

same basic rights, protections, and opportunities;

Whereas social workers have been an important force behind several significant social movements in the United States;

Whereas social workers are on the frontlines, responding to such human needs as homelessness, poverty, family breakups, mental illness, physical and mental disability, substance abuse, domestic violence, and many other issues;

Whereas Professional Social Work Month and World Social Work Day, which is March 15, 2011, build awareness of the role that professional social workers play in the community and the wide range of contributions social workers make throughout their careers; and

Whereas the 2011 Professional Social Work Month theme, "Social Workers Change Futures", showcases the expertise and dedication of professional social workers in helping to improve lives: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals and ideals of Professional Social Work Month and World Social Work Day;

(2) acknowledges the diligent efforts of individuals and groups who promote the importance of social work and observe Professional Social Work Month and World Social Work Day;

(3) encourages the people of the United States to engage in appropriate ceremonies and activities to promote further awareness of the life-changing role which social workers play; and

(4) recognizes with gratitude the contributions of the millions of caring individuals who have chosen to serve their communities through social work.

#### SENATE RESOLUTION 118—DESIGNATING APRIL 2011 AS "NATIONAL 9-1-1 EDUCATION MONTH"

Ms. KLOBUCHAR (for herself and Mr. BURR) submitted the following resolution; which was considered and agreed to:

##### S. RES. 118

Whereas 9-1-1 is nationally recognized as the number to call in an emergency to receive immediate help from police, fire, emergency medical services, or other appropriate emergency response entities;

Whereas in 1967, the President's Commission on Law Enforcement and Administration of Justice recommended that "a single number should be established" nationwide for reporting emergency situations, and other Federal Government agencies and various governmental officials also supported and encouraged the recommendation;

Whereas in 1968 the American Telephone and Telegraph Company (AT&T) announced that it would establish the digits 9-1-1 as the emergency code throughout the United States;

Whereas 9-1-1 was designated by Congress as the national emergency call number under the Wireless Communications and Public Safety Act of 1999 (Public Law 106-81);

Whereas section 102 of the ENHANCE 911 Act of 2004 (47 U.S.C. 942 note) declared an enhanced 9-1-1 system to be "a high national priority" and part of "our Nation's homeland security and public safety";

Whereas it is important that policy makers at all levels of government understand the importance of 9-1-1, how the system works today, and the steps that are needed to modernize the 9-1-1 system;

Whereas the 9-1-1 system is the connection between the public and the emergency response system in the United States and is

often the first place emergencies of all magnitudes are reported, making 9-1-1 a significant homeland security asset;

Whereas more than 6,000 9-1-1 public safety answering points serve more than 3,000 counties and parishes throughout the United States;

Whereas dispatchers at public safety answering points answer more than 200,000,000 9-1-1 calls each year in the United States;

Whereas a growing number of 9-1-1 calls are made using wireless and Internet Protocol-based communications services;

Whereas a growing segment of the population, including the deaf, hard of hearing, deaf-blind, and individuals with speech disabilities are increasingly communicating with nontraditional text, video, and instant messaging communications services and expect those services to be able to connect directly to 9-1-1;

Whereas the growth and variety of means of communication, including mobile and Internet Protocol-based systems, impose challenges for accessing 9-1-1 and implementing an enhanced 9-1-1 system and require increased education and awareness about the capabilities of different means of communication;

Whereas the ability to communicate through voice, text, data, and video conferencing provides an opportunity for the Nation's 9-1-1 system to adopt next generation applications and services, greatly enhancing the capabilities of 9-1-1 services;

Whereas numerous other "N-1-1" and 800 number services exist for non-emergency situations, including 2-1-1, 3-1-1, 5-1-1, 7-1-1, 8-1-1, poison control centers, and mental health hotlines, and the public needs to be educated about when to use such services in addition to, or instead of, 9-1-1;

Whereas international visitors and immigrants make up an increasing percentage of the population of the United States each year, and visitors and immigrants may have limited knowledge of our emergency calling system;

Whereas people of all ages use 9-1-1 and it is critical to educate people on the proper use of 9-1-1;

Whereas senior citizens are at high risk for needing to call 9-1-1 and many senior citizens are learning to use new technology;

Whereas thousands of 9-1-1 calls are made each year by children who are properly trained in the use of 9-1-1, which saves lives and underscores the critical importance of training children about 9-1-1 early in life;

Whereas the 9-1-1 system is often misused, such as through the placement of prank and non-emergency calls;

