

I urge my colleagues to join me in supporting 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. 513

*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 "Saving Kids From Dangerous Drugs Act of 2011".

**SEC. 2. OFFENSES INVOLVING CONTROLLED SUBSTANCES MARKETED TO MINORS.**

Section 401 of the Controlled Substances Act (21 U.S.C. 841) is amended by adding at the end the following:

"(h) OFFENSES INVOLVING CONTROLLED SUBSTANCES MARKETED TO MINORS.—

"(1) UNLAWFUL ACTS.—Except as authorized under this title, including paragraph (3), it shall be unlawful for any person at least 18 years of age to knowingly or intentionally manufacture or create, with intent to manufacture, create, distribute, or dispense, a controlled substance listed in schedule I or II that is—

"(A) combined with a beverage or candy product;

"(B) marketed or packaged to appear similar to a beverage or candy product; or

"(C) modified by flavoring or coloring the controlled substance with the intent to distribute, dispense, or sell the controlled substance to a person under 18 years of age.

"(2) PENALTIES.—Except as provided in section 418, 419, or 420, any person who violates paragraph (1) of this subsection shall be subject to—

"(A) an additional term of imprisonment of not to exceed 10 years for a first offense involving the same controlled substance and schedule; and

"(B) an additional term of imprisonment of not to exceed 20 years for a second or subsequent offense involving the same controlled substance and schedule.

"(3) EXCEPTIONS.—Paragraph (1) shall not apply to any controlled substance that—

"(A) has been approved by the Secretary under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), if the contents, marketing, and packaging of the controlled substance have not been altered from the form approved by the Secretary; or

"(B) has been altered at the direction of a practitioner who is acting for a legitimate medical purpose in the usual course of professional practice.".

**SEC. 3. SENTENCING GUIDELINES.**

Pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review its guidelines and policy statements to ensure that the guidelines provide an appropriate additional penalty increase to the sentence otherwise applicable in Part D of the Guidelines Manual if the defendant was convicted of a violation of section 401(h) of the Controlled Substances act, as added by section 2 of this Act.

Mr. GRASSLEY. Mr. President, I am pleased to join my colleague, Senator FEINSTEIN, in cosponsoring the Saving Kids from Dangerous Drugs Act of 2011. I believe we have an ongoing moral obligation to ensure our young people have every opportunity to grow up without being accosted by drug pushers at every turn, whether on TV, in the movies, or on the way to school.

This bipartisan legislation—which has previously passed the Senate with unanimous consent—comes in response to ongoing warnings issued by the Drug Enforcement Administration, DEA, and the White House's Office of National Drug Control Policy, ONDCP, about highly addictive and dangerous drugs being colored, packaged, and flavored in ways that appear to be designed to attract use by children. As ranking member of the Committee on the Judiciary and cochairman of the Senate Drug Caucus, I can tell you that the most at-risk population for drug abuse is our young people. Sadly, recent youth surveys are indicating youth drug use is increasing. Research has shown time and again that if you can keep a child drug free until they turn 20, chances are very slim that they will ever try or become addicted to drugs. Unfortunately, unscrupulous drug dealers are all too aware of statistics like these and have developed new techniques and marketing gimmicks to lure in younger users. As a parent and grandparent, this is extremely troubling.

Drug dealers are now flavoring and disguising drugs to make them appear and taste like candy. For instance, some drugs that have been recovered by the DEA and local law enforcement have been flavored to taste like strawberry and are known on the street as "Strawberry Quick." Other flavors, such as lemon, coconut, cinnamon and chocolate are clearly being used to make highly addictive drugs like meth and cocaine seem less harmful and more appealing. Soft drinks are also being laced with THC, the active ingredient in marijuana, and marketed with names like "Canna Cola" and "Doc Weed." Law enforcement has also recovered drugs that have unique designs which could be appealing to children. For example, Ecstasy pills imprinted with President Obama's likeness or with images of popular cartoon characters have been seized in raids. These flavored and disguised drugs are also being marketed in smaller amounts, making it cheaper and more accessible to children. According to an article in USA Today, at least 8 States have reported instances involving candy flavored drugs, and many law enforcement officials are expecting these deadly substances to infiltrate their States in the near future.

