(Mr. COBURN) and the Senator from Utah (Mr. LEE) were added as cosponsors of S. 554, a bill to prohibit the use of Department of Justice funds for the prosecution in Article III courts of the United States of individuals involved in the September 11, 2001, terrorist attacks.

S. 570

At the request of Mr. TESTER, the names of the Senator from South Dakota (Mr. THUNE), the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 570, a bill to prohibit the Department of Justice from tracking and cataloguing the purchases of multiple rifles and shotguns.

S. 575

At the request of Mr. TESTER, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 575, a bill to study the market and appropriate regulatory structure for electronic debit card transactions, and for other purposes.

S. 585

At the request of Mr. NELSON of Nebraska, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 585, a bill to authorize the Secretary of Education to award grants for the support of full-service community schools, and for other purposes.

S. RES. 99

At the request of Mr. DEMINT, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. Res. 99, a resolution expressing the sense of the Senate that the primary safeguard for the well-being and protection of children is the family, and that the primary safeguards for the legal rights of children in the United States are the Constitutions of the United States and the several States, and that, because the use of international treaties to govern policy in the United States on families and children is contrary to principles of self-government and federalism, and that, because the United Nations Convention on the Rights of the Child undermines traditional principles of law in the United States regarding parents and children, the President should not transmit the Convention to the Senate for its advice and consent.

S. RES. 102

At the request of Mr. MCCAIN, the names of the Senator from Connecticut (Mr. LIEBERMAN), the Senator from South Carolina (Mr. GRAHAM), the Senator from Missouri (Mr. BLUNT) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. Res. 102, a resolution calling for a no-fly zone and the recognition of the Transitional National Council in Libya.

AMENDMENT NO. 161

At the request of Mr. JOHANNS, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of amendment No. 161 proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 182

At the request of Mr. NELSON of Nebraska, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of amendment No. 182 proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 183

At the request of Mr. MCCONNELL, the names of the Senator from West Virginia (Mr. MANCHIN), the Senator from Utah (Mr. HATCH), the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of amendment No. 183 proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

At the request of Mr. JOHANNS, his name was added as a cosponsor of amendment No. 183 proposed to S. 493, supra.

AMENDMENT NO. 186

At the request of Mr. CORNYN, the names of the Senator from Louisiana (Mr. VITTER), the Senator from Wyoming (Mr. ENZI), the Senator from South Carolina (Mr. DEMINT), the Senator from Florida (Mr. RUBIO), the Senator from Kentucky (Mr. PAUL), the Senator from Nevada (Mr. ENSIGN), the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of amendment No. 186 proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 194

At the request of Ms. COLLINS, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of amendment No. 194 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 195

At the request of Ms. COLLINS, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of amendment No. 195 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 196

At the request of Ms. COLLINS, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of amendment No. 196 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 197

At the request of Mrs. HUTCHISON, the names of the Senator from North Carolina (Mr. BURR), the Senator from Nevada (Mr. ENSIGN) and the Senator from Nebraska (Mr. JOHANNS) were added as cosponsors of amendment No. 197 proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 210

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of amendment No. 210 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 215

At the request of Mr. ROCKEFELLER, the names of the Senator from Virginia (Mr. WEBB), the Senator from West Virginia (Mr. MANCHIN), the Senator from Missouri (Mrs. MCCASKILL) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of amendment No. 215 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

At the request of Mr. REID, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of amendment No. 215 intended to be proposed to S. 493, supra.

AMENDMENT NO. 216

At the request of Mr. CASEY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of amendment No. 216 proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

At the request of Ms. LANDRIEU, her name was added as a cosponsor of amendment No. 216 proposed to S. 493, supra.

AMENDMENT NO. 219

At the request of Mr. COBURN, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of amendment No. 219 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 223

At the request of Mr. COBURN, the names of the Senator from Montana (Mr. TESTER) and the Senator from Colorado (Mr. UDALL) were added as cosponsors of amendment No. 223 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

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

S. 596. A bill to establish a grant program to benefit victims of sex trafficking, and for other purposes; to the Committee on the Judiciary.

Mr. WYDEN. Mr. President, I am pleased to join today with my partner, Senator CORNYN, to reintroduce the Domestic Minor Sex Trafficking Deterrence and Victims Support Act. This bi-partisan legislation, which was approved unanimously by the Senate in

the 111th Congress, just a few months ago, as S.2925, is the first comprehensive approach to combating the terrible and fast-growing criminal enterprise of trafficking of children for sex right here in the U.S.

Many people don't have any idea how many children in the U.S. are forced into sexual slavery. It is truly a moral abomination that an estimated 100,000 minors are trafficked for sex in the U.S. each year. The reason that this crime has reached epidemic proportions is simple: the resources are not in place to help innocent victims escape from trafficking, nor to punish the violent, ruthless pimps who are trafficking them.