Whereas misuse of the 9-1-1 system results in costly and inefficient use of 9-1-1 and emergency response resources, and such misuse needs to be reduced;

Whereas parents, teachers, and caregivers must be educated about 9-1-1 in order to play an active role in 9-1-1 education for children;

Whereas there are many avenues for 9-1-1 public education, including safety fairs, school presentations, libraries, churches, businesses, public safety answering point tours or open houses, civic organizations, and senior citizen centers;

Whereas parents, teachers, and the National Parent Teacher Association contribute significantly to the goal of educating children about the importance of 9-1-1 through targeted outreach efforts to public and private schools;

Whereas the United States should strive to host at least 1 annual educational event regarding the proper use of 9-1-1 in every school in the Nation;

Whereas the people of the United States deserve the best education regarding the use of 9-1-1; and

Whereas programs to promote proper use of 9-1-1 during "National 9-1-1 Education Month" may include—

(1) public awareness events, such as conferences and media outreach;

(2) training activities for businesses, parents, teachers, school administrators, and other caregivers;

(3) educational events in schools and other appropriate venues; and

(4) production and distribution of information about the 9-1-1 system, designed to educate people of all ages on the importance and proper use of 9-1-1: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates April 2011 as "National 9-1-1 Education Month"; and

(2) urges Government officials, parents, teachers, school administrators, caregivers, businesses, nonprofit organizations, and the people of the United States to observe "National 9-1-1 Education Month" with appropriate ceremonies, training events, and activities.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 268. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table.

SA 269. Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 270. Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 271. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 272. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 273. Mr. COBURN (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 274. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 275. Ms. SNOWE (for herself, Mr. THUNE, Mr. RUBIO, Mr. MORAN, Mr. BROWN of Massachusetts, Mr. ENZI, and Mr. VITTER) submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 276. Mr. PAUL proposed an amendment to the bill S. 493, supra.

SA 277. Ms. STABENOW (for herself and Mr. BROWN of Ohio) submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 268. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, strike lines 7 and 8 and insert the following:

(ee) owned and controlled by service-disabled veterans, veterans recently separated, discharged, or released from service in the

Armed Forces, or members of a reserve component of the Armed Forces;

**SA 269.** Mrs. MCCASKILL submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 504. 8(a) PROGRAM.**

(a) AMENDMENT TO DEFINITION OF INDIAN TRIBE.—Section 8(a)(13) of the Small Business Act (15 U.S.C. 637(a)(13)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margins accordingly;

(2) by striking “the term ‘Indian tribe’ means” and inserting the following: “the term ‘Indian tribe’—

“(A) means”;

(3) by striking “, including any Alaska Native village or regional or village corporation (within the meaning of the Alaska Native Claims Settlement Act)”;

(4) in subparagraph (A)(i), as so designated, by striking “, or” and inserting “; or”;

(5) by striking the period at the end and inserting “; and”;

(6) by adding at the end the following:

“(B) does not include an Alaska Native Corporation or Alaska Native Village.”

(b) SOCIAL AND ECONOMIC DISADVANTAGE.—

(1) IN GENERAL.—Section 29(e) of the Alaska Native Claims Settlement Act (43 U.S.C. 1626(e)) is amended—

(A) in paragraph (1), by striking “For all purposes of” and inserting “Except as provided in paragraph (5), for all purposes of”;

(B) in paragraph (2), by striking “For all purposes of” and inserting “Except as provided in paragraph (5), for all purposes of”;

(C) by adding at the end the following:

“(5) For purposes of sections 7(j)(10) and 8(a) of the Small Business Act (15 U.S.C. 636(j)(10) and 637(a)), whether a Native Corporation or Native village or a direct and indirect subsidiary corporation, joint venture, or partnership of a Native Corporation or Native village is socially or economically disadvantaged shall be determined in accordance with paragraph (5) or (6), respectively, of section 8(a) of the Small Business Act.”