The DEA has made an effort to stop these practices. For example, the DEA arrested three men in an undercover operation in California where candy flavored cocaine was being distributed. The DEA seized at least four different flavors of cocaine along with other dangerous substances. The estimated street value of the flavored cocaine seized in this operation was \$272,400. The DEA also arrested 12 people in connection to a marijuana-laced candy and soft drink operation in 2006. The marijuana-laced candy that was seized in this operation was packaged to look like well known brand name candy

bars. These drug busts further illustrate the fact that drug dealers will stop at nothing to hook a new generation on these deadly substances.

Currently, Federal law enhances the criminal penalties that apply when a person sells drugs to anyone under the age of 21. When this occurs, the Federal penalties are doubled—or tripled for a repeat offense—and a mandatory minimum of at least 1 year must also apply. However, this penalty applies only to someone who actually sells drugs to someone under 21.

The Saving Kids from Dangerous Drugs Act would increase the prison sentence to anyone who knowingly or intentionally manufactures or creates with the intent to distribute a controlled substance that has been flavored, colored, packaged or otherwise altered in a way that is designed to make it more appealing to a person under 18 years of age. The DEA busts are prime examples of why we need this bipartisan bill to keep drug dealers from peddling their poison to our children.

The fight against deadly drugs is an ongoing struggle. In light of the fact that youth drug use is increasing we must do all we can to protect the most vulnerable among us. We must send a clear message to those wishing to prey on our youth that you risk serious prison time when you target our future.

Although this bill was passed out of the Senate unanimously in 2010, the House never passed the bill in the 111th Congress. I ask that my colleagues join us again in support of this important legislation and pass the Saving Kids from Dangerous Drugs Act, and I encourage the House of Representatives to take up this important bill and help remove these dangerous candy flavored drugs from our communities.

By Mr. WYDEN (for himself, Mr. LIEBERMAN, Ms. COLLINS, and Mr. AKAKA)

S. 514. A bill to amend chapter 21 of title 5, United States Code, to provide that fathers of permanently disabled or deceased veterans shall be included with mothers of such veterans as preference eligibles for treatment in the civil service; to the Committee on Homeland Security and Governmental Affairs.

Mr. WYDEN. Mr. President, the sacrifices of military families all too often go unrecognized. For every one of the 186,000 troops currently deployed in Iraq and Afghanistan, there is a family that patiently waits for their servicemember's safe return. There are countless wives and husbands, separated by a deployment, who celebrate anniversaries over email and deployed parents who see their children age in photographs. None of these military families ask for recognition, but their sacrifices deserve our respect.

I am pleased by the President and First Lady's recent efforts to recognize the challenges facing military families. Their leadership on this issue will help

ensure that all agencies and departments of the Federal Government will lend a hand to servicemembers, veterans, and their families.

Our Nation asks a lot of military families. Military families must provide support in innumerable ways during a deployment. From child care, to paying bills, dealing with legal issues and household repairs, military families work together to deal with the absence of the servicemember. Should a servicemember return home wounded or weakened by the tolls of war, we ask military families to help take care of their son or daughter, husband or wife.

We hope and pray that all those who are sent to war will return safely to the arms of their loved ones. However, we know that this is not always the case. Since the wars in Iraq and Afghanistan began, there have been far too many funerals of talented and patriotic Oregonians who have died in service to their country.

Although nothing the Government can do will ever make up for the loss of a loved one, we do extend certain benefits to the parents of those who are killed in war. Today, along with Senators LIEBERMAN, COLLINS, AKAKA, I am introducing the Gold Star Fathers Act to update one of those benefits; the preferences for Federal hiring to ensure that the parents of fallen servicemembers have no barriers to Federal service.

The Office of Personnel Management currently allows unmarried mothers of fallen soldiers to claim a 10-point veterans' preference when applying for Federal jobs. The Gold Star Fathers Act would simply extend this preference to unmarried fathers of fallen soldiers. This legislation will expand opportunities for Gold Star families to bring their dedication, compassion, and patriotism to the Federal Government. It is my hope that this legislation can be passed quickly.

