' rules will disproportionately harm low-income and minority students. These students often depend more heavily on education loans regardless of the type of institution they attend and take longer to repay.

The rules would also significantly impact health care programs. Nearly half of all health care workers are trained at proprietary schools. With an aging baby boom population, demand for trained health care providers is already critical and will only get worse. President Obama's health care law adds to this burden as well. We ought to be expanding educational capacity for health care workers, not enacting regulations that threaten access.

In short, this legislation will preserve educational and economic opportunities for all Americans. I urge all of my colleagues to support this bill.

Mr. President, 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. 460

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 ''Education for All Act of 2011''.

SEC. 2. GAINFUL EMPLOYMENT.

Notwithstanding any other provision of law, the Secretary of Education may not use any Federal funds to—

(1) implement, administer, or enforce the final regulations on ''Program Integrity: Gainful Employment—New Programs'' published by the Department of Education in the Federal Register on October 29, 2010 (75 Fed. Reg. 66665 et seq.);

(2) issue a final rule or otherwise implement the proposed rule on ''Program Integrity: Gainful Employment'' published by the Department of Education on July 26, 2010 (75 Fed. Reg. 43616 et seq.);

(3) implement, administer, or enforce section 668.6 of title 34, Code of Federal Regulations, (relating to gainful employment), as amended by the final regulations published by the Department of Education in the Federal Register on October 29, 2010 (75 Fed Reg. 66832 et seq.); or

(4) promulgate or enforce any new regulation or rule with respect to the definition or application of the term ''gainful employment'' under the Higher Education Act of 1965 on or after the date of enactment of this Act.

By Mr. KOHL (for himself, Mr. CASEY, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. NELSON of Florida, Ms. MIKULSKI, and Mr. BROWN of Ohio):

S. 462. A bill to better protect, serve, and advance the rights of victims of elder abuse and exploitation by establishing a program to encourage States and other qualified entities to create jobs designed to hold offenders accountable, enhance the capacity of the justice system to investigate, pursue, and prosecute elder abuse cases, identify existing resources to leverage to the extent possible, and assure data collection, research, and evaluation to promote the efficacy and efficiency of the activities described in this Act; to the Committee on the Judiciary.

Mr. KOHL. Mr. President, I rise today with Senators BLUMENTHAL, SHERROD BROWN, CASEY, GILLIBRAND, MIKULSKI and BILL NELSON to introduce the Elder Abuse Victims Act of 2011. This legislation creates in the Department of Justice an Office of Elder Justice, OEJ, that will protect America's seniors by strengthening law enforcement's response to elder abuse. The OEJ will provide leadership, training materials and other needed information to prosecutors, law enforcement, adult protective services and others, in order to build a robust infrastructure to effectively address elder abuse. Additionally, the bill will encourage states to set up multidisciplinary teams where information and resources are shared in order to better serve the victims of elder abuse.

The plight of vulnerable seniors is a subject of great concern. Elder abuse is often hidden from sight by the victims themselves. Even so, experts conservatively estimate that as many as two million Americans age 65 and older have been injured, exploited, or otherwise mistreated by someone on whom they depend for care or protection.

As Federal policymakers, it is time that we step forward and tackle this challenge with dedicated efforts and more vigorous programs that will make fighting elder abuse as important a priority as ongoing efforts to counter child abuse.

We need to provide assistance to our courts, which would benefit from having access to designated staff that has particular knowledge and expertise in elder abuse. Specialized protocols may be required where victims are unable to testify on their own behalf, due to cognitive impairments or poor physical health. And there is a great need for specialized knowledge that will support successful prosecutions and enhance the development of case law. Today, many state elder abuse statutes lack adequate provisions to encourage wide reporting of abuse and exploitation, more thorough investigations, and greater prosecution of abuse cases.

For the victims of elder abuse, many of whom are physically frail and very frightened, we must do much more. First and foremost, we must be more responsive. Not too long ago, it was difficult to even get an abuse case investigated. While that is starting to change, we have much more work to do. Sometimes, for example, emergency interventions may be needed, particularly if the older person is being harmed at the hands of family members or trusted ''friends.'' It may be necessary to remove the older adult from his or her home to a temporary safe haven. To do this, we must build a much more robust infrastructure.

This legislation, strongly supported by the Elder Justice Coalition, will go a long way toward improving the ability of law enforcement, prosecutors and other government agencies to respond to abuse of older Americans.