(2) STANDARDS.—Section 8(a) of the Small Business Act (15 U.S.C. 637(a)) is amended—

(A) in paragraph (4)—

(i) in subparagraph (A)—

(I) in clause (i)—

(aa) in subclause (II), by striking “or” at the end; and

(bb) by adding at the end the following:

“(IV) a socially and economically disadvantaged Alaska Native Corporation or Alaska Native Village, or”;

(II) in clause (ii)—

(aa) in subclause (II), by striking “or” at the end;

(bb) in subclause (III), by striking the period at the end and inserting “, or”;

(cc) by adding at the end the following:

“(IV) a socially and economically disadvantaged Alaska Native Corporation or Alaska Native Village.”;

(ii) in subparagraph (B)—

(i) in clause (ii), by striking “or” at the end;

(II) in clause (iii), by striking the period at the end and inserting “, or”;

(III) by adding at the end the following:

“(iv) members of a socially and economically disadvantaged Alaska Native Corporation or Alaska Native Village described in subparagraph (A)(i)(IV) or subparagraph (A)(ii)(IV).”;

(iii) by adding at the end the following:

“(D) The Administrator may not waive the requirement under this paragraph that the management and daily business operations of a business concern participating in the program under this subsection are controlled by one or more socially and economically disadvantaged individuals for a business concern owned by an Alaska Native Corporation or Alaska Native Village.”;

(B) in paragraph (5)—

(i) by inserting “(A)” after “(5)”;

(ii) by adding at the end the following:

“(B) For purposes of this subsection and section 7(j)(10), the Administrator shall determine whether an Alaska Native Corporation or Alaska Native Village is, as an entity, socially disadvantaged in accordance with the factors described in subparagraph (A).”;

(C) in paragraph (6), by adding at the end the following:

“(F) For purposes of this subsection and section 7(j)(10), the Administrator shall annually determine whether an Alaska Native Corporation or Alaska Native Village is economically disadvantaged in the same manner as for an applicant for or participant in the program under this subsection that is a Native Hawaiian organization.”

(c) AFFILIATION.—Section 7(j)(10)(J)(ii)(II) of the Small Business Act (15 U.S.C. 636(j)(10)(J)(ii)(II)) is amended by inserting “, as defined in section 8(a)(13)” after “Indian tribe”

(d) SOLE SOURCE CONTRACTING DOLLAR LIMITS.—

(1) COMPETITIVE THRESHOLDS.—Not later than 270 days after the date of enactment of this Act, the Administrator shall amend the regulations issued under sections 7(j)(10) and 8(a) of the Small Business Act (15 U.S.C. 636(j)(10) and 637(a)) in accordance with this section and the amendments made by this section to apply to small business concerns owned by an Alaska Native Corporation or Alaska Native Village the competitive thresholds for awarding sole source contracts under section 8(a)(1)(D) of the Small Business Act (15 U.S.C. 637(a)(1)(D)) that are applicable to small business concerns that are owned by a socially and economically disadvantaged individual.

(2) MAXIMUM TOTAL DOLLAR AMOUNT.—Section 8(a)(1)(D) of the Small Business Act (15 U.S.C. 637(a)(1)(D)) is amended by adding at the end the following:

“(iii) For purposes of eligibility for the award of a contract on the basis of restricted competition under this subparagraph, the Administrator may not establish a maximum total dollar amount of such awards during the period of Program Participation for participants that are owned by an Alaska Native Corporation or Alaska Native Village that is different from the amount for Program Participants that are owned by a socially and economically disadvantaged individual.”

(e) ONE TIME ELIGIBILITY.—Section 7(j)(11)(B)(iii) of the Small Business Act (15 U.S.C. 636(j)(11)(B)(iii)) is amended in the matter preceding subclause (I) by inserting “(as defined in section 8(a)(13))” after “Indian tribe”

(f) GRADUATION.—

(1) IN GENERAL.—Section 7(j)(15) of the Small Business Act (15 U.S.C. 636(j)(15)) is amended—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(B) by inserting “(A)” after “(15)”;

(C) by adding at the end the following:

“(B) The Administrator may not extend or waive the time limitations under this paragraph for a business concern owned by an Alaska Native Corporation or Alaska Native Village.”

(2) TECHNICAL AND CONFORMING AMENDMENTS.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(A) in section 7(j) (15 U.S.C. 636(j))—

(i) in paragraph (10)(E)(ii), by striking “paragraph (15)” and inserting “paragraph (15)(A)”;

(ii) in paragraph (11)(D), by striking “paragraph (15)” and inserting “paragraph (15)(A)”;

(B) in section 8(a)(1)(C) (15 U.S.C. 637(a)(1)(C)), in the matter preceding clause (i), by striking “section 7(j)(15)” and inserting “section 7(j)(15)(A)”

(g) REPORTING.—Section 8(a)(6)(B) of the Small Business Act (15 U.S.C. 637(a)(6)(B)) is amended—