These Gold Star Mothers and Gold Star Fathers have sacrificed more than we as a country can ever hope to repay. All we can ever hope to do is to ensure that these sacrifices are never made in vain.

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. 514

*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 "Gold Star Fathers Act of 2011".

#### SEC. 2. PREFERENCE ELIGIBLE TREATMENT FOR FATHERS OF CERTAIN PERMANENTLY DISABLED OR DECEASED VETERANS.

Section 2108(3) of title 5, United States Code, is amended by striking subparagraphs (F) and (G) and inserting the following:

"(F) the parent of an individual who lost his or her life under honorable conditions while serving in the armed forces during a

period named by paragraph (1)(A) of this section, if—

"(i) the spouse of that parent is totally and permanently disabled; or

"(ii) that parent, when preference is claimed, is unmarried or, if married, legally separated from his or her spouse;

"(G) the parent of a service-connected permanently and totally disabled veteran, if—

"(i) the spouse of that parent is totally and permanently disabled; or

"(ii) that parent, when preference is claimed, is unmarried or, if married, legally separated from his or her spouse; and"

#### SEC. 3. EFFECTIVE DATE.

The amendment made by this Act shall take effect 90 days after the date of enactment of this Act.

### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 94—TO EXPRESS THE SENSE OF THE SENATE IN SUPPORT OF REDUCING ITS BUDGET BY AT LEAST 5 PERCENT

Mr. WICKER (for himself, Mr. COATS, Mr. JOHANNIS, Mr. ISAKSON, Mr. THUNE, Mr. PORTMAN, Mr. BARRASSO, Mr. CORNYN, Mr. INHOFE, Mr. ENZI, Mr. BROWN of Massachusetts, Mr. CHAMBLISS, Mr. CORKER, and Mr. MANCHIN) submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 94

Whereas, the current level Federal spending is unsustainable and action to reverse this course should not be delayed;

Whereas, in 2010 Federal spending was nearly 24 percent of the value of all the goods and services produced in the United States;

Whereas, the Federal deficit was over \$1 trillion in fiscal year 2010;

Whereas, Federal spending is at its highest percentage since World War II;

Whereas, the Congressional Budget Office estimates if the United States maintains its current track of Federal spending, the Federal debt would reach 90 percent of the value of all the goods and services produced in the United States by 2020;

Whereas, the national debt exceeds \$13.9 trillion dollars;

Whereas, the United States borrows \$44,000 for every person in the country;

Whereas, the unemployment rate was 9.8 percent in December;

Whereas, the American people have responded to the economic downturn by making hard choices and trimming their family budgets;

Whereas, spending in the legislative branch rose nearly 50 percent over the last 10 years; and

Whereas, in order to address the nation's fiscal crisis, the Senate should lead by example and reduce its own legislative budget: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that it should lead by example and reduce the budget of the Senate by at least 5 percent.

#### SENATE RESOLUTION 95—INCREASING AWARENESS OF AND RECOGNIZING THE LIFE-SAVING ROLE OF OSTOMY CARE AND PROSTHETICS IN THE DAILY LIVES OF HUNDREDS OF THOUSANDS OF PEOPLE IN THE UNITED STATES

Mr. BURR submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 95

Whereas over 700,000 individuals in the United States, from young children to senior citizens, have an ostomy, a surgical procedure that creates an artificial opening from the abdomen to the intestines or urinary system to allow for the elimination of bodily wastes;

Whereas active duty military personnel who are wounded in battle often receive an ostomy as a result of penetrating colorectal injuries;

Whereas an ostomy procedure can be essential to many patients who suffer on a daily basis from serious, chronic, or life-threatening traumatic injury to the abdomen, or other illnesses and conditions, such as colorectal or bladder cancer, Crohn's disease, ulcerative colitis, birth defects, or other intestinal or urinary medical conditions;

Whereas following ostomy surgery, patients may need specially-fitted medical products to manage intestinal or urinary system function, temporarily or permanently restore intestinal or urinary system function, or re-establish activities of daily living, and improve quality of life;

Whereas ostomy products are prosthetic devices prescribed by health care providers, and ostomy products are prosthetic devices, as defined in section 1861(s)(8) of the Social Security Act (42 U.S.C. 1395x(s)(8));