In talking to law enforcement officials in Oregon, I learned that gang members, pimps, and traffickers have figured out that trafficking a person is a lot less risky, and just as profitable, as trafficking drugs. A pimp can make $200,000 a year on one trafficking victim. And they know they can exploit vulnerable minors and not get caught because law enforcement lacks the training and resources to stop this crime. The Domestic Minor Sex Trafficking Deterrence and Victims Support Act aims to turn that around.

This bill would, for the first time, provide a comprehensive solution for addressing this problem. The bill would establish a pilot project of six block grants in locations in different regions of the country with significant sex trafficking activity. The block grants would be awarded by the Department of Justice to state or local government applicants that have developed a workable, comprehensive plan to combat sex trafficking. The grants would require a multi-disciplinary approach to addressing trafficking problems. Applicants for the grants would have to demonstrate they can work together with local, State, and Federal law enforcement agencies, prosecutors, and social service providers to achieve the goals of the bill.

Government agencies that get the grants would be required to create shelters where trafficking victims would be safe from their pimps, and where they could start getting treatment for the trauma they have suffered. The shelters would provide counseling, legal services, and mental and physical health services, including treatment for substance abuse, sexual abuse, and trauma-informed care. The shelters would also provide food, clothing, and other necessities, as well as education and training to help victims get their lives on track.

The bill would also provide training for law enforcement officers. I worked with some of the pioneering officers out there like Doug Justus in Portland and Byron Fassett in Dallas who really understand this issue. But, unfortunately, what Doug and Byron have told me is that most officers don't have the training to recognize a sex trafficking victim and don't know how to handle those victims in a way that will allow them to feel like they can turn away from their pimp. Without this training—and without shelters—there's no way to begin building criminal cases against the pimps, and no way to get these victims to come to court to testify in criminal trials.

That is why it is going to take a comprehensive plan to finally turn the tables on pimps. Without trained officers and service providers, and available shelters, there is no support and safe place for children who are being trafficked. Right now there are only between 50 and 70 shelter beds in the entire country for minor victims of sex trafficking. That is unacceptable. This bill will change that, and begin to provide hope for trafficking victims.

Another serious aspect of this problem that this bill would address is the issue of repeat runaways. Evidence shows that the children at greatest risk of becoming involved in sex trafficking are kids who have run away from home over and over again. Many of them are children who have been in the foster care system. The problem is that there is often no report made when a child runs away, and thus no way to know when a child is a repeat runaway and at greatest risk.

This bill would strengthen reporting requirements for runaway or missing children, and encourage the FBI to enhance the National Crime Information Center, NCIC, database, which is where missing child reports are filed. Doing so would give law enforcement officers better information on the children at greatest risk by flagging repeat runaways.

Before I conclude, I want to express that this is a very personal issue with very personal consequences. I had a chance to feel this personal heartbreak last year when I accompanied police officers along 82nd Avenue in my hometown of Portland. I will never forget a 15-year-old girl working out there with the tools of the trade. She had a cell phone to stay in constant contact with her pimp and report how much money she had made. She had a 15-inch butcher knife because she knew she needed to protect herself. She had a purse full of condoms, because she knew she couldn't stop until she'd had more customers during the course of the evening.

The fact that there are thousands of young girls like her out on the streets, all across the country, every single day, is nothing short of a national emergency. This bill sends a clear and powerful message to the victims of this abuse, that somebody cares about her health and wellbeing. That is why I hope Congress will act quickly to provide help for young girls like the one I met by passing this bill.

Last year, this legislation passed the Senate by unanimous consent and the House by voice vote. Unfortunately, the bill passed the House shortly before Congress adjourned, and there was no time to resolve the minor differences between the two chambers' bills. But I will do everything I can to see that this bill moves forward promptly so that sex trafficking victims can begin to receive the care they need and deserve.

Finally, I want to acknowledge the efforts of the non-profit and faith-based organizations in working on this issue. There are a lot of deeply committed groups and individuals working to help victims of sex trafficking. Their good work has laid the foundation for our efforts here in the Congress.

I want to acknowledge the National Center for Missing and Exploited Children, the FBI's Innocence Lost Project, Polaris Project, Shared Hope International, ECPAT-USA, Rebecca Project for Human Rights, Soroptimists, and the YWCA; and there are many other fine groups that deserve thanks.

I also want to recognize the work of champions—like Ambassador Luis CdeBaca, filmmaker Libby Spears, and local officials like Multnomah County Commissioner Diane McKeel, who have raised awareness and made it their priority to fight this horrific crime. The effort to save children from sex trafficking would not be possible without the involvement of all of these groups and individuals.

