

Many will argue that we don't need this legislation, because the court will fine them accordingly. But to date, the largest Clean Water Act fine ever levied was \$13 million. \$13 million is less than BP spent in 2009 on lobbying.

That is why I am introducing the Pollution Accountability Act of 2011, which requires the court to fine violators of the Clean Water Act whichever fine is higher, per day or per barrel. If you pollute, there will be consequences. There will be accountability. We will demand responsibility.

I urge my colleagues to join me in supporting this legislation and expeditiously passing it into law.

By Mrs. FEINSTEIN:

S. 872. A bill to amend the Omnibus Indian Advancement Act to modify the date as of which certain tribal land of the Lytton Rancheria of California is considered to be held in trust and to provide for the conduct of certain activities on the land; to the Committee on Indian Affairs.

Mrs. FEINSTEIN. Mr. President, I rise today to reintroduce the Lytton Gaming Oversight Act. This legislation will ensure that regular process under Federal law is followed when Native American tribes take land into trust for operating gaming facilities.

Congress passed the Omnibus Indian Advancement Act in 2000, which included a provision to re-recognize the Lytton Band of Pomo Indians and allow them to acquire trust land in the San Francisco Bay area.

The Lytton Band has had a long and difficult history in my state, and by all accounts the Tribe deserved to be recognized and have a homeland.

But the Omnibus Indian Advancement Act did so in a way that was both controversial and unfair in how it granted an individual tribe an unprecedented exemption to the law.

The land taken into trust for the Lytton Band was miles away from their historical homeland and it treated the acquisition as if it was completed before 1988.

Why would something like that matter?

The answer is simple: the land the tribe acquired was home to an existing casino and 1988 is the year that Congress passed the Indian Gaming Regulatory Act.

Therefore, by treating the land as if it were taken into trust before 1988, the Tribe is able to operate the casino outside the framework set up by Congress to govern how and where tribes may open casinos.

The Omnibus Indian Advancement Act set aside well-established rules and procedures, and left the government with little ability to regulate the Lytton Band's gaming operation.

The result: the Lytton Band acquired land and a casino without having to go through the normal oversight process. No local input. No community feedback and no consideration for the best interest of the region.

The Lytton Gaming Oversight Act would implement a reasonable solution to this problem.

It does so by taking two simple steps.

It protects the sovereignty of the Tribe by allowing continued operation of existing gaming activities, provided the tribe follows standards established by the Indian Gaming Regulatory Act for gaming on newly-acquired lands in the future.

Secondly it protects the interest of the surrounding community by precluding any physical or operational expansion of the Tribe's current gaming facility unless the Tribe consults with locals and obtains the consent of the Governor and the Secretary of the Interior as required by current law.

The bill does not modify or eliminate the tribe's federal recognition status. It does not alter the trust status of the Tribe's land. It does not take away the Tribe's ability to conduct gaming through the standard process prescribed by current law.

Circumventing the Indian Gaming Regulatory Act process deprives local and tribal governments the ability to weigh in on this incredibly important issue.

A 2006 report entitled *Gambling in the Golden State* found serious problems associated with gambling establishments; casinos are associated with a 10 percent increase in violent crime, a 10 percent increase in bankruptcy rates, and a per capita increase of \$15.34 for law enforcement.

If this bill is not approved, the Lytton Tribe could take the existing casino that serves as their reservation and turn it into a large Nevada-style gambling complex. In fact, this is exactly what was proposed in the summer of 2004. I am pleased that the tribe has abandoned the plan seeking a sizable Class III casino, but without this legislation the tribe could reverse their decision at any time.

Identical legislation passed this body in the past two Congresses. It had unanimous approval from both Democrats and Republicans. This is in large part because I have worked and negotiated with the Tribe to ensure that this legislation is fair and balanced.

The bill is simple, straightforward, and reasonable. It restores the intent of Congress and preserves the sovereignty of the Lytton Band.

I urge my colleagues to support this bill, and look forward to working with you to ensure its passage again in the coming year.

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

S. 872

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

SECTION 1. LYTTON RANCHERIA OF CALIFORNIA.

Section 819 of the Omnibus Indian Advancement Act (Public Law 106-568; 114 Stat. 2919) is amended—

(1) in the first sentence, by striking "Notwithstanding" and inserting the following:

"(a) ACCEPTANCE OF LAND.—Notwithstanding";

(2) in the second sentence, by striking "The Secretary" and inserting the following:

"(b) DECLARATION.—The Secretary"; and

(3) by striking the third sentence and inserting the following:

"(c) TREATMENT OF LAND FOR PURPOSES OF CLASS II GAMING.—

"(1) IN GENERAL.—Subject to paragraph (2), notwithstanding any other provision of law, the Lytton Rancheria of California may conduct activities for class II gaming (as defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)) on the land taken into trust under this section.

"(2) REQUIREMENT.—The Lytton Rancheria of California shall not expand the exterior physical measurements of any facility on the Lytton Rancheria in use for class II gaming activities on the date of enactment of this paragraph.

"(d) TREATMENT OF LAND FOR PURPOSES OF CLASS III GAMING.—Notwithstanding subsection (a), for purposes of class III gaming (as defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)), the land taken into trust under this section shall be treated, for purposes of section 20 of the Indian Gaming Regulatory Act (25 U.S.C. 2719), as if the land was acquired on October 9, 2003, the date on which the Secretary took the land into trust."

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 159—HONORING THE MEMBERS OF THE MILITARY AND INTELLIGENCE COMMUNITY WHO CARRIED OUT THE MISSION THAT KILLED OSAMA BIN LADEN, AND FOR OTHER PURPOSES

Mr. REID of Nevada (for himself, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BINGAMAN, Mr. BLUMENTAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HOEVEN, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. ISAKSON, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KERRY, Mr. KIRK, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. LIEBERMAN, Mr. LUGAR, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MILULSKI, Mr. MORAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED of Rhode Island, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr.

WYDEN) submitted the following resolution; which was submitted and read:

S. RES. 159

Whereas, on May 1, 2011, United States personnel killed terrorist leader Osama bin Laden during the course of a targeted strike against his secret compound in Abbottabad, Pakistan;

Whereas Osama bin Laden was the leader of the al Qaeda terrorist organization, the most significant terrorism threat to the United States and the international community;

Whereas Osama bin Laden was the architect of terrorist attacks which killed nearly 3,000 civilians on September 11, 2001, the most deadly terrorist attack against our Nation, in which al Qaeda terrorists hijacked four airplanes and crashed them into the World Trade Center in New York City, the Pentagon in Washington, D.C., and, due to heroic efforts by civilian passengers to disrupt the terrorists, near Shanksville, Pennsylvania;

Whereas Osama bin Laden planned or supported numerous other deadly terrorist attacks against the United States and its allies, including the 1998 bombings of United States embassies in Kenya and Tanzania and the 2000 attack on the U.S.S. Cole in Yemen, and against innocent civilians in countries around the world, including the 2004 attack on commuter trains in Madrid, Spain and the 2005 bombings of the mass transit system in London, England;

Whereas, following the September 11, 2001, terrorist attacks, the United States, under President George W. Bush, led an international coalition into Afghanistan to dismantle al Qaeda, deny them a safe haven in Afghanistan and ungoverned areas along the Pakistani border, and bring Osama bin Laden to justice;

Whereas President Barack Obama in 2009 committed additional forces and resources to efforts in Afghanistan and Pakistan as “the central front in our enduring struggle against terrorism and extremism”;

Whereas the valiant members of the United States Armed Forces have courageously and vigorously pursued al Qaeda and its affiliates in Afghanistan and around the world;

Whereas the anonymous, unsung heroes of the intelligence community have pursued al Qaeda and affiliates in Afghanistan, Pakistan, and around the world with tremendous dedication, sacrifice, and professionalism;

Whereas the close collaboration between the Armed Forces and the intelligence community prompted the Director of National Intelligence, General James Clapper, to state, “Never have I seen a more remarkable example of focused integration, seamless collaboration, and sheer professional magnificence as was demonstrated by the Intelligence Community in the ultimate demise of Osama bin Laden.”;

Whereas, while the death of Osama bin Laden represents a significant blow to the al Qaeda organization and its affiliates and to terrorist organizations around the world, terrorism remains a critical threat to United States national security; and

Whereas President Obama said, “For over two decades, bin Laden has been al Qaeda’s leader and symbol, and has continued to plot attacks against our country and our friends and allies. The death of bin Laden marks the most significant achievement to date in our Nation’s effort to defeat al Qaeda.”: Now, therefore, be it

Resolved, That the Senate—

(1) declares that the death of Osama bin Laden represents a measure of justice and relief for the families and friends of the nearly 3,000 men and women who lost their lives on September 11, 2001, the men and women in

the United States and around the world who have been killed by other al Qaeda-sponsored attacks, the men and women of the United States Armed Forces and the intelligence community who have sacrificed their lives pursuing Osama bin Laden and al Qaeda;

(2) commends the men and women of the United States Armed Forces and the United States intelligence community for the tremendous commitment, perseverance, professionalism, and sacrifice they displayed in bringing Osama bin Laden to justice;

(3) commends the men and women of the United States Armed Forces and the United States intelligence community for committing themselves to defeating, disrupting, and dismantling al Qaeda;

(4) commends the President for ordering the successful operations to locate and eliminate Osama bin Laden; and

(5) reaffirms its commitment to disrupting, dismantling, and defeating al Qaeda and affiliated organizations around the world that threaten United States national security, eliminating a safe haven for terrorists in Afghanistan and Pakistan, and bringing terrorists to justice.

SENATE RESOLUTION 160—DESIGNATING MAY 6, 2011, AS “MILITARY SPOUSE APPRECIATION DAY”

Mr. BURR (for himself, Mrs. FEINSTEIN, and Mrs. BOXER) submitted the following resolution; which was considered and agreed to:

S. RES. 160

Whereas the month of May marks “National Military Appreciation Month”;

Whereas military spouses provide vital support to men and women in the Armed Forces and help to make the service of such men and women in the Armed Forces possible;

Whereas military spouses have been separated from loved ones because of deployment in support of overseas contingency operations and other military missions carried out by the Armed Forces;

Whereas the establishment of “Military Spouse Appreciation Day” is an appropriate way to honor the spouses of members of the Armed Forces; and

Whereas May 6, 2011, would be an appropriate date to establish as “Military Spouse Appreciation Day”: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 6, 2011, as “Military Spouse Appreciation Day”;

(2) honors and recognizes the contributions made by spouses of members of the Armed Forces; and

(3) encourages the people of the United States to observe “Military Spouse Appreciation Day” to promote awareness of the contributions of spouses of members of the Armed Forces and the importance of the role of military spouses in the lives of members of the Armed Forces and veterans.

SENATE RESOLUTION 161—DESIGNATING MAY 2011, AS “NATIONAL INVENTORS MONTH”

Mr. LEAHY (for himself, Mr. GRASSLEY, and Mr. COONS) submitted the following resolution; which was considered and agreed to:

S. RES. 161

Whereas the first United States patent was issued in 1790 to Samuel Hopkins of the State of Vermont for a process to make better fertilizer;

Whereas American inventors have contributed to advances in life sciences, technology, and manufacturing;

Whereas the Constitution specifically provides for the granting of exclusive rights to inventors for their discoveries;

Whereas the United States patent system is intended to implement that constitutional imperative and incentivize inventions;

Whereas American inventors benefit from an up-to-date and efficient patent system and the economy, jobs, and consumers of the United States benefit from the inventions;

Whereas the next great American invention could be among the 700,000 patent applications pending as of the date of approval of this resolution in the United States Patent and Trademark Office;

Whereas the last changes to the United States patent system were made nearly 60 years ago;

Whereas an updated patent system will unleash innovation and create jobs in the United States without adding to the deficit;

Whereas every May, a new class of inventors is inducted into the National Inventors Hall of Fame;

Whereas in the 112th Congress, a bill was introduced in the House of Representatives entitled the “America Invents Act” (H.R. 1249) to make reforms to the United States patent system; and

Whereas the Senate on March 8, 2011, passed the bill entitled the “America Invents Act” (S. 23), which will make the first comprehensive reforms to the United States patent system in nearly 60 years: Now, therefore, be it

Resolved, That the Senate designates May 2011, as “National Inventors Month”.

AMENDMENTS SUBMITTED AND PROPOSED

SA 303. Mr. ALEXANDER (for himself, Mr. GRAHAM, and Mr. DEMINT) 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 304. 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 305. 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 306. 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 307. 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 308. 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 309. Mr. COBURN (for himself, Mrs. FEINSTEIN, Mr. BURR, Mr. WEBB, Ms. COLLINS, Mr. CARDIN, and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 310. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 311. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 312. Mr. MCCAIN submitted an amendment intended to be proposed by him to the