Whereas policy and reimbursement approaches to ostomy products may affect access for patients in need;

Whereas ostomy products are customized to the clinical needs of individual patients and are not the same as other easily interchangeable medical supplies, such as gauze or bandages;

Whereas ostomy care and prosthetics can be important to restoring function and improving quality of life for patients in need of this care;

Whereas ongoing advances and innovation in ostomy prosthetics technology can dramatically improve the lives of individuals who undergo ostomy surgery by helping to normalize the intestinal or urinary system function of such individuals, improve physical well-being, and often enable the individual to rejoin the workforce; and

Whereas Congress recognizes the importance of encouraging and facilitating the development and use of new medical technologies: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the life-saving role of ostomy care and prosthetics in the daily lives of hundreds of thousands of people in the United States;

(2) recognizes that if a surgical procedure results in a patient needing a prosthetic that manages or restores intestinal or urinary system function, specifically the control of the elimination of the body's waste products, it is important for such patient to have access to the care that will best meet the patient's needs; and

(3) encourages innovation of, and access to, medical devices that restore or improve intestinal or urinary system function of people in the United States with an ostomy.

AMENDMENTS SUBMITTED AND PROPOSED

SA 158. Mr. NELSON of Nebraska submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 158. Mr. NELSON of Nebraska submitted an amendment intended to be proposed by him to the bill H.R. 1, making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes; which was ordered to lie on the table; as follows:

On page \_\_, between lines \_\_ and \_\_, insert the following:

SEC. \_\_. SENSE OF THE SENATE.

- (a) FINDINGS.—The Senate finds that—
  - (1) the debt of the United States exceeds \$14,000,000,000,000;
  - (2) it is important for Congress to use all tools at its disposal to address the national debt crisis;
  - (3) Congress will not earmark funds for projects requested by Members of Congress; and
  - (4) the earmark ban should be utilized to realize actual savings.
- (b) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should reduce spending by the amount resulting from the recently announced earmark moratorium.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a classified meeting has been scheduled before the Senate Committee on Energy and Natural Resources. The meeting will be held on Tuesday, March 15, 2011, at 10 a.m., in room SVC-217, U.S. Capitol Building in Washington, DC.

The purpose of the meeting will be to receive information regarding cyber security and critical electric infrastructure.

For further information, please contact Kevin Huyler at (202) 224-6689 or Meagan Gins at (202) 224-0883.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, March 17, 2011, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to examine current global investment trends in clean energy technologies and the impact of domestic policies on that investment.

Because of the limited time available for the hearing, witnesses may testify

by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to Abigail\_Campbell@energy.senate.gov.

For further information, please contact Mike Carr at (202) 224-8164 or Abigail Campbell at (202) 224-1219.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 8, 2011, at 9:45 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 8, 2011, at 10 a.m.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 8, 2011, at 2:30 p.m., in room 253 of the Russell Senate Office Building.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on March 8, 2011, at 10 a.m., in room 366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on March 8, 2011, at 10 a.m., in 215 Dirksen Senate Office Building, to conduct a hearing entitled “Does the Tax System Support Economic Efficiency, Job Creation and Broad-Based Economic Growth?”

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on March 8, 2011, at 2:30 p.m.

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

COMMITTEE ON VETERANS’ AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be authorized to meet during the session of the Senate on March 8, 2011. The Committee will meet in room 345 of the Cannon House Office Building beginning at 9:30 a.m.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 8, 2011, at 2:30 p.m.

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

SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND COAST GUARD

Mr. REID. Mr. President, I ask unanimous consent that the Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 8, 2011, at 10:30 a.m., in room 253 of the Russell Senate Office Building.

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on March 8, 2011, at 10 a.m., to conduct a hearing entitled “State Department Training: Investing in the Workforce to Address 21 Century Challenges.”

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

Mr. BENNET. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. UDALL of Colorado). Without objection, it is so ordered.

ORDERS FOR WEDNESDAY,

MARCH 9, 2011

Mr. BENNET. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., on Wednesday, March 9; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, there be a period of morning business until 10:40 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; that at 10:40 a.m., the Senate recess