Again, I want to thank Senator CORNYN for his dedication and cooperation in combating sex trafficking. I am also indebted also to the members of the Judiciary Committee who played a constructive role in shaping the bill; and I particularly thank Chairman LEAHY, Senator SESSIONS, Senator DURBIN, Senator FRANKEN, and Senator COBURN for their input and work to move this legislation forward in the last Congress. Finally, I want to acknowledge our House partners, Representatives CAROLYN MALONEY and CHRIS SMITH, who introduced companion legislation last Congress. I look forward to working with them again to quickly move this legislation forward to passage.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mrs. GILLIBRAND, Mr. AKAKA, Mr. BLUMENTHAL, Mrs. BOXER, Mr. COONS, Mr. DURBIN, Mr. FRANKEN, Mr. INOUYE, Mr. KERRY, Mr. LAUTENBERG, Mrs. MURRAY, Mr. MERKLEY, Mr. SCHUMER, Mrs. SHAHEEN, Mr. UDALL of Colorado, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 598. A bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I am very pleased to introduce today a bill to strike the law commonly known as DOMA, the Defense of Marriage Act.

I want to thank my cosponsors—Senators LEAHY, GILLIBRAND, KERRY, BOXER, COONS, WYDEN, LAUTENBERG, BLUMENTHAL, MERKLEY, DURBIN, FRANKEN, SCHUMER, MURRAY, WHITEHOUSE, SHAHEEN, UDALL of Colorado, INOUYE, and AKAKA for working with me on this important bill.

Today, there are between tens of thousands of legally married same-sex couples in the United States, and more than 18,000 in my State of California alone.

These couples live their lives like all married people. They share financial expenses, they raise children together, and they care for each other in good times and bad, in sickness and in health, until death do they part.

But here is the rub. Right now, because of DOMA, these couples cannot take advantage of federal protections available to every other married couple in this country.

For example, because of DOMA, these couples cannot file joint Federal income taxes and claim certain deductions; receive spousal benefits under Social Security; take unpaid leave under the Family and Medical Leave Act when a loved one falls seriously ill; obtain the protections of the estate tax when one spouse passes and wants to leave his or her possessions to another.

This has a very real impact. Let me tell you, for example, the stories of a married couple in California.

Jeanne Rizzo and Pali Cooper of Tiburon, CA, have been in a committed relationship for more than two decades. In 2008, they were married in California before their family and friends.

They have lived in the same house, shared expenses, and raised their son, Christopher, together. The Defense of Marriage Act, however, means that they cannot enjoy the simple conveniences of filing joint tax returns as a married couple or obtaining continuing health coverage under COBRA.

They have also told me the story of re-entering the United States at the end of their honeymoon in 2008. They approached a customs agent together but were told that they could not go through the line as a family. When they said that they were legally married, a customs agent reportedly responded with a curt phrase to the effect of: ''Not to the United States you're not.''

Put simply, under DOMA, the Federal government does not treat people equally or fairly.

Last year, a Federal District Court declared the law unconstitutional; the Obama Administration has concluded that the law violates fundamental constitutional guarantees of equal protection; and even former President Clinton, who signed the law in 1996, now supports its repeal.

The Respect for Marriage Act would right DOMA's wrong.

It would strike DOMA in its entirety. It would ensure that the Federal protections afforded to a married couple remain stable and predictable no matter where a couple lives, works, or travels.

In my lifetime, I have seen the happiness, stability, and comfort that marriage brings. When two people love each other and decide to enter this solemn commitment, I believe that is a very positive thing.

I urge my colleagues to support the Respect for Marriage Act to repeal DOMA and call on our Federal Government to honor the legal, valid marriages of all Americans.

Mr. LEAHY. Mr. President, today I join the senior Senator from California and others to introduce the Respect for Marriage Act of 2011. This legislation would repeal the Defense of Marriage Act, DOMA, so that same-sex marriages authorized under State law will be recognized by the Federal Government and protected under Federal law. Since the passage of DOMA, several States, including the State of Vermont, have provided the protections of marriage to same-sex couples. Unfortunately, under current Federal law, these families are not treated fairly. That is why today's action is needed.

As Chairman of the Senate Judiciary Committee, I often find myself confronted by those who think the issue of civil rights is merely one for the history books. This is not true. There is still work to be done. The march toward equality must continue until all individuals and all families are both protected and respected. Today, Congress will begin to help bring fairness to all our Nation's families.

The issue of marriage is one that has long been left for the states to determine, and they have. Today, five States, including my home State of Vermont, plus the District of Columbia, have granted same-sex couples the right to get married. With DOMA as law, however, we are creating a tier of second-class families in States that have authorized same-sex marriage. As a Vermonter who has been married for 48 years, I believe it is important that we encourage and sanction committed relationships. That is the best way to provide for stable, supportive families. Vermont has led the Nation in this regard. In 2000, Vermont took a crucial step when it became the first State in the Nation to allow civil unions for same-sex couples. In 2009, Vermont took another important step to help sustain the relationships that fulfill our lives by becoming the first state to adopt same-sex marriage through the legislative process. I am proud of the progressive example set by my constituents, and I do not want any of them harmed by the continuing effect of DOMA.