I urge my colleagues to support this important legislation.

Mr. President, 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. 462

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 ''Elder Abuse Victims Act of 2011''.

SEC. 2. DEFINITIONS.

In this Act—

(1) the terms ''abuse'', ''elder'', ''elder justice'', ''exploitation'', and ''neglect'' have the meanings given those terms in section 2011 of the Social Security Act (42 U.S.C. 1397j);

(2) the term ''elder abuse'' includes neglect and exploitation;

(3) the term ''Director'' means the Director of the Office appointed under section 3(b);

(4) the term ''Office'' means the Office of Elder Justice established under section 3(a);

(5) the term ''State'' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any other territory of possession of the United States; and

(6) the term ''task force'' means a multidisciplinary task force on elder justice established or designated under section 5(c)(1).

SEC. 3. OFFICE OF ELDER JUSTICE.

(a) IN GENERAL.—There is established within the Department of Justice a office to be known as the Office of Elder Justice, which shall address issues relating to elder abuse.

(b) DIRECTOR.—The Office shall be headed by a Director who shall—

(1) be appointed by the President, by and with the advice and consent of the Senate, from among individuals with experience and expertise in elder abuse; and

(2) serve as counsel to the Attorney General on elder justice and elder abuse.

(c) RESPONSIBILITIES.—The Director shall—

(1) create, compile, evaluate, and disseminate materials and information, and provide the necessary training and technical assistance, to assist States and units of local government in—

(A) investigating, prosecuting, pursuing, preventing, understanding, and mitigating the impact of—

(i) physical, sexual, and psychological abuse of elders;

(ii) exploitation of elders, including financial abuse and scams targeting elders; and

(iii) neglect of elders; and

(B) assessing, addressing, and mitigating the physical and psychological trauma to victims of elder abuse;

(2) collect data and perform an evidence-based evaluation to—

(A) assure the efficacy of measures and methods intended to prevent, detect, respond to, or redress elder abuse; and

(B) evaluate the number of victims of elder abuse in each State and the extent to which the needs of the victims are served by crime victim services, programs, and sources of funding;

(3) publish a report, on an annual basis, that describes the results of the evaluations conducted under paragraphs (1) and (2), and submit the report to each Federal agency, each State, and the Committee on the Judiciary and the Special Committee on Aging of the Senate and the Committee on the Judiciary of the House of Representatives;

(4) evaluate training models to determine best practices, create replication guides, create training materials, if necessary, for law enforcement officers, prosecutors, judges, emergency responders, individuals working in victim services, adult protective services, social services, and public safety, medical personnel, mental health personnel, financial services personnel, and any other individuals whose work may bring them in contact with elder abuse regarding how to—

(A) conduct investigations in elder abuse cases;

(B) address evidentiary issues and other legal issues; and

(C) appropriately assess, respond to, and interact with victims and witnesses in elder abuse cases, including in administrative, civil, and criminal judicial proceedings;

(5) conduct, and update on a regular basis, a study of laws and practices relating to elder abuse, neglect, and exploitation, including—

(A) a comprehensive description of State laws and practices;

(B) an analysis of the effectiveness of State laws and practices, including—

(i) whether the State laws are enforced; and

(ii) if enforced—

(I) how the State laws are enforced; and

(II) how enforcement of the State laws has effected elder abuse within the State;

(C) a review of State definitions of the terms ''abuse'', ''neglect'', and ''exploitation'' in the context of elder abuse cases;

(D) a review of State laws that mandate reporting of elder abuse, including adult protective services laws, laws that require the reporting of nursing home deaths or suspicious deaths of elders to coroners or medical examiners, and other pertinent reporting laws, that analyzes—

(i) the impact and efficacy of the State laws;

(ii) whether the State laws are enforced;

(iii) the levels of compliance with the State laws; and

(iv) the response to, and actions taken as a result of, reports made under the State laws;

(E) a review of State evidentiary, procedural, sentencing, choice of remedies, and data retention issues relating to elder abuse, neglect, and exploitation;

(F) a review of State fiduciary laws, including law relating to guardianship, conservatorship, and power of attorney;

(G) a review of State laws that permit or encourage employees of depository institutions (as defined in section 3(c)(1) of the Federal Deposit Insurance Act (12 U.S.C. 1813(c)(1)) and State credit unions (as defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752)) to prevent and report suspected elder abuse, neglect, and exploitation;

(H) a review of State laws used in civil court proceedings to prevent and address elder abuse;

(I) a review of State laws relating to fraud and related activities in connection with mail, telemarketing, the Internet, or health care;

(J) a review of State laws that create programs, offices, entities, or other programs that address or respond to elder abuse; and

(K) an analysis of any other State laws relating to elder abuse; and

(6) carry out such other duties as the Attorney General determines necessary in connection with enhancing the understanding, prevention, detection, and response to elder abuse.