(1) by redesignating clauses (i), (ii), and (iii) as subclauses (I), (II), and (III), respectively;

(2) by inserting “(i)” after “(B)”;

(3) by adding at the end the following:

“(ii) The annual report submitted under clause (i) by a Program Participant that is an Alaska Native Corporation or Alaska Native Village shall include, for the period addressed by the report—

“(I) the total revenue of the Alaska Native Corporation or Alaska Native Village;

“(II) the revenue of the Alaska Native Corporation or Alaska Native Village attributable to the participation of the Alaska Native Corporation or Alaska Native Village in the program under this subsection; and

“(III) the total amount of benefits paid to shareholders of the Alaska Native Corporation or Alaska Native Village.”

(h) REGULATIONS.—Not later than 270 days after the date of enactment of this Act, the Administrator shall amend the regulations issued under sections 7(j)(10) and 8(a) of the Small Business Act (15 U.S.C. 636(j)(10) and 637(a)) in accordance with this section and the amendments made by this section, which shall include—

(1) establishing criteria for determining whether an Alaska Native Corporation or Alaska Native Village is, as a group, socially disadvantaged, in accordance with the factors described in section 8(a)(5)(A) of the Small Business Act, as so designated by this section;

(2) establishing criteria for determining whether an Alaska Native Corporation, Alaska Native Village, or Native Hawaiian Organization is economically disadvantaged;

(3) repealing the provision that excludes certain affiliates of an Alaska Native Corporation or Alaska Native Village in determining whether a business is a small business concern;

(4) repealing the waiver for Alaska Native Corporations and Alaska Native Villages of the requirement that the management and daily business operations of a business concern participating in the program under section 8(a) of the Small Business Act (15 U.S.C. 637(a)) are controlled by one or more socially and economically disadvantaged individuals;

(5) applying to small business concerns owned by an Alaska Native Corporation or Alaska Native Village the limitation on eligibility for a sole source award under section 8(a)(1)(D) of the Small Business Act (15 U.S.C. 637(a)(1)(D)) based on the maximum total amount of competitive and sole source awards under such section 8(a) that are applicable to small business concerns that are owned by a socially and economically disadvantaged individual;

(6) prohibiting a single Alaska Native Corporation or Alaska Native Village from conferring eligibility to participate in the program under section 8(a) of the Small Business Act (15 U.S.C. 637(a)) on more than 1 small business concern at any one time; and

(7) applying to small business concerns owned by an Alaska Native Corporation or

Alaska Native Village the limitation on ownership of other firms participating in the program under section 8(a) of the Small Business Act (15 U.S.C. 637(a)) that is applicable to small business concerns that are owned by a socially and economically disadvantaged individual.

(i) **DEFINITIONS.**—In this section—  
the terms “Alaska Native Corporation” and “Alaska Native Village” have the meanings given those terms in section 3(p)(6) of the Small Business Act (15 U.S.C. 632(p)(6)); and

(2) the term “Native Hawaiian Organization” has the meaning given that term in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

**SA 270.** Mr. ENZI submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. \_\_\_\_ . TEAMING ARRANGEMENTS AND AGENCY CONTRACTING GOALS.**

Section 15(g) of the Small Business Act (15 U.S.C. 644(g)) is amended by adding at the end the following:

“(3) **TEAMING ARRANGEMENTS AND AGENCY CONTRACTING GOALS.**—

“(A) **DEFINITIONS.**—In this paragraph—

“(i) the term ‘covered small business concern’ means—

“(I) a small business concern owned and controlled by service-disabled veterans;

“(II) a small business concern owned and controlled by socially and economically disadvantaged individuals, as defined in section 8(d)(3)(C);

“(III) a small business concern owned and controlled by women, as defined in section 8(d)(3)(D); or

“(IV) a qualified HUBZone small business concern; and

“(ii) the term ‘teaming arrangement entity’ means a prime contractor under a contractor team arrangement, as defined in section 9.601 of the Federal Acquisition Regulation, as in effect on October 1, 2009.

“(B) **CONTRACTING GOALS.**—If a covered small business concern performs the obligations of a teaming arrangement entity under a contract between the teaming arrangement entity and a Federal agency, the head of the Federal agency may deem the contract to be a contract awarded to the covered small business concern for purposes of determining whether the Federal agency has met the goals established by the head of the Federal agency under paragraph (2).”.