The time has now come for the Federal Government to recognize that these families deserve all of the legal protections afforded to opposite-sex married couples recognized under state law. The Government Accountability Office issued a report in 2004 that stated that same-sex couples are denied more than one thousand Federal benefits. Right now, couples in states that authorize same-sex marriage laws cannot file joint Federal tax returns and are not entitled to the same Social Security and medical leave benefits as opposite-sex married couples under Federal law. This goes against American values and it must end.

This is a question of basic civil rights, and how the constitutional principles of the Equal Protection and Due Process Clause protect all of us from discrimination. The President and the Attorney General recognized this when they announced that the Department of Justice will no longer defend two court cases that have challenged the constitutionality of the DOMA. I applaud President Obama and Attorney General Holder for making the right decision. However, the administration is still enforcing DOMA elsewhere, because it is the law of the land. It is now time for leaders in Congress to change that law. The Respect for Marriage Act of 2011 would allow same-sex couples who are married under state law to be eligible for Federal benefits. Nothing in this bill would obligate any person, religious organization, state, or locality to celebrate or perform a marriage between two persons of the same sex. Those prerogatives would remain. What would change, however, and what must change, is the Federal Government's treatment of State-sanctioned marriage.

I believe this legislation is overdue, and it is a step in the right direction toward fostering equal treatment under law. I urge my fellow Senators to come together to support this important bill.

By Mr. UDALL of New Mexico (for himself, Mr. LAUTENBERG, and Mr. BLUMENTHAL):

S. 601. A bill to encourage and ensure the use of safe football helmets and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. UDALL of New Mexico. Mr. President, football fans today are wondering if there will be a National Football League season this fall. Many fans could find that their Sundays are not the same if team owners and players do not reach an agreement. Business owners who depend on those fans will also be affected. That is an issue that members of Congress have weighed in on already.

But today I want to discuss a more important issue for the future of football. Football is facing a concussion crisis—a brain injury crisis—that affects up to 4.5 million football players who are still too young to play in the NFL but may aspire to make it to the pros some day.

This fall, those kids and young adults will put on their uniforms and pads and take to the gridiron. It is a time-honored tradition that will continue regardless of what happens to the upcoming NFL season. For many rural communities in states like New Mexico, high school football means Friday night lights excitement and civic pride in the school team. This year, about 8,000 New Mexican high school players will continue this American tradition.

But football is a contact sport, and thousands of student athletes are injured every year. Many of those injuries are concussions. In fact, one study

estimates that as many as one in five football players suffers head injuries in any given football season. For young people between 15 and 24 years old, playing sports is the second-leading cause of traumatic brain injury, behind only motor vehicle crashes. Every year, there are up to 3.8 million sports-related concussions, many of which go undiagnosed and unreported.

Those alarming statistics highlight the need for more awareness about sports concussion. That is why it is appropriate to discuss this important public health and children's safety issue today, which is ''Brain Injury Awareness Day.''

Retired NFL great Nick Lowery—the all time leading scorer for the Kansas City Chiefs and one of the greatest kickers to play the game—explained to me:

When I played football in high school, in college, and in the National Football League, suffering a concussion was often shrugged off as merely having your 'bell rung.' My teammates had no shortage of toughness and wanted to build the mentality to 'out tough' our opponents. . . . We now know that multiple concussions can lead to lasting brain damage and should be treated as a serious matter. Today's NFL players want to set a good example for the next generation.

There have been alarming news stories about what has happened to several retired NFL players who were famous for that toughness Lowery described. Long after their careers ended, some of those NFL greats succumbed to chronic traumatic encephalopathy, CTE, caused by repeated head trauma. Last month, retired NFL player Dave Duerson took his own life with a gunshot to the chest. According to news reports, he left instructions to his family that his brain be given to the NFL Brain Bank, presumably to be examined for evidence of CTE.

Yet, what is even more alarming is that researchers have already found CTE in the brain of a deceased 18-year-old high school football player with a history of concussions. Researchers do not yet know how early an athlete might develop CTE.

TBI can also be an ''invisible'' injury. Without the kind of brain injury awareness that families and health care providers are trying to raise today, an athlete who suffers a mild TBI may not link that injury to common symptoms later such as headaches, nausea, and cognitive changes.

One of my constituents, Alexis Ball, is a bright college student and star soccer player at the University of New Mexico. She told my office how she struggled for months with post-concussive symptoms. Concussions forced her to sit out from play and miss classes. Thankfully, she's recovered today and now volunteers to raise concussion awareness among young athletes in Albuquerque.