SEC. 4. DATA COLLECTION.

The Attorney General, in consultation with the Secretary of Health and Human Services, shall, on an annual basis—

(1) collect from Federal, State, and local law enforcement agencies and prosecutor offices statistical data relating to the incidence of elder abuse, including data relating to—

(A) the number of elder abuse cases referred to law enforcement agencies, adult protective services, or any other State entity tasked with addressing elder abuse;

(B) the number and types of cases filed in Federal, State, and local courts; and

(C) the outcomes of the cases described in subparagraphs (A) and (B) and the reasons for such outcomes;

(2) identify common data points among Federal, State, and local law enforcement agencies and prosecutor offices that would allow for the collection of uniform national data;

(3) publish a summary of the data collected under paragraphs (1) and (2);

(4) identify—

(A) the types of data relevant to elder abuse that should be collected; and

(B) what entity is most capable of collecting the data described in subparagraph (A); and

(5) develop recommendations for collecting additional data relating to elder abuse.

SEC. 5. ELDER VICTIMS GRANT PROGRAM.

(a) IN GENERAL.—The Director may make grants and provide technical assistance to not more than 15 States to assist the States in developing, establishing, and operating programs designed to improve—

(1) the response to cases of elder abuse in a manner that limits additional trauma to the elder victims; and

(2) the investigation and prosecution of cases of elder abuse.

(b) ELIGIBILITY.—A State is eligible to receive a grant under this section if the State—

(1) has a crime victims compensation program that meets the criteria described in section 1403(b) of the Victims of Crime Act of 1984 (42 U.S.C. 10602(b)); and

(2) is in compliance with subsection (c).

(c) ESTABLISHMENT OF TASK FORCE.—

(1) IN GENERAL.—In order to be eligible to receive a grant under this section, a State shall establish or, subject to paragraph (5), designate a multidisciplinary task force on elder justice that is composed of professionals with knowledge and experience relating to the criminal justice system and issues of elder abuse.

(2) MEMBERSHIP REQUIREMENT.—Except as provided in paragraph (6), a task force shall include—

(A) representatives from law enforcement agencies, such as police officers, sheriffs and deputy sheriffs, detectives, public safety officers, corrections officers, investigators and victims' service personnel;

(B) a representative from the crime victim compensation program of the State;

(C) judicial and legal officers, including individuals who work on cases of elder abuse;

(D) elder justice and elder law advocates, including local agencies on aging and local public and private agencies and entities relating to elder abuse and other crimes against elders;

(E) health and mental health professionals;

(F) representatives from social services agencies in the State;

(G) representatives from adult protective services; and

(H) family members of victims of elder abuse.

(3) REVIEW AND EVALUATION.—A task force shall—

(A) review and evaluate the investigative, administrative, and judicial responses to cases of elder abuse in the State;

(B) make recommendations to the State based on the review and evaluation conducted under subparagraph (A), including recommendations relating to—

(i) modifying the investigative, administrative, and judicial response to cases of elder abuse, in a manner that—

(I) reduces the additional trauma to the elder victim; and

(II) ensures procedural fairness to the individual accused of elder abuse; and

(ii) experimental, model, and demonstration programs for testing innovative approaches and techniques that may improve the rate of successful prosecution or enhance the effectiveness of judicial and administrative action in elder abuse cases, and which ensure procedural fairness to the accused, including a determination of which programs are most effective; and

(C) submit the recommendations described in subparagraph (B) to the Office.

(4) REPORT.—Not later than 1 year after a State receives grant funds under this section, the State shall submit to the Director a report that includes—

(A) an evaluation of the effectiveness of the grant program;

(B) a list of all laws of the State relating to elder abuse; and

(C) any other information the Director may require.

(5) TASK FORCE ALTERNATIVE.—If determined appropriate by the Director, a State may designate a commission or task force established by a State before January 1, 2011, with membership and functions comparable to those described in paragraphs (2) and (3), as a task force for the purposes of this subsection.