**SA 271.** Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. \_\_\_\_ . IDENTIFICATION OF QUALIFIED CENSUS TRACTS BY THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT.**

(a) **DESIGNATION OF QUALIFIED CENSUS TRACTS.**—Not later than 2 weeks after the date on which the Secretary of Housing and Urban Development receives from the Census Bureau the data obtained from each decennial census relating to census tracts, the Secretary of Housing and Urban Development shall identify census tracts that meet the requirements of section 42(d)(5)(B)(ii) of the Internal Revenue Code of 1986 (deter-

mined without regard to Secretarial designation) and shall deem such census tracts to be qualified census tracts (as defined in such section) solely for purposes of determining which areas qualify as HUBZones under section 3(p)(1)(A) of the Small Business Act (15 U.S.C. 632(p)(1)(A)).

(b) **DETERMINATION BY ADMINISTRATOR.**—Not later than 3 months after the date on which the Secretary of Housing and Urban Development identifies qualified census tracts under subsection (a), the Administrator shall determine which areas qualify as HUBZones under section 3(p)(1)(A) of the Small Business Act (15 U.S.C. 632(p)(1)(A)).

**(c) APPLICATIONS FOR CERTIFICATION AS QUALIFIED HUBZONE SMALL BUSINESS CONCERN.**—

(1) **APPLICATION.**—During a period beginning on a date on which the Secretary of Housing and Urban Development identifies qualified census tracts under subsection (a) and ending on the date the Administrator determines which areas qualify as HUBZones, a small business concern located in an area identified as a qualified census tract under subsection (a) may submit to the Administrator an application for certification as a qualified HUBZone small business concern.

(2) **CERTIFICATION.**—The Administrator may not certify a small business concern that submits an application under paragraph (1) as a qualified HUBZone small business concern before the date on which the Administrator determines which areas qualify as HUBZones.

(d) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to affect the date on which a census tract is designated as a qualified census tract for purposes of section 42 of the Internal Revenue Code of 1986.

**SA 272.** Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 49, line 16, strike “and”.

On page 49, between lines 18 and 19, insert the following:

(C) in subparagraph (C), by striking “and” at the end;

(D) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(E) by adding at the end the following:

“(E) developing and manufacturing in the United States new commercial products and processes resulting from such projects.”;

On page 78, line 2, strike “or”.

On page 78, line 4, strike “and” and insert “or”.

On page 78, between lines 4 and 5, insert the following:

“(viii)(I) has a product, process, technology, or service that received funding under the SBIR program of the Federal agency and that is produced or delivered for sale to or use by the Federal Government or commercial markets; and

“(II) for each product, process, technology, or service described in subclause (I), is testing or producing the product, process, technology, or service in the United States; and

On page 80, line 5, strike “or”.

On page 80, line 15, strike “and” and insert “or”.

On page 80, between lines 15 and 16, insert the following:

“(viii)(I) has a product, process, technology, or service that received funding under the STTR program of the Federal agency and that is produced or delivered for sale to or use by the Federal Government or commercial markets; and

“(II) for each product, process, technology, or service described in subclause (I), is test-

ing or producing the product, process, technology, or service in the United States; and

On page 81, line 24, strike “or”.

On page 82, strike line 5 and insert the following:

(20 U.S.C. 1001); or

“(vi)(I) has a product, process, technology, or service that received funding under the SBIR or STTR program of the Federal agency and that is produced or delivered for sale to or use by the Federal Government or commercial markets; and

“(II) for each product, process, technology, or service described in subclause (I), is testing or producing the product, process, technology, or service in the United States.”.

On page 83, line 15, strike “and”.

On page 83, strike line 22 and insert the following:

program; and

“(ix) whether the small business concern—

“(I) has a product, process, technology, or service that received funding under the SBIR or STTR program of a Federal agency and that is produced or delivered for sale to or use by the Federal Government or commercial markets; and

“(II) for each product, process, technology, or service described in subclause (I), is testing or producing the product, process, technology, or service in the United States.”;

On page 90, line 10, strike “and”.

On page 90, strike line 13 and insert the following:

STTR program of the agency; and

“(D) estimate, to the extent practicable, the amount of production and manufacturing in the United States that resulted from awards under the SBIR program or STTR program of the agency; and

“(E) make recommendations, if any, for changes to the SBIR program or STTR program of the agency that would increase production and manufacturing in the United States.

On page 91, line 20, strike “and” at the end.