But there are other cases that are much more unfortunate. The parents of one high school student athlete from Oregon named Max Conradt wrote me to explain how Max, their 17-year-old son, returned to play quarterback too soon after suffering a concussion. Max was wearing a 20-year-old helmet when he suffered another concussion that led to brain damage. Max's parents wrote me to ask, ''How is it possible that our son was issued a helmet three years older than he was?''

Unfortunately, there are an estimated 100,000 helmets out there that are more than a decade old. These helmets will be worn by high school and younger football players this fall. Many coaches will not know that some of their helmets might be older than their players. And one helmet safety expert has stated that even the best new football helmets would need to be four times better—in terms of attenuating direct, linear forces—to protect against concussion.

These facts drive my serious concerns about the current voluntary safety standards for new and reconditioned football helmets, which have not been significantly revised in three decades.

On this Brain Injury Awareness Day 2011, I am pleased to introduce bipartisan legislation, the Children's Sports Athletic Equipment Safety Act, to require improvements to the voluntary football helmet standards, including clearly visible warning and date of manufacture labels, concussion resistance, if feasible, reconditioned helmets and youth helmets.

I am pleased to be joined in this effort by colleagues Senator FRANK LAUTENBERG and Senator BLUMENTHAL. We are joined by Representatives BILL PASCRELL and TODD PLATTS, who lead the Congressional TBI Task Force, and Representative ANTHONY WEINER—all of whom are original sponsors of the companion bill in the House of Representatives.

The Children's Sports Equipment Safety Act takes a ''light touch'' approach to improving safety. This legislation gives industry groups time to put safety first and improve their voluntary helmet standards before any mandatory federal safety rules replace them. But if those improvements are not made, then the Consumer Product Safety Commission must issue product safety rules for football helmets to protect kids.

I want to emphasize that the Children's Sports Athletic Equipment Safety Act isn't just about football helmets. This legislation would also increase the potential penalties for making false injury prevention claims for other types of sports and athletic gear.

Tackling false advertising with more severe penalties may be an increasingly important tool if companies continue to sell new headbands, helmets, and mouth guards with potentially deceptive and misleading safety claims. Young athletes could put themselves at great risk if they think a new ''anti-concussion'' football helmet, soccer headband, or mouth guard makes them invulnerable to brain injury. The costs of such injuries in financial terms alone are staggering. The direct medical costs and indirect costs of traumatic brain injuries totaled an estimated $60 billion in the United States in the year 2000. That figure of course does not account for the pain and suffering of victims and their families.

I am pleased that the Children's Sports Athletic Equipment Safety Act enjoys support from a broad range of organizations and individuals. DeMaurice Smith, the Executive Director of the NFL Players Association, NFLPA, states in a letter that:

Not only is the NFLPA committed to the safety of professional football players, but to all who play the sport. We recognize a significant portion of those players are youth and high school athletes who are currently at risk for traumatic brain injury due to the absence of helmet safety standards. We support the Children's Sports Athletic Equipment Safety Act as introduced and commend you for addressing this issue.

Other supporters include: Brain Injury Association of America; Brain Trauma Foundation; Cleveland Clinic; Consumer Federation of America; Consumers Union; National Consumers League; National Research Center for Women & Families; and Safe Kids USA.

Nick Lowery, who played 18 years as a professional football player and is a member of the Kansas City Chiefs Hall of Fame, notes that:

Improving sports safety for kids and discouraging sports equipment companies from making false injury prevention claims are two straightforward ways to reduce brain injuries. You can count on my enthusiastic support for this important children's safety and consumer protection legislation.

Sports and exercise should be encouraged for everyone—especially children. We must do more to ensure that kids participate in sports and exercise for all the health benefits they bring. While there will always be some risk of injury, we must make sure that athletes, coaches and parents know about the dangers and signs of concussion. We must make sure that they are using safe equipment. And we must take false advertising of safety gear out of the game.

I ask all my colleagues for their support of the Children's Sports Athletic Equipment Safety Act as part of this vital effort.

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. 601

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Children's Sports Athletic Equipment Safety Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Participation in sports and athletic activities provides many benefits to children and should be encouraged.

(2) Participation in sports and athletic activities does involve some inevitable risk of injury that no protective gear or safety device can fully eliminate.

(3) Sports-related concussion is a form of traumatic brain injury that can lead to lasting negative health consequences.

(4) Direct medical costs and indirect costs of traumatic brain injuries totaled an estimated $60,000,000,000 in the United States in the year 2000.

(5) Sports are the second leading cause of traumatic brain injury for Americans who are 15 to 24 years old, behind only motor vehicle crashes.

(6) Every year, American athletes suffer up to an estimated 3,800,000 sports-related concussions.

(7) The potential for catastrophic injury resulting from multiple concussions make sports-related concussion a significant concern for young athletes, coaches, and parents.

(8) Football has the highest incidence of concussions, which also occur in many other sports such as baseball, basketball, ice hockey, lacrosse, soccer, and softball.