(6) TASK FORCE MEMBERSHIP WAIVER.—The Director may waive, in part, the task force membership requirements under paragraph (2) for a State that demonstrates a need for the waiver.

(d) USE OF FUNDS.—Grant funds awarded under this section may be used to support—

(1) State and local prosecutor offices and courts in elder abuse matters, including—

(A) hiring or paying salary and benefits for employees and establishing or implementing units designated to work on elder justice issues in State prosecutors' offices and State courts; and

(B) hiring or paying salary and benefits for an employee to coordinate elder justice-related cases, training, technical assistance, and policy development for State and local prosecutors and courts;

(2) State and local law enforcement agencies investigating cases of elder abuse; and

(3) adult protective services.

(e) EVALUATION AND REPORT.—Not later than 1 year after the date on which the Director makes available the final funds awarded under a grant under this section, the Director shall—

(1) evaluate the grant program established under this section; and

(2) submit to the appropriate congressional committees a report on the evaluation conducted under paragraph (1), including recommendations on whether the grant program should be continued.

SEC. 6. ELDER JUSTICE COORDINATING COUNCIL.

Section 2021(b)(1)(B) of the Social Security Act (42 U.S.C. 1397k(b)(1)(B)) is amended by striking ''(or the Attorney General's designee)'' and inserting ''(or the Director of the Office of Elder Justice)''.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out this Act $20,000,000 for each of fiscal years 2012 through 2014.

By Mr. KOHL (for himself, Mr. CASEY, Mr. BLUMENTHAL, and Mr. BROWN of Ohio):

S. 464. A bill to establish a grant program to enhance training and services to prevent abuse in later life; to the Committee on the Judiciary.

Mr. KOHL. Mr. President, I rise today with Senators BLUMENTHAL, SHERROD BROWN, and CASEY to introduce the End Abuse in Later Life Act of 2011. This legislation improves the provisions in the existing Violence Against Women Act dealing with abuse in later life by enhancing direct services for victims and increasing the kinds of experts who participate in multidisciplinary training programs.

Abuse in later life is a sad and growing problem in our society. Experts conservatively estimate that 14.1 percent of older Americans have been injured, exploited, or otherwise mistreated by someone on whom they depend for care or protection each year. This type of abuse is especially disturbing because the victims are often physically frail, defenseless, and very frightened.

It is time that we take action on the Federal level to protect older Americans who fall victim to physical, financial, sexual and emotional abuse. We can do this by training law enforcement, prosecutors, governmental agencies, victim advocates, and relevant court officers to recognize and address instances of abuse in later life. This legislation also encourages cross-training of these groups and multidisciplinary collaborative community efforts in order to better serve victims.

By passing this legislation, we will ensure that abuse later in life is given the serious consideration it deserves and make great strides to protect one of the most vulnerable populations in America. I urge my colleagues to support this important legislation.

Mr. President, 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. 464

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 ''End Abuse in Later Life Act of 2011''.

SEC. 2. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

(a) IN GENERAL.—Subtitle H of the Violence Against Women Act of 1994 (42 U.S.C. 14041 et seq.) is amended to read as follows:

''Subtitle H—Enhanced Training and Services to End Abuse Later in Life

''SEC. 40801. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

''(a) PURPOSES.—The purposes of this section are to—

''(1) provide training, consultation, and information on abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect;

''(2) create or enhance direct services to victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; and

''(3) create or support coordinated community response to abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect.

''(b) DEFINITIONS.—In this section—

''(1) the term 'exploitation' has the meaning given the term in the section 2011 of the Social Security Act (42 U.S.C. 1397j);

''(2) the term 'later life', relating to an individual, means the individual is 50 years of age or older; and

''(3) the term 'neglect' means the failure of a caregiver or fiduciary to provide the goods or services that are necessary to maintain the health or safety of an individual in later life.

''(c) GRANT PROGRAM.—

''(1) GRANTS AUTHORIZED.—The Attorney General, through the Director of the Office on Violence Against Women, may make grants to eligible entities to carry out the activities described in paragraph (2).

''(2) MANDATORY AND PERMISSIBLE ACTIVITIES.—

''(A) MANDATORY ACTIVITIES.—An eligible entity receiving a grant under this section shall use the funds received under the grant to—

''(i) provide training programs to assist law enforcement agencies, prosecutors, agencies of States or units of local government, population-specific organizations, victims service providers, victim advocates, and relevant officers in Federal, Tribal, State, Territorial, and local courts in recognizing and addressing instances of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect;

''(ii) provide or enhance services for victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect;

''(iii) establish or support multidisciplinary collaborative community responses to victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; and

''(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population-specific organizations, faith-based advocates, victims service providers, and courts to better serve victims of abuse in later life, domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect.