On page 91, strike line 22 and insert the following:

award; and

“(4) whether the small business concern or individual receiving the Phase III award is developing, testing, producing, or manufacturing the product or service that is the subject of the Phase III award in the United States.”.

On page 105, line 2, strike “and”.

On page 105, between lines 6 and 7, insert the following:

(C) ways for Federal agencies to create incentives for recipients of awards under the SBIR program and the STTR program to carry out research, development, testing, production, and manufacturing in the United States; and

On page 115, line 8, insert after “programs” the following: “, including the impact on production and manufacturing in the United States”.

At the end, add the following:

**SEC. 504. REQUIREMENT TO PERFORM RESEARCH AND RESEARCH AND DEVELOPMENT WORK IN THE UNITED STATES.**

Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act, is amended by adding at the end the following:

“(nn) **REQUIREMENT TO PERFORM RESEARCH AND RESEARCH AND DEVELOPMENT WORK IN THE UNITED STATES.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), a small business concern that receives a Phase I or Phase II award under an SBIR program or STTR program (including an award under a pilot program under subsection (ff)) shall perform or obtain the research or research and development work required under the award in the United States.

“(2) EXCEPTION.—A Federal agency that makes an award under the SBIR program or STTR program may approve a specific portion of research or research and development work under the award to be performed or obtained outside the United States if—

“(A) a rare or unique circumstance, including a supply, material, or other item that is not available in the United States, requires the portion of the work to be performed or obtained outside the United States; and

“(B) the Federal agency makes the approval in writing.”.

**SA 273.** Mr. COBURN (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

**SEC. \_\_\_\_.** **CONSOLIDATING UNNECESSARY DUPLICATIVE AND OVERLAPPING GOVERNMENT PROGRAMS.**

Notwithstanding any other provision of law, not later than 150 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall coordinate with the heads of the relevant department and agencies to—

(1) use available administrative authority to eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in the March 2011 Government Accountability Office report to Congress entitled “Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO-11-318SP) and apply the savings towards deficit reduction;

(2) identify and report to Congress any legislative changes required to further eliminate, consolidate, or streamline Government programs and agencies with duplicative and overlapping missions identified in the March 2011 Government Accountability Office report to Congress entitled “Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue” (GAO-11-318SP);

(3) determine the total cost savings that shall result to each agency, office, and department from the actions described in subsection (1); and

(4) rescind from the appropriate accounts the amount greater of—

(A) \$5,000,000,000; or

(B) the total amount of cost savings estimated by paragraph (3).

**SA 274.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

**SEC. \_\_\_\_.** **TERMINATING LEFTOVER CONGRESSIONAL EARMARK ACCOUNTS.**

(a) IN GENERAL.—Any language specifying an earmark in an appropriations Act for fiscal year 2010, or in a committee report or joint explanatory statement accompanying such an Act, shall have no legal effect with respect to funds appropriated after Fiscal Year 2010.

(b) DEFINITION.—For purposes of this section, the term “earmark” means a congressional earmark or congressionally directed spending item, as defined in clause 9(e) of rule XXI of the Rules of the House of Representatives and paragraph 5(a) of rule XLIV.

(c) REDUCTION REQUIRED.—Any funds appropriated in fiscal year 2011 to any program

shall be reduced by the total amount of congressional earmarks or congressionally directed spending items contained within a committee report or joint explanatory statement accompanying such an Act that provided appropriations to the program in fiscal year 2010.

(d) RESCISSION.—The amounts reduced by subsection (c) are rescinded and returned to the Treasury for the purpose of deficit reduction.

(e) PRIOR LAW.—Subsections (c) and (d) shall not apply to any programs or accounts that were reduced in the same manner by Public Law 112-4 or any other bill that takes effect prior to date of enactment of this Act.

**SA 275.** Ms. SNOWE (for herself, Mr. THUNE, Mr. RUBIO, Mr. MORAN, Mr. BROWN of Massachusetts, Mr. ENZI, and Mr. VITTER) submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 504.** **USE OF STIMULUS FUNDS TO OFFSET.**

Notwithstanding section 5 of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 116), \$150,000,000 is rescinded on a pro rata basis, by account, from unobligated amounts appropriated or made available under division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 116) (other than under title X of division A of such Act) in order to offset the cost under this Act, and the amendments made by this Act, relating to the SBIR program or the STTR program. The Director of the Office of Management and Budget shall report to each congressional committee the amounts rescinded under this subsection within the jurisdiction of such committee.