(9) An estimated 4,500,000 children play football in organized youth and school sports leagues, including approximately 1,500,000 high school players.

(10) According to the Consumer Product Safety Commission, more than 920,000 athletes under the age of 18 were treated in emergency rooms, doctors' offices, and clinics for football-related injuries in the year 2007.

(11) In any given football season, 20 percent of all high school football players sustain brain injuries.

(12) One study that included a post-season survey of football players found that 47 percent experienced at least one concussion and almost 35 percent experienced multiple concussions.

(13) Medical experts at Boston University School of Medicine found that a deceased 18 year old athlete, who had experienced multiple concussions playing high school football, suffered from chronic traumatic encephalopathy, a degenerative brain disease caused by head trauma.

(14) A football helmet's ability to protect players from injury by attenuating acceleration forces can decline over time as the helmet experiences thousands of hits from use during successive football seasons after its original date of manufacture.

(15) According to industry estimates, 100,000 football helmets more than ten years old, and thousands almost twenty years old, were worn by players in the 2009 season.

(16) A high school football player who suffered brain damage from being hit in the head soon after suffering a previous concussion was wearing a twenty year old football helmet when he was injured.

(17) Children as young as 5 years old rely on football helmets to protect against head injury.

(18) The widespread adoption of a voluntary industry standard for football helmet safety led to an 80 percent reduction in life-threatening subdural hematoma injuries.

(19) The voluntary industry safety standard for football helmets does not specifically address concussion risk.

(20) There is no voluntary industry safety standard specifically for youth football helmets worn by children, who have different physiological characteristics from adults in terms of head size and neck strength, especially those who are younger than 12-years old.

(21) Some football helmet manufacturers and resellers have used misleading concussion safety claims to sell children's football helmets.

(22) Some used helmet reconditioners have falsely certified that reconditioned helmets provided to schools and youth football teams met voluntary industry safety standards.

(23) Used helmet reconditioners do not independently test reconditioned helmets before certifying that they meet voluntary industry safety standards.

(24) The industry organization that sets voluntary football helmet safety standards does not conduct independent testing nor market surveillance to ensure compliance with such voluntary safety standards by manufacturers and reconditioners that certify new and used helmets to such standards.

(25) Football helmet manufacturers and reconditioners place product warning labels underneath padding where the warning labels are obscured from view and not clearly legible.

(26) The Consumer Product Safety Act (15 U.S.C. 2051 et seq.) charges the Consumer Product Safety Commission with protecting the public from unreasonable risks of serious injury or death from consumer products, including consumer products used in recreation and in schools.

(27) The Federal Trade Commission Act (15 U.S.C. 41 et seq.) empowers the Federal Trade Commission to prevent unfair or deceptive acts or practices, and prohibits the dissemination of misleading claims for devices or services.

SEC. 3. FOOTBALL HELMET SAFETY STANDARDS.

(a) VOLUNTARY STANDARD DETERMINATION.—Within 9 months after the date of enactment of this Act, the Consumer Product Safety Commission shall determine, with respect to a standard or standards submitted by a voluntary standards-setting organization regarding youth football helmets, reconditioned football helmets, and new football helmet concussion resistance (if feasible) whether—

(1) compliance with the standard or standards is likely to result in the elimination or adequate reduction of the risk of injury in connection with the use of football helmets;

(2) it is likely that there will be substantial compliance with the standard or standards; and

(3) the standard or standards are maintained by a standards-setting organization that meets the requirements of the document 'ANSI Essential Requirements: Due Process Requirements for American National Standards' published in January 2010 by the American National Standards Institute (or any successor document).

(b) CONSUMER PRODUCT SAFETY STANDARD.—Unless the Consumer Product Safety Commission makes an affirmative determination with respect to a standard or standards under subsection (a) that addresses the matters to which the following standards would apply, the Commission shall initiate a rulemaking proceeding for the development of a consumer product safety rule with respect to the following:

(1) YOUTH FOOTBALL HELMETS.—A standard for youth football helmets which is informed by children's different physiological characteristics from adults in terms of head size and neck strength.

(2) RECONDITIONED FOOTBALL HELMETS.—A standard for all reconditioned football helmets.

(3) NEW FOOTBALL HELMET CONCUSSION RESISTANCE.—A standard for all new football helmets that addresses concussion risk, if the Commission determines that such a standard is feasible given current understanding of concussion risk and how helmets can prevent concussion.

(4) FOOTBALL HELMET WARNING LABELS.—A standard for warning labels on all football helmets that, at a minimum, requires clearly legible and fully visible statements warning consumers of the limits of protection afforded by the helmet. This standard may include requirements for pictograms, instructions, guidelines, or other cautions to consumers about injury risk and the proper use of football helmets.