''(B) PERMISSIBLE ACTIVITIES.—An eligible entity receiving a grant under this section may use the funds received under the grant to—

''(i) provide training programs to assist attorneys, health care providers, faith-based leaders, or other community-based organizations in recognizing and addressing instances of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; and

''(ii) conducting outreach activities and public awareness campaigns to ensure that victims of abuse in later life (including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect) receive appropriate assistance.

''(C) LIMITATION.—An eligible entity receiving a grant under this section may use not more than 10 percent of the total funds received under the grant for an activity described in subparagraph (B)(ii).

''(3) ELIGIBLE ENTITIES.—An entity shall be eligible to receive a grant under this section if—

''(A) the entity is—

''(i) a State;

''(ii) a unit of local government;

''(iii) an Indian Tribal government or Tribal organization;

''(iv) a population-specific organization with demonstrated experience in assisting individuals over 50 years of age;

''(v) a victim service provider with demonstrated experience in addressing domestic violence, dating violence, sexual assault, and stalking; or

''(vi) a State, Tribal, or Territorial domestic violence or sexual assault coalition; and

''(B) the entity demonstrates that the entity is a part of a multidisciplinary partnership that includes, at a minimum—

''(i) a law enforcement agency;

''(ii) a prosecutor's office;

''(iii) a victim service provider; and

''(iv) a nonprofit program or government agency with demonstrated experience in assisting individuals in later life.

''(4) UNDERSERVED POPULATIONS.—In making grants under this section, the Attorney General shall give priority to proposals providing population-specific services to racial and ethnic minorities and other underserved populations.

''(5) AUTHORIZATION OF APPROPRIATIONS.—

''(A) IN GENERAL.—There are authorized to be appropriated to carry out this subsection $10,000,000 for each of fiscal years 2012 through 2016.

''(B) REQUIREMENT.—Amounts appropriated pursuant to subparagraph (A) shall remain available until expended and may only be used for the activities described in this subsection.

''(C) ALLOCATION OF FUNDS.—

''(i) ADMINISTRATIVE COSTS.—Of the amount appropriated pursuant to subparagraph (A) in each fiscal year, the Attorney General may use not more than 2.5 percent for administration and monitoring of grants made under this subsection.

''(ii) EVALUATION.—Of the amount appropriated pursuant to subparagraph (A) in each fiscal year the Attorney General may use not more than 5 percent for contracts or cooperative agreements with entities with demonstrated expertise in program evaluation, to evaluate programs under this subsection.

''(d) RESEARCH.—

''(1) IN GENERAL.—The Attorney General, in consultation with the Secretary of Health and Human Services, shall conduct research to promote understanding of, prevention of, and response to abuse in later life, including domestic violence, sexual abuse, dating violence, stalking, exploitation, and neglect.

''(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out paragraph (1) $3,000,000 for each of fiscal years 2012 through 2016.''.

(b) DEFINITION.—Section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)) is amended—

(1) by striking paragraph (9);

(2) by redesignating paragraphs (1) through (8) as paragraphs (2) through (9), respectively; and

(3) by inserting before paragraph (2), as redesignated, the following:

''(1) ABUSE IN LATER LIFE.—The term 'abuse in later life' means any action against a person who is 50 years of age or older that constitutes the willful—

''(A) infliction of injury, unreasonable confinement, intimidation, or cruel punishment with resulting physical harm, pain, or mental anguish; or

''(B) deprivation by a person, including a caregiver, of goods or services with intent to cause physical harm, mental anguish, or mental illness.''.

(c) TECHNICAL AND CONFORMING CORRECTION.—The table of contents in section 2 of the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322; 108 Stat. 1796) is amended in the table of contents by inserting after the item relating to section 40703 the following:

''Subtitle H — Enhanced Training and Services to End Abuse Later in Life

''Sec. 40801. Enhance training and services to end abuse later in life.''.

SUBMITTED RESOLUTIONS

SENATE CONCURRENT RESOLUTION 9—SUPPORTING THE GOALS AND IDEALS OF THE DESIGNATION OF THE YEAR OF 2011 AS THE INTERNATIONAL YEAR FOR PEOPLE OF AFRICAN DESCENT

Mr. CARDIN (for himself and Mr. WICKER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. CON RES. 9

Whereas United Nations Resolution 64/169, adopted by the General Assembly on December 18, 2009, designates the year 2011 as the ''International Year for People of African Descent'';

Whereas the African Diaspora is expansive, spanning across the globe from Latin America and the Caribbean to Asia, with persons of African descent living on every continent, including Europe;

Whereas the historical bonds and shared experiences that tie the African continent with the world must be recalled;

Whereas the global contributions of people of African descent must be recognized as a means of preserving that heritage;

Whereas the General Assembly of the United Nations adopted Resolution 64/169 with a view to strengthening national actions and regional and international cooperation for the benefit of people of African descent in relation to—

(1) the full enjoyment of economic, cultural, social, civil, and political rights for people of African descent;

(2) the participation and integration of people of African descent in all political, economic, social, and cultural aspects of society; and

(3) the promotion of greater knowledge of, and respect for, the diverse heritage and culture of people of African descent; and

Whereas the Helsinki Final Act resulting from the Conference on Security and Cooperation in Europe in 1975 states that ''participating States will respect human rights and fundamental freedoms (. . .) for all without distinction as to race, sex, language, or religion;'': Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) supports the goals and ideals of the designation of the year of 2011 as the International Year for People of African Descent;

(2) encourages the recognition and celebration of the collective history and achievements made by people of African descent;

(3) reaffirms the importance of inclusion and the full and equal participation of people of African descent around the world in all aspects of political, economic, social, and cultural life;

(4) continues to support bilateral and multilateral efforts to promote democracy, human rights, the rule of law, and the eradication of poverty, hunger, inequality, and social exclusion; and

(5) reaffirms the commitment of Congress to address racism, discrimination, and intolerance in the United States and around the globe.

Mr. CARDIN. Mr. President, I rise today at the close of Black History Month to introduce this concurrent resolution that supports the continued recognition of persons of African descent throughout the year both here and abroad. This resolution commemorates the United Nations designation of 2011 as the International Year for People of African Descent such that we can continue to honor and recognize the contributions of African-Americans and others to our societies beyond Black History Month.

On December 10, 2010, Secretary General Ban Ki-moon launched the International Year for People of African Descent to ''promote greater awareness of and respect for the diverse heritage and culture of people of African descent.''

We should view this year not only as an opportunity to celebrate the diversity of our societies, but also to honor the vast contributions persons of African descent make every day to the economic, social and political fabric of our communities—be they in Africa, Latin America, Europe, or right here at home in the United States.

It is also necessary that we recognize the global impact of the slave trade. As Secretary Hillary Clinton noted in her recognition of this year, ''[this is a time] to remember our hemisphere's shameful history of slavery and to reaffirm our commitment to eradicate racism and reduce inequality wherever it lingers.''

All too often, persons of African descent in this country and abroad face discrimination and disadvantage. We must not only do more at home, but also partner with others around the globe to address these problems.

In the Senate, I have led efforts to strengthen the civil rights of African-Americans and others from hate crimes prevention to voting rights. As Co-Chairman of the Helsinki Commission, I have worked to support the ideals enshrined in the 1975 Helsinki Final Act to ''respect human rights and fundamental freedoms . . . for all without distinction as to race, sex, language, or religion.''

This has included supporting efforts to raise awareness of the specific situation of the estimated seven to nine million persons of African descent in Europe following increased incidents of hate crimes, racial profiling, and other forms of discrimination amidst economic crisis, national security, and immigration concerns.

As we mark the International Year for People of African Descent, I ask that you join me in my work promoting equality, opportunity, understanding, and respect at home and around the world.

AMENDMENTS SUBMITTED AND PROPOSED

SA 133. Mrs. FEINSTEIN (for herself, Mr. RISCH, Mr. REID of Nevada, Mr. CRAPO, Mrs. BOXER, and Mr. ENSIGN) submitted an amendment intended to be proposed by her to the bill S. 23, to amend title 35, United States Code, to provide for patent reform.

SA 134. Mr. ROCKEFELLER (for himself, Mrs. SHAHEEN, and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 23, supra; which was ordered to lie on the table.

SA 135. Ms. COLLINS (for herself and Mr. ALEXANDER) submitted an amendment intended to be proposed by her to the bill S. 23,