**SA 276.** Mr. PAUL proposed an amendment to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; as follows:

At the appropriate place, insert the following:

It is the sense of the Senate, that “The President does not have power under the Constitution to unilaterally authorize a military attack in a situation that does not involve stopping an actual or imminent threat to the nation”.

**SA 277.** Ms. STABENOW (for herself and Mr. BROWN of Ohio) submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 116, after line 24, add the following:

**SEC. 504.** **SUSPENSION OF STATIONARY SOURCE GREENHOUSE GAS REGULATIONS.**

(a) DEFINED TERM.—In this section, the term “greenhouse gas” means—

- (1) water vapor;
- (2) carbon dioxide;
- (3) methane;
- (4) nitrous oxide;
- (5) sulfur hexafluoride;
- (6) hydrofluorocarbons;
- (7) perfluorocarbons; and

(8) any other substance subject to, or proposed to be subject to, any regulation, action, or consideration under the Clean Air

Act (42 U.S.C. 7401 et seq.) to address climate change.

(b) IN GENERAL.—Except as provided in subsection (d), and notwithstanding any provision of the Clean Air Act (42 U.S.C. 7401 et seq.), any requirement, restriction, or limitation under such Act relating to a greenhouse gas that is designed to address climate change, including any permitting requirement or requirement under section 111 of such Act (42 U.S.C. 7411), for any source other than a new motor vehicle or a new motor vehicle engine (as described in section 202(a) of such Act (42 U.S.C. 7521(a)), shall not be legally effective during the 2-year period beginning on the date of the enactment of this Act.

(c) TREATMENT.—Notwithstanding any other provision of law, any action by the Administrator of the Environmental Protection Agency before the end of the 2-year period described in subsection (b) that causes greenhouse gases to be pollutants subject to regulation under the Clean Air Act (42 U.S.C. 7401 et seq.), except for purposes other than addressing climate change, shall not be legally effective with respect to any source other than a new motor vehicle or a new motor vehicle engine (as described in section 202 of such Act).

(d) EXCEPTIONS.—Subsections (b) and (c) shall not apply to—

(1) the implementation and enforcement of the rule entitled “Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards” (75 Fed. Reg. 25324 (May 7, 2010) and without further revision);

(2) the finalization, implementation, enforcement, and revision of the proposed rule entitled “Greenhouse Gas Emissions Standards and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles” published at 75 Fed. Reg. 74152 (November 30, 2010);

(3) any action relating to the preparation of a report or the enforcement of a reporting requirement; or

(4) any action relating to the provision of technical support at the request of a State.

**SEC. 505.** **GREENHOUSE GAS EMISSIONS FROM AGRICULTURAL SOURCES.**

In calculating the emissions or potential emissions of a source or facility, emissions of greenhouse gases that are subject to regulation under title III of the Clean Air Act (42 U.S.C. 7601 et seq.) solely on the basis of the effect of the gases on global climate change shall be excluded if the emissions are from—

- (1) changes in land use;
- (2) the growing of commodities, biomass, fruits, vegetables, or other crops;
- (3) the raising of stock, dairy, poultry, or fur-bearing animals; or

(4) farms, forests, plantations, ranches, nurseries, ranges, orchards, greenhouses, or other similar structures used primarily for the raising of agricultural or horticultural commodities.

**SEC. 506.** **EXTENSION OF THE ADVANCED ENERGY PROJECT CREDIT.**

(a) IN GENERAL.—Subsection (d) of section 48C of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(6) ADDITIONAL 2011 ALLOCATIONS.—

“(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this paragraph, the Secretary, in consultation with the Secretary of Energy, shall establish a program to consider and award certifications for qualified investments eligible for credits under this section to qualifying advanced energy project sponsors with respect to applications received on or after the date of the enactment of this paragraph.

“(B) LIMITATION.—The total amount of credits that may be allocated under the program described in subparagraph (A) shall not

exceed the 2011 allocation amount reduced by so much of the 2011 allocation amount as is taken into account as an increase in the limitation described in paragraph (1)(B).

“(C) APPLICATION OF CERTAIN RULES.—Rules similar to the rules of paragraphs (2), (3), (4), and (5) shall apply for purposes of the program described in subparagraph (A), except that—

“(i) CERTIFICATION.—Applicants shall have 2 years from the date that the Secretary establishes such program to submit applications.

“(ii) SELECTION CRITERIA.—For purposes of paragraph (3)(B)(i), the term ‘domestic job creation (both direct and indirect)’ means the creation of direct jobs in the United States producing the property manufactured at the manufacturing facility described under subsection (c)(1)(A)(i), and the creation of indirect jobs in the manufacturing supply chain for such property in the United States.

“(iii) REVIEW AND REDISTRIBUTION.—The Secretary shall conduct a separate review and redistribution under paragraph (5) with respect to such program not later than 4 years after the date of the enactment of this paragraph.

“(D) 2011 ALLOCATION AMOUNT.—For purposes of this subsection, the term ‘2011 allocation amount’ means \$5,000,000,000.

“(E) DIRECT PAYMENTS.—In lieu of any qualifying advanced energy project credit which would otherwise be determined under this section with respect to an allocation to a taxpayer under this paragraph, the Secretary shall, upon the election of the taxpayer, make a grant to the taxpayer in the amount of such credit as so determined. Rules similar to the rules of section 50 shall apply with respect to any grant made under this subparagraph.”

(b) PORTION OF 2011 ALLOCATION ALLOCATED TOWARD PENDING APPLICATIONS UNDER ORIGINAL PROGRAM.—Subparagraph (B) of section 48C(d)(1) of such Code is amended by inserting “(increased by so much of the 2011 allocation amount (not in excess of \$1,500,000,000) as the Secretary determines necessary to make allocations to qualified investments with respect to which qualifying applications were submitted before the date of the enactment of paragraph (6))” after “\$2,300,000,000”.

(c) CONFORMING AMENDMENT.—Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by inserting “48C(d)(6)(E),” after “36C.”

## NOTICE OF HEARING

### COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, April 7, 2011, at 2:15 p.m. in Room 628 of the Dirksen Senate Office Building to conduct an oversight hearing entitled “Promise Fulfilled: The Role of the SBA 8(a) Program in Enhancing Economic Development in Indian Country.”

Those wishing additional information may contact the Indian Affairs Committee at (202) 224-2251.

## AUTHORITY FOR COMMITTEES TO MEET

### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and

Forestry be authorized to meet during the session of the Senate on March 30, 2011, at 10:30 p.m. in SR 328A.

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

### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on March 30, 2011, at 10 a.m. in Dirksen 406.

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

### COMMITTEE ON FINANCE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on March 30, 2011, at 10 a.m. in 215 Dirksen Senate Office Building, to conduct a hearing entitled “How Do Complexity, Uncertainty and Other Factors Impact Responses to Tax Incentives?”

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

### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. SCHUMER. 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 30, 2011, at 10 a.m. to conduct a hearing entitled “Ten Years After 9/11: A Report From the 9/11 Commission Chairmen.”

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

### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. SCHUMER. 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 30, 2011, at 2:30 p.m. to conduct a hearing entitled “Securing the Border: Building on the Progress Made.”

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

### COMMITTEE ON THE JUDICIARY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on March 30, 2011, at 10 a.m. in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Oversight of the Federal Bureau of Investigation.”

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

### COMMITTEE ON THE JUDICIARY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on March 30, 2011, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Nominations.”

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

### COMMITTEE ON VETERANS' AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Com-

mittee on Veterans' Affairs be authorized to meet during the session of the Senate on March 30, 2011. The Committee will meet in room SD-106 in the Dirksen Senate Office Building beginning at 10:30 a.m.

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

### SUBCOMMITTEE ON NATIONAL PARKS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Subcommittee on National Parks be authorized to meet during the session of the Senate on March 30, 2011, at 2:30 p.m., in room 366 of the Dirksen Senate Office Building.

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

### SUBCOMMITTEE ON STRATEGIC FORCES

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on March 30, 2011, at 2:30 p.m.

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

### SUBCOMMITTEE ON SURFACE TRANSPORTATION AND MERCHANT MARINE INFRASTRUCTURE, SAFETY, AND SECURITY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on March 30, 2011, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

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

## BIRTHDAY WISHES

Mr. REID. Mr. President, happy birthday.

The PRESIDING OFFICER. Thank you.

## CONGRATULATING THE PENNSYLVANIA STATE UNIVERSITY IFC/PANHELLENIC DANCE MARATHON

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 112, and the Senate now proceed to its consideration.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 112) congratulating the Pennsylvania State University IFC/Panhellenic Dance Marathon (“THON”) on its continued success in support of the Four Diamonds Fund at Penn State Hershey Children's Hospital.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be