(5) DATE OF MANUFACTURE LABEL FOR NEW FOOTBALL HELMETS.—A standard for a clearly legible and fully visible label on all new football helmets stating the football helmet's original date of manufacture and warning consumers that a football helmet's ability to protect the wearer can decline over time.

(6) DATE OF RECONDITIONING LABEL FOR RECONDITIONED HELMETS.—A standard for a clearly legible and fully visible label on all reconditioned football helmets stating the helmet's last date of reconditioning, its original date of manufacture, and warning consumers that a football helmet's ability to protect the wearer can decline over time, despite being properly and regularly reconditioned.

(c) SAFETY STANDARDS.—

(1) IN GENERAL.—The Commission shall—

(A) in consultation with representatives of coaches, consumer groups, engineers, medical experts, school sports directors, scientists, and sports equipment standard-setting organizations, examine and assess the effectiveness of any voluntary consumer product safety standards for youth football helmets, reconditioned football helmets, and new football helmet concussion resistance proposed by a voluntary standards-setting organization; and

(B) in accordance with section 553 of title 5, United States Code, promulgate consumer product safety standards that—

(i) are substantially the same as such voluntary standards; or

(ii) are more stringent than such voluntary standards, if the Commission determines that more stringent standards would further reduce the risk of injury associated with football helmets.

(2) TIMETABLE FOR RULEMAKING.—If the Commission does not make an affirmative determination under subsection (a) within the 9-month period, the Commission shall commence the rulemaking required by subsection (b) within 30 days after the end of that 9-month period. The Commission shall periodically review and revise the standards set forth in the consumer product safety rule prescribed pursuant to that proceeding to ensure that such standards provide the highest level of safety for football helmets that is feasible.

SEC. 4. APPLICATION OF THIRD PARTY TESTING AND CERTIFICATION REQUIREMENTS TO YOUTH FOOTBALL HELMETS.

(a) IN GENERAL.—The third party testing and certification requirements of section 14(a)(2) of the Consumer Product Safety Act (15 U.S.C. 2063(a)(2)) shall apply to any youth football helmet (including a reconditioned youth football helmet) to which any consumer product safety rule prescribed under section 3(b) of this Act applies as if the helmet were a children's product that is subject to a children's product safety rule without regard to the age of the individual for whom it is primarily designed or intended.

(b) SPECIAL APPLICATION OF DEFINITION OF CHILDREN'S PRODUCT FOR PURPOSES OF TESTING AND CERTIFICATION OF FOOTBALL HELMETS.—For the exclusive purpose of applying

the definition of the term ''children's product'' in section 3(a)(2) of the Consumer Product Safety Act (15 U.S.C. 2052(a)(2)) to the requirements of subsection (a) of this section, ''18 years'' shall be substituted for ''12 years'' each place it appears.

(c) For the purposes of this section, third party testing and certification shall be conducted by a testing laboratory that has an accreditation—

(1) that meets International Organization for Standardization/International Electrotechnical Commission standard 17025:2005 entitled *General Requirements for the Competence of Testing and Calibration Laboratories* (or any successor standard that is from an accreditation body that is signatory to the International Laboratory Accreditation Cooperation for testing accreditation);

(2) that meets International Organization for Standardization/International Electrotechnical Commission Guide 65:1996 entitled *General Requirements for Bodies Operating Product Certification Systems* (or any successor standard that is from an accreditation body that is signatory to the International Accreditation Forum for product certification accreditation); and

(3) that includes all appropriate football helmet standards and test methods within the scope of the accreditation.

SEC. 5. FALSE OR MISLEADING CLAIMS WITH RESPECT TO ATHLETIC SPORTING ACTIVITY GOODS.

(a) IN GENERAL.—It is unlawful for any person to sell, or offer for sale, in interstate commerce, or import into the United States for the purpose of selling or offering for sale, any item of equipment intended, designed, or offered for use by an individual engaged in any athletic sporting activity, whether professional or amateur, for which the seller or importer, or any person acting on behalf of the seller or importer, makes any false or misleading claim with respect to the safety benefits of such item.

(b) ENFORCEMENT BY FEDERAL TRADE COMMISSION.—

(1) IN GENERAL.—Violation of subsection (a), or any regulation prescribed under this section, shall be treated as a violation of a rule under section 18 of the Federal Trade Commission Act (15 U.S.C. 57a) regarding unfair or deceptive acts or practices. The Federal Trade Commission shall enforce this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this Act.

(2) REGULATIONS.—Notwithstanding any other provision of law, the Commission may promulgate such regulations as it finds necessary or appropriate under this Act under section 553 of title 5, United States Code.

(3) PENALTIES.—Any person who violates subsection (a) or any regulation prescribed under that section, shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated in and made part of this Act.

(4) AUTHORITY PRESERVED.—Nothing in this section shall be construed to limit the authority of the Commission under any other provision of law.

