

the Joint Chiefs of Staff. This legislation will strengthen our national security both abroad and here at home.

The Joint Chiefs of Staff does an outstanding job providing support to the Secretary of Defense and performing oversight of military personnel and resources within the Department of Defense. However, it lacks the voice of the Chief of the National Guard Bureau who represents more than twenty percent of the uniformed service members.

This is important because each member of the Joint Chiefs of Staff is a military adviser to the President, the National Security Council, the Homeland Security Council, and the Secretary of Defense. In that role, they may offer their advice and opinions to the President, the National Security Council, the Homeland Security Council, or the Secretary of Defense. And, as we all know, the National Guard has important homeland security responsibilities in addition to national defense responsibilities.

As the former Governor of West Virginia, I cannot say enough about the importance of the National Guard. The National Guard is always there. Whether it is flooding, snow storms, tornadoes, or other disasters, the National Guard comes to the rescue of communities in every State throughout our Nation. And, I would bet that there is a member of the National Guard living in every single congressional district and every single community in our country. These citizen-soldiers are our Governors' emergency force.

Unlike our active-duty forces, the National Guard has both a State and Federal mission. Now I'm not taking anything away from our active-duty or reserve forces as they have always performed, and will continue to perform, in an outstanding fashion. However, the National Guard is unique in that it serves each State's Governor in addition to the President and Commander-in-Chief.

The National Guard's State mission includes responding to natural and man-made disasters as well as domestic emergencies. They have been called to respond to hurricanes, floods and snow storms. They serve next door to each of us.

Among the National Guard's Federal responsibilities is providing homeland defense and defense support to civil authorities. The National Guard accomplishes its Federal mission through a variety of programs. One of those programs is the Chemical, Biological, Radiological, Nuclear, or High-Yield Explosive Teams, which respond to incidents and support local, State, and Federal agencies as they conduct decontamination, medical support, and casualty search and extraction.

Last year's Quadrennial Defense Review acknowledged that the Department of Defense must be prepared to provide appropriate support to civil authorities. One key finding of the Quadrennial Defense Review was the recognition of the need to field faster,

more flexible chemical, biological, radiological, nuclear, and high-yield explosives events consequence management response forces. As a result of this finding, the National Guard will build a Homeland Response Force in each of the 10 Federal Emergency Management Agency regions. These 10 Homeland Response Forces will provide the needed response capability. These are just two of the many ways in which the National Guard works directly with the homeland security community as the central connection between the Federal Government and State and local officials. And, I would be remiss if I did not mention that a primary training unit for these Homeland Response Forces is the West Virginia National Guard's Joint Interagency Training & Education Center.

These Federal programs, along with the National Guard's State mission, clearly illustrate the National Guard's unequivocal role in protecting our home front. And, it goes without saying that our Guard members make tremendous contributions to military operations outside of the United States.

Today, tens of thousands of Guard members train with first responders and protect life and property here at home, while also engaging in combat operations in far-off, dangerous locations—including Iraq and Afghanistan.

Since September 11, 2001, our National Guardsmen have been called upon to deploy abroad at a higher rate than ever before. At the same time their domestic and State missions have expanded. Given the National Guard's role in defending our country, it is important that the National Guard be resourced and equipped to fulfill its dual mission.

Our Guard members must be assured of the ability to meet their obligations to their Governors, their next door neighbors, and to our Nation as a whole. In order to do that, the National Guard's voice must be heard at the highest levels of our government.

By making the Chief of the National Guard Bureau a member of the Joint Chiefs of Staff, the Guardians of Freedom Act of 2011 will guarantee that the National Guard is a part of the discussion as the Nation responds to threats both foreign and domestic. It also makes certain that the concerns of the Nation's Governors are considered when resources are scarce. And it will build upon the relationship developed between the active-duty forces and the National Guard, a bond has been strengthened as a result of the ongoing operations.

Before I end my remarks, I want to acknowledge Major General Allen Tackett, the Adjutant General of the West Virginia National Guard for the last 15 years and the longest serving Adjutant General in the country. Major General Tackett is retiring today after enlisting in the Army more than 45 years ago. He has been a great partner and visionary over the years. He led the transformation of the West

Virginia National Guard and, according to General McKinley, Chief of the National Guard Bureau, is leaving West Virginia with the Nation's finest National Guard. I can honestly say that we are better off as a Nation because he chose to dedicate his life to defending ours. Thank you, Major General Tackett. God smiled on West Virginia the day he gave us you, and we are eternally grateful.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 34—DESIGNATING THE WEEK OF FEBRUARY 7 THROUGH 11, 2011, AS "NATIONAL SCHOOL COUNSELING WEEK"

Mrs. MURRAY (for herself, Ms. COLLINS, Mr. LAUTENBERG, Mr. LEVIN, and Mr. SANDERS) submitted the following resolution; which was considered and agreed to:

S. RES. 34

Whereas the American School Counselor Association has designated the week of February 7 through 11, 2011, as "National School Counseling Week";

Whereas the importance of school counseling has been recognized through the inclusion of elementary and secondary school counseling programs in amendments to the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

Whereas school counselors have long advocated that the education system of the United States must provide equitable opportunities for all students;

Whereas personal and social growth results in increased academic achievement;

Whereas school counselors help develop well-rounded students by guiding the students through academic, personal, social, and career development;

Whereas school counselors assist with and coordinate efforts to foster a positive school culture resulting in a safer learning environment for all students;

Whereas school counselors have been instrumental in helping students, teachers, and parents deal with personal trauma as well as tragedies in the community and the United States;

Whereas students face myriad challenges every day, including peer pressure, depression, the deployment of family members to serve in conflicts overseas, and school violence;

Whereas school counselors are one of the few professionals in a school building who are trained in both education and mental health matters;

Whereas the roles and responsibilities of school counselors are often misunderstood, and the school counselor position is often among the first to be eliminated in order to meet budgetary constraints;

Whereas the national average ratio of students to school counselors of 457-to-1 is almost twice the 250-to-1 ratio recommended by the American School Counselor Association, the American Counseling Association, the National Association for College Admission Counseling, and other organizations; and

Whereas the celebration of National School Counseling Week would increase awareness of the important and necessary role school counselors play in the lives of students in the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of February 7 through 11, 2011, as “National School Counseling Week”; and

(2) encourages the people of the United States to observe the week with appropriate ceremonies and activities that promote awareness of the role school counselors play in the school and the community at large in preparing students for fulfilling lives as contributing members of society.

SENATE RESOLUTION 35—EX-PRESSING SUPPORT FOR THE DESIGNATION OF JANUARY 28, 2011 AS NATIONAL DATA PRIVACY DAY

Mr. ROCKEFELLER (for himself, Mrs. HUTCHISON, Mr. KERRY, Mr. WICKER, Mr. LEAHY, Mrs. FEINSTEIN, Ms. SNOWE, Mrs. BOXER, and Mr. PRYOR) submitted the following resolution; which was considered and agreed to:

S. RES. 35

Whereas the protection of the privacy of personal information is a global imperative for governments, commerce, civil society, and individuals;

Whereas new and innovative technologies enhance our lives by increasing our abilities to communicate, learn, share, and produce, and every effort should be made to continue both the development and the widespread use of such technologies;

Whereas the use of numerous technologies in our everyday lives and in our work gives rise to the potential compromise of personal data privacy if appropriate care is not taken, by individuals, government, and businesses, to protect personal information;

Whereas many individuals are unaware of the risks to privacy posed by new technologies, of data protection and privacy laws generally, and of specific steps that they can take to help protect the privacy of personal information;

Whereas a continuing examination and understanding of the ways in which personal information is collected, used, stored, shared and managed in an increasingly networked world will contribute to the protection of personal privacy;

Whereas National Data Privacy Day constitutes an international collaboration and a nationwide and statewide effort to raise awareness about data privacy and promote education about the protection of personal information;

Whereas government officials from the United States, Canada, and Europe, privacy professionals, academic communities, legal scholars, representatives of businesses and nonprofit organizations, and others with an interest in data privacy issues are working together on this date to further the discussion about data privacy and protection;

Whereas privacy and security professionals and educators are being encouraged to take the time to discuss data privacy and security issues with teens and young adults in schools and Universities across the country, and parents are being encouraged to discuss data privacy issues with their children;

Whereas the Federal Government has a demonstrated interest in promoting privacy and security education in schools;

Whereas the third annual Congressional recognition of National Data Privacy Day will encourage more people nationwide to be aware of data privacy concerns and to take steps to protect their personal information; and

Whereas January 28, 2011, would be an appropriate day to designate as National Data Privacy Day: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of a National Data Privacy Day;

(2) encourages State and local governments to observe the day with appropriate activities that promote awareness of data privacy;

(3) encourages educators and privacy professionals to discuss data privacy and security issues with teens in high schools across the United States;

(4) encourages corporations to take steps to protect the privacy and security of the personal information of their clients and consumers; to design privacy into products they create where possible; and to promote trust in technologies; and

(5) encourages individuals across the Nation to be aware of data privacy concerns and to take steps to protect their personal information.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3. Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill S. 223, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table.

SA 4. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 223, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3. Mr. JOHANNIS submitted an amendment intended to be proposed by him to the bill S. 223, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . REPEAL OF EXPANSION OF INFORMATION REPORTING REQUIREMENTS.

(a) IN GENERAL.—Section 9006 of the Patient Protection and Affordable Care Act, and the amendments made thereby, are hereby repealed; and the Internal Revenue Code of 1986 shall be applied as if such section, and amendments, had never been enacted.

(b) RESCISSION OF UNSPENT FEDERAL FUNDS TO OFFSET LOSS IN REVENUES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, of all available unobligated funds, \$39,000,000,000 in appropriated discretionary funds are hereby rescinded.

(2) IMPLEMENTATION.—The Director of the Office of Management and Budget shall determine and identify from which appropriation accounts the rescission under paragraph (1) shall apply and the amount of such rescission that shall apply to each such account. Not later than 60 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit a report to the Secretary of the Treasury and Congress of the accounts and amounts determined and identified for rescission under the preceding sentence.

(3) EXCEPTION.—This subsection shall not apply to the unobligated funds of the Department of Defense or the Department of Veterans Affairs.

SA 4. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 223, to modernize the air traffic control system, improve the safety, reliability, and availability of transportation by air in the United States, provide modernization of the air traffic control system, reauthorize the Federal Aviation Administration, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 128, strike line 5 and all that follows through page 141, line 9, and insert the following:

SEC. 411. REPEAL OF ESSENTIAL AIR SERVICE PROGRAM.

(a) IN GENERAL.—Subchapter II of chapter 417 of title 49, United States Code, is repealed.

(b) CONFORMING AMENDMENTS.—Title 49, United States Code, is further amended—

(1) in section 329(b)(1), by striking “except that” and all the follows through the semicolon;

(2) in section 40109(f)(3)(B), by striking “, including the minimum” and all that follows through “this title”;

(3) in section 40117(e)(2), by striking subparagraph (B) and redesignating subparagraphs (C) through (F) as subparagraphs (B) through (E), respectively;

(4) in section 41110—

(A) in subsection (a)(2)(B), by striking “41712, and 41731-41742” and inserting “and 41712”; and

(B) in subsection (c)—

(i) in paragraph (1), by striking “carrier—” and all that follows through “does not provide” and inserting “carrier does not provide”; and

(ii) in paragraph (2), by striking “(1)(B)” and inserting “(1)”; and

(5) in section 47124(b)(3)(C), by striking clause (iv) and redesignating clauses (v) through (vii) as clauses (iv) through (vi), respectively.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources.

The hearing will be held on Wednesday, March 2, 2011, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to consider the President's Fiscal Year 2012 proposed budget for the Department of the Interior.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, 304 Dirksen Senate Office Building, Washington, DC 20510-6150, or by email to allison_seyferth@energy.senate.gov.

For further information, please contact David Brooks or Allison Seyferth.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public