(c) ENFORCEMENT BY STATE ATTORNEYS GENERAL.—

(1) RIGHT OF ACTION.—Except as provided in paragraph (5), the attorney general of a State, or other authorized State officer, alleging a violation of subsection (a) or any regulation issued under that section that affects or may affect such State or its residents may bring an action on behalf of the residents of the State in any United States district court for the district in which the defendant is found, resides, or transacts business, or wherever venue is proper under section 1391 of title 28, United States Code, to obtain appropriate injunctive relief.

(2) INITIATION OF CIVIL ACTION.—A State shall provide prior written notice to the Federal Trade Commission of any civil action under paragraph (1) together with a copy of its complaint, except that if it is not feasible for the State to provide such prior notice, the State shall provide such notice immediately upon instituting such action.

(3) INTERVENTION BY THE COMMISSION.—The Commission may intervene in such civil action and upon intervening—

(A) be heard on all matters arising in such civil action; and

(B) file petitions for appeal of a decision in such civil action.

(4) CONSTRUCTION.—Nothing in this section shall be construed—

(A) to prevent the attorney general of a State, or other authorized State officer, from exercising the powers conferred on the attorney general, or other authorized State officer, by the laws of such State; or

(B) to prohibit the attorney general of a State, or other authorized State officer, from proceeding in State or Federal court on the basis of an alleged violation of any civil or criminal statute of that State.

(5) LIMITATION.—No separate suit shall be brought under this subsection if, at the time the suit is brought, the same alleged violation is the subject of a pending action by the Federal Trade Commission or the United States under this section.

By Ms. COLLINS (for herself, Mr. ROBERTS, and Mr. BARRASSO):

S. 602. A bill to require regulatory reform; to the Committee on Homeland Security and Governmental Affairs.

Ms. COLLINS. Mr. President, yesterday I offered three amendments to the SBIR/STTR Reauthorization Bill to make commonsense reforms to our regulatory system. Today, Senators ROBERTS and BARRASSO join me in offering the ''CURB Act''—which stands for ''Clearing Unnecessary Regulatory Burdens.'' This legislation combines the provisions of those three amendments to force federal agencies to cut the red tape that impedes job growth.

As I explained yesterday, all too often it seems Federal agencies do not take into account the impacts to small businesses and job growth before imposing new rules and regulations. The bill we are introducing today obligates them to do so.

The CURB Act does three things: first, it requires Federal agencies to analyze the indirect costs of regulations, such as the impact on job creation, the cost of energy, and consumer prices.

Presently, Federal agencies are not required by statute to analyze the indirect cost regulations can have on the public, such as higher energy costs, higher prices, and the impact on job creation. However, Executive Order 12866, issued by President Clinton in 1993, obligates agencies to provide the Office of Information and Regulatory Affairs with an assessment of the indirect costs of proposed regulations. Our bill would essentially codify this provision of President Clinton's Executive Order.

Second, the CURB Act obligates Federal agencies to comply with public notice and comment requirements and prohibits them from circumventing these requirements by issuing unofficial rules as ''guidance documents.''

After President Clinton issued Executive Order 12866, Federal agencies found it easier to issue so-called ''guidance documents,'' rather than formal rules. Although these guidance documents are merely an agency's interpretation of how the public can comply with a particular rule, and are not enforceable in court, as a practical matter they operate as if they are legally binding. Thus, they have been used by agencies to circumvent OIRA regulatory review and public notice and comment requirements.

In 2007, President Bush issued Executive Order 13422, which contained a provision closing this loophole by imposing ''Good Guidance Practices'' on Federal agencies, which requires them to provide public notice and comment for significant guidance documents. Our bill would essentially codify this provision of President Bush's Executive Order.

Third, the CURB Act helps out the ''little guy'' trying to navigate our incredibly complex and burdensome regulatory environment. So many small businesses don't have a lot of capital on hand. When a small business inadvertently runs afoul of a Federal regulation for the first time, that first penalty could sink the business and all the jobs it supports. Our bill would provide access to SBA assistance to small businesses in a situation where they face a first-time, non-harmful paperwork violation. It simply doesn't make sense to me to punish small businesses the first time they accidently fail to comply with paperwork requirements, so long as no harm comes from that failure.

Each of these provisions has been endorsed by the National Federation of Independent Business, NFIB, and the Small Business & Entrepreneurship Council. I urge my colleagues to support the CURB Act, which contains these important reforms to our regulatory system.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 103—PROVIDING FOR MEMBERS ON THE PART OF THE SENATE OF THE JOINT COMMITTEE ON PRINTING AND THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mr. SCHUMER (for himself and Mr. ALEXANDER) submitted the following resolution; which was considered and agreed to:

S. RES. 103

Resolved, That the following named Members be, and they are hereby, elected members of the following joint committees